

FHWA-1391 Notice and Instructions Contractors' Annual EEO Report

July 13, 2020

This notice is for all contractors and subcontractors with *active** federal-aid contracts in Oregon funded through the Oregon Department of Transportation (ODOT). This report must be completed using the Excel file format, and submitted digitally in the Excel format. Scans or PDF versions are not acceptable.

**Active federal-aid contracts are those with first note but not second note.*

What is the Federal-Aid Highway Construction Contractors' Annual EEO Report (FHWA-1391)?

- Completion of this report is required by contract and the collection of information is required by law and regulation 23 USC 140a and 23 CFR Part 230.
- Every column of the report must be completed to identify the number of people you employ, the primary trade in which they work, their race and gender, and their classification as a journey worker, an apprentice, or on-the-job trainee.
- Count each employee once for the last full pay period ending anytime within the month of July 2020. Report on the last week worked during July, not necessarily the last week. Example: If there were employees working only the 2nd week of July, then you would report on that week. If they worked the 2nd and 4th week, you report just the 4th week.

Who is required to complete this federal report?

- All contractors and subcontractors who receive this notice with the exception of surveying and engineering firms.

What and where are the filing instructions?

- The form and instructions are emailed, and located at
- <http://www.oregon.gov/ODOT/Business/OCR/Documents/FHWA1391.xlsx>
- http://www.oregon.gov/ODOT/Business/OCR/Documents/2020_1391_Instructions.pdf
- Contractors and subcontractors must complete the Form for **each** ODOT Federal-aid project.
- Surveying and engineering classifications are not required to be reported. Firms employing only surveying and engineering classifications are not required to submit this report.
- **Reports must be completed using the Excel file and emailed to ocrinforequest@odot.state.or.us**
- Failure to report will result in non-compliance under 23 USC 140a and 23 CFR Part 230.

What if a contractor/subcontractor does not have an active workforce during July 2020?

- Contractors or subcontractors without an active workforce on ODOT Federal-aid projects anywhere in Oregon need only complete boxes 2, 8 and 9 and submit.

What is the deadline?

- Prime contractors and subcontractors are responsible for submitting the completed Excel file by email no **later than Friday, August 14, 2020.**

Common Mistakes

- A form is submitted with totals from table B & C not matching: Table C - Supply the racial/ethnic category of the apprentices or trainees (reported in Table B). TOTALS FOR TABLE B and TOTAL EMPLOYED ON TABLE C MUST MATCH.
- A form is submitted as a flat / scanned pdf: The Excel file is required by the Federal Highway Administration. We cannot accept scanned files.

Questions? Call Clay Deckert at (541) 388-6065 or (541) 419-4101

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The following instructions correspond with the numbered boxes and tables on the report. An image of the form is shown on page 3.

The form in Excel format is located here:
<http://www.oregon.gov/ODOT/Business/OCR/Documents/FHWA1391.xlsx>
Complete and submit by email to ocrinforequest@odot.state.or.us by August 14, 2020.

This report is a **head count** of your ODOT federal-aid workforce for each project, including management and office personnel performing project related duties. **Do not report work hours on this form.**

1. **Select Appropriate Role:** Indicate whether you are a prime contractor or subcontractor on this project by entering "X" into the appropriate role field.
2. **Company Name, City, and State:** Fill in the legal name, city and state.
3. **Project Number:** Enter the ODOT Contract Number for the data the form will cover. Enter only one project per form. Each project needs a separate 1391 form.
4. **Dollar Amount of Contract.**
5. **Project Location:** Fill in County and State.
6. **WORKFORCE ON FEDERAL-AID AND CONSTRUCTION SITE(S) DURING LAST FULL PAY PERIOD ENDING IN JULY 2020** (Enter numbers in Tables A, B and C as indicated below).
 - **Table A:** Enter the number of employees (including journey, apprentices and trainees) in each racial/ethnic category working in each Job Category (blue boxes). Use only the most appropriate category on the form; do not add or edit categories. The totals (green boxes) will calculate automatically.
 - **Table B:** Enter the number of apprentice or trainees (reported in Table A) working in each trade or craft.
 - **Table C:** Supply the racial/ethnic category of the apprentices or trainees (reported in Table B). *TOTALS FOR TABLE B and TOTAL EMPLOYED ON TABLE C MUST MATCH.*

Definition of Apprentice and On-the-Job Trainee (OJT)

Apprentice: A contractor that is a registered training agent who employs apprentices that are registered in formal training programs governed by an apprenticeship committee.

On-the-Job Trainee: An employee that is not a registered apprentice that is being trained under a company's approved In-House training program and is monitored by ODOT and FHWA.

Boxes 8 and 9 (Required):

Fill in your name, title, email address and the date.

Submitting the Completed FHWA-1391 Form

Once all of the information has been entered into the FHWA-1391 Excel file:

1. Save the completed Excel file; remember the file location so you can attach it to an email.
2. Create a new email with the Subject line: **[Project Number] 1391 2020 [CompanyName]**
(Example: **15000 1391 2020 XYZ Corporation**)
3. Attach the completed Excel file.
4. Send to ODOT's Office of Civil Rights at ocrinforequest@odot.state.or.us
5. Check your sent folder to verify that the email has been sent with the attachment.

If you need assistance completing this report, please contact:

Clay Deckert (541) 388-6065 or (541) 419-4101

or

OCRInfoRequest@odot.state.or.us

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Sample Form

FEDERAL-AID HIGHWAY CONSTRUCTION CONTRACTORS ANNUAL EEO REPORT	
1. MARK APPROPRIATE BLOCK Contractor <input checked="" type="checkbox"/> Subcontractor <input type="checkbox"/>	2. COMPANY NAME, CITY, STATE: XYZ Corporation, Salem, OR
3. PROJECT NUMBER: 12345	4. DOLLAR AMOUNT OF CONTRACT: 3,500,000
5. PROJECT LOCATION: (County and State) Marion, OR	
<p><small>This collection of information is required by law and regulation 23 U.S.C. 140a and 23 CFR Part 230. The OMB control number for this collection is 2125-0019 expiring in August, 2020.</small></p> 6. WORKFORCE ON FEDERAL-AID AND CONSTRUCTION SITE(S) DURING LAST FULL PAY PERIOD ENDING IN JULY 2020	

JOB CATEGORIES	TOTAL EMPLOYED		TOTAL RACIAL ETHNIC MINORITY		BLACK or AFRICAN AMERICAN		HISPANIC OR LATINO		AMERICAN INDIAN OR ALASKA NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		TWO OR MORE RACES		WHITE		APPRENTICES		ON THE JOB TRAINEES	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
OFFICIALS	1	0	1	0	1	0																
SUPERVISORS	2	1	3	0																		
FOREMEN/WOMEN	6	0	3	0	2																	
CLERICAL	0	3	0	1			1															
EQUIPMENT OPERATORS	5	3	4	2	1	2							1									1
MECHANICS	0	0	0	0																		
TRUCK DRIVERS	0	0	0	0																		
IRONWORKERS	8	1	6	0	2				2		1										2	
CARPENTERS	6	2	3	1	2	1															3	1
CEMENT MASONS	6	1	4	1			3				1										2	
ELECTRICIANS	0	0	0	0																		
PIPEFITTER/PLUMBERS	0	0	0	0																		
PAINTERS	0	0	0	0																		
LABORERS-SEMI SKILLED	8	2	5	1	1																3	1
LABORERS-UNSKILLED	0	0	0	0																		
TOTAL	42	13	27	6	9	3	9	2	6	0	2	0	1	1	0	0	15	7	4	3	0	0

TABLE C (Table B data by racial status)

8. PREPARED BY: (Name, Title, Email of Contractor's Representative) Jane Doe, Office Manager, janedoe@xyzcorp.com	9. DATE 09/04/20	10. REVIEWED BY: (Signature and Title of State Highway Official)
11. DATE		