

CHAPTER 4

PROJECT EEO/AA REQUIREMENTS

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Section 4.1

GENERAL INFORMATION

4.1.1 Purpose

The prime contractor and subcontractors of construction projects are subject to various requirements regarding EEO/AA. Project EEO/AA requirements are specific to one project.

4.1.2 Scope

Refer to Workbook Section 1.7, "Compliance Requirement Summary" for an overview of the Project EEO/AA Requirements of prime contractors and others on a project.

4.1.3 Project EEO/AA Elements

The following elements are included in Project EEO/AA Requirements. Subsequent sections of this workbook detail each element and associated requirements.

- Job Site Bulletin Board
- Project EEO Meetings
- Annual July EEO Report
- Project EEO Reports
- Employee Interview Report -Labor/EEO Compliance (Form 700-010-63)

4.1.4 Contract Characteristics and Project EEO/AA Requirements

Four characteristics guide the determination as to which contracts are subject to Project EEO/AA Requirements:

- Contract Funding
- Original Contract Days
- Original Contract Dollars
- Type of Work.

Refer to Workbook Section 1.7, "Compliance Requirement Summary" for an overview of Project EEO/AA Requirements. Additional sections in Chapter 4 provide details regarding each Project EEO/AA element.

Section 4.2

JOB SITE BULLETIN BOARD

4.2.1 Purpose

Prime contractors are responsible for the job site installation and maintenance of a fixture for the display to all workers and the public, of information on various rights, protections and appeals. The phrase “job site bulletin board” includes the fixture and its contents.

4.2.2 Location

The job site bulletin board will be located in a prominent and accessible site within the limits of the project. This site will be readily and safely accessible to the employees of every contractor on the project; walk up access to the display area will be maintained. Over the course of the project, work conditions may necessitate relocation of the bulletin board.

Placement of the job site bulletin board outside of project limits requires prior approval of the District Contract Compliance Manager.

4.2.3 Timeframe

The job site bulletin board will be in place during the life of a project while there are workers on the project.

Installed	Removed
On or before workers first appear at the project. This is usually the project begin work date	When workers are no longer on the project. This is usually the project conditional or final acceptance date

4.2.4 Fixture

The prime contractor determines the size and style of the fixture. There is no minimum required display space or standard style. The size of the posting area, however, should be sufficient to allow for single layout (versus overlap) of documents. The fixture may be ready-built or custom made. Attachment 4-2-10 contains Project Site Bulletin Board Sample Layouts and Dimensions.

A clear, break-resistant protective cover should be placed over the documents to minimize fading, water damage, and vandalism. Document covers, which are easily removable, facilitate document changes and the replacement of damaged covers will be used.

4.2.5 Content

A maximum of five (5) standard posters plus three (3) project specific posters are required for compliance with FDOT requirements. The U.S. Department of Labor requires three additional posters. Projects which are funded by the American Recovery and Reinvestment Act (ARRA) require one additional poster- the ARRA Whistleblower’s Poster. A summary of the content for

the job site bulletin boards is shown in Table 4.2.5. Contractors are encouraged to display, where feasible, non-English versions of the posters.

The completion and maintenance of data on project specific posters is the prime's responsibility. Lamination or plastic page protectors are recommended for each document.

The three (3) nonstandard bulletin board documents, customized to the project, (a) identify EEO Officer's names and contact information, (b) the prevailing wage table(s) for the project, and (c) additional wage decisions obtained for the project. Each of these documents may be more than one page long.

Refer to Section 1.4, "Directory of Compliance Related Websites" for the FDOT Equal Opportunity Office website where the posters are available for downloading. Several of these posters are also available from other organizations in different sizes, formats and languages.

Contractors are hereby advised that the USDOL and other federal, state, or local government agencies may require employers to post additional documents at their offices and/or work sites.

The job site bulletin board may also be used to display other documents of general relevance to the project and its employees such as environmental permits, worker's compensation rights, safety, etc.

**Table 4.2.5
 Content of Job Site Bulletin Boards**

FDOT STANDARD POSTERS
EEO Is The Law
Florida Law Prohibits Discrimination
Notice
Employee Rights under the Davis-Bacon Act
Wage Determination Appeal Process
FDOT PROJECT SPECIFIC POSTERS
Poster of EEO Policy & Officers
Wage Rate Decisions
Additional Wage Determinations
U.S. DEPT. OF LABOR POSTERS
Employee Rights & Responsibilities under Family & Medical Leave Act
OSHA: Safe and Healthful Workplace Rights (English)
Employee Polygraph Protection
ADDITIONAL POSTER IF PROJECT IS FUNDED BY 'ARRA': ("ARRA" The American Recovery and Reinvestment Act of 2009)
Whistleblower's Know Your Rights (ARRA projects only) Poster

4.2.6 Poster of EEO Policy and Officer

The poster of EEO Policy and Officers (Form No. 275-020-28) includes a brief statement of the EEO Policy adopted by the contractors, advises that the policy may be obtained by contacting the companies, and identifies to workers the EEO Officer for the prime and each subcontractor having a subcontract of \$10,000 or more. The EEO Officer information is to be kept up-to date during the term of the project

4.2.6.1 Directions for Completing the Poster of EEO Policy and Officer Poster (Form No. 275-020-28)

The prime contractor is responsible for completing this form. Record the project identification at the top of each page. Type or print the company name, EEO Officer, mailing address and telephone number including area code of the prime contractor, and each subcontractor with a contract of \$10,000 and above. Subcontractor data is posted as subcontracts are entered into and it remains posted until the bulletin board is removed from the project site.

The “EEO Policy and Officers” form includes a second page for listing additional companies and as many second pages should be completed and posted as necessary. Fully display each page of this form on the job site bulletin board. Do not overlap or stack these pages. For ease of update, retain a copy of the posted form to add or update information.

4.2.7 Wage Rate Decision Poster(s)

General Wage Determinations (also known as “wage tables” and/or “wage rate decisions”) are documents issued by the U.S. Department of Labor stating the minimum hourly rate (and fringe benefit rate if applicable) for individual job classifications for a specified type of work within specified county(ies) of the project.

The contract document section titled “WAGE RATES FOR FEDERAL-AID PROJECTS” cites the specific wage rate decision number(s) (e.g. FL-307) and states that the version of the wage rate decision in effect is the one whose “modification date” is ten or more days prior to the opening of bids (also known as the contract letting date). Some contracts may state more than one wage rate decision number; each wage rate decision is posted. Wage decisions may be posted exactly as downloaded or they may be reformatted for ease of reading and display.

Refer to Workbook Section 1.4 Directory of Compliance Related Websites for the US DOL website where the wage rate decisions are available for downloading.

4.2.8 Additional Federal Wage Decisions Poster

Additional Federal Wage Rate Decisions poster (Form No. 700-010-67) records the minimum hourly rate (and fringe benefit rate if applicable) for each additional job classification requested on the project. It includes the decisions obtained by all contractors on the project and it is to be maintained during the term of the project. This poster eliminates the need to post individual U.S. Department of Labor wage rate decision letters.

4.2.8.1 Directions for Completing the Additional Federal Wage Decisions Poster (Form No. 700-010-67)

The prime contractor is responsible for completing this form for the project and posting it on the job site bulletin board. Type or print the financial project number, county, each wage decision number and modification number. Record the classification, rate and fringe data decisions

issued by the FDOT Prevailing Wage Rate Coordinator. For ease of update, retain a copy of the posted form and add additional wage decisions as issued. Contractors may waive the construction job site posting of individual wage decision letters when this form is posted

4.2.9 Wage Determination Appeals Poster

Information on how to file an appeal to a wage decision is included at the end of each wage rate decision. This information has been recreated as a separate poster. When the poster is displayed; the appeal information may be deleted from the individually posted wage rate decisions.

4.2.10 Inspecting Bulletin Board Content and Condition

Periodic inspections of the job site bulletin board are performed during the term of the project. Content and condition factors are reflected in the FDOT form titled "Inspection Report for Job Site Bulletin Board "(Form No. 275-021-10).

Attachment 4-2-10 Job Site Bulletin Boards: Sample Layouts & Dimensions

Example 1: Project with Multiple Wage Decisions

The following layout requires a minimum display space 48: wide and 48: high. Documents are displayed in four rows with each of the five standard posters placed on the top row. One-half inch is allowed around each side of the document. This sample shows two wage decisions (Highway and Heavy) each with two pages. There is space for at least five optional documents. The wide bold lines denote the actual bulletin board posting space.

BOARD WIDTH: 48" Inches						
<i>BOARD HEIGHT:</i> 48 inches	<i>STANDARD POSTERS</i>	EEO IS THE LAW	FL LAW PROHIBITS DISCRIMINATION	NOTICE	EMPLOYEE RIGHTS UNDER DAVIS-BACON	WAGE DETERMINATION APPEALS
	<i>PROJECT SPECIFIC POSTERS</i> ↖	POSTER OF EEO POLICY & OFFICERS PG 1	POSTER OF EEO POLICY & OFFICERS PG 2	HIGHWAY DECISION PG 1	HIGHWAY DECISION PG 2	ADDITIONAL WAGE DECISIONS (FDOT FORM) PG 1
	<i>PROJECT SPECIFIC POSTERS</i> ↖	HEAVY DECISION PG 1	HEAVY DECISION PG 2	WATER-SEWER DECISION PG 1	WATER-SEWER DECISION PG 2	(if ARRA funded) WHISTLE-BLOWERS (ARRA PROJECT ONLY)
	<i>U.S. DOL POSTERS</i> ↖	EMPLOYEE RIGHTS/RESP FAMILY & MEDICAL LEAVE	OSHA SAFE & HEALTHFUL WORKPLACE	EMPLOYEE POLYGRAPH PROTECTION		

Example 2: Project with One Wage Decision

The following layout requires a display space 48" wide and 36" high (or 48" on ARRA funded projects). Documents are displayed in three rows with each of the five standard posters placed on the top row. One-half inch is allowed around each side of the document. The sample shows one wage decision on two pages. There is space for at least five optional documents. The wide bold lines denote the actual bulletin board posting space.

BOARD WIDTH: 48" Inches						
<i>BOARD HEIGHT:</i> 36 inches	<i>(STANDARD POSTERS)</i>	EEO IS THE LAW	FL LAW PROHIBITS DISCRIMINATION	NOTICE	EMPLOYEE RIGHTS UNDER DAVIS-BACON	WAGE DETERMINATION APPEALS
	<i>PROJECT SPECIFIC POSTING</i> ↖	POSTER OF EEO POLICY & OFFICERS PG 1	POSTER OF EEO POLICY & OFFICERS PG 2	HIGHWAY DECISION PG 1	HIGHWAY DECISION PG 2	ADDITIONAL WAGE DECISIONS (FDOT FORM) PG 1
	<i>U.S. DOL POSTERS (& ARRA POSTER)</i> ↖	EMPLOYEE RIGHTS/RESP FAMILY & MEDICAL LEAVE	OSHA SAFE & HEALTHFUL WORKPLACE (English)	EMPLOYEE POLYGRAPH PROTECTION	(if ARRA funded) WHISTLE-BLOWERS (ARRA PROJECT ONLY)	

Section 4.3

EEO INFORMATION FOR PROJECT PERSONNEL

4.3.1 Purpose

Contractors are to routinely inform their project employees of their equal employment opportunity (EEO) civil rights, the contractor's policies, procedures, and various wage/payroll protections. This information is presented in meetings, and through other appropriate means such as employee handbooks, notices, and posters.

4.3.2 Means of Communication

Contractors may present information to project personnel regarding the EEO policy and procedures in one or more of a variety of means:

- Issuance of employee handbooks that include the EEO policy and procedure
- Placement of notices or posters describing the EEO policy and procedure
- Conducting meetings describing the EEO policy and procedures
- Other communication methods.

In selecting communication methods, contractors are encouraged to consider the rapidity with which their workforce turns over, the primary and secondary language of project personnel, average reading levels of personnel, and any need for addressing project specific information, such as wage rates and job site bulletin boards, etc.

4.3.3 Who is Included in Project Personnel

Project personnel include all of the contractor's full time and part time craft and laborer employees working on the project. Temporary workers and workers from a staffing firm who are working as craft or laborer employees for the contractor are considered project personnel and communications are to be extended to them.

Persons classified as journeymen/women, On-the-Job trainees and apprentices and working foremen/women in any of the following job categories are included in the meeting:

equipment operators	mechanics	truck drivers
ironworkers	carpenters	cement masons
electricians	pipe fitters/plumbers	painters
semi-skilled laborers	unskilled laborers	

4.3.4 Project Personnel EEO Meetings

Informational meetings conducted at the project site have served as the traditional means of communicating EEO policy and procedure information to project personnel. The meeting leader is a person who is knowledgeable in the topics to be addressed and the one who has attended their company's most recent Supervisory and Office Personnel EEO Meeting.

The following major topics are typically addressed at a Project EEO Meeting:

- EEO Policy and Affirmative Action Plan
- Identification of EEO Officer
- Workforce Diversity and Recruitment
- Wages and Payrolls
- Location & Content of Bulletin Boards
- Interviews by State and Federal Representatives
- Training Opportunities
- Complaints
- Utilization of Disadvantaged Businesses

Meeting leaders are encouraged to develop an outline of subjects that will typically be covered in each of the topics; this can form the foundation for the contractor's development of full meeting scripts and fosters full coverage of each topic.

4.3.5 Recordkeeping

Contractors are to maintain records evidencing compliance with EEO communication requirements for all employees. FDOT Form 275-021-06, "Record of Project EEO Meeting", may be used to document project personnel communications by means of meetings or alternative record keeping methods for other types of communications may be developed. Records should document changes in the contractors' workforce.

4.3.5.1 Directions for Completing "Record of Project EEO Meeting" (Form number 275-021-06)

General: Use one form for documenting each meeting. Attach additional copies for signatures, if needed.

- | | |
|--------|--|
| Box 1 | Company's official name. |
| Box 2 | Record the Financial Project Number. |
| Box 3 | Month, day, and year the meeting was held. |
| Box 4 | Company's Federal Identification Number or FDOT vendor number. |
| Box 5 | First and last name of person conducting meeting and their job title. |
| Box 6 | Indicate if the Company is the prime contractor or subcontractor on the project. |
| Box 7 | Description of where the meeting was held (e.g. project site next to bulletin board). |
| Box 8 | Signature of meeting leader-certifying meeting. |
| Box 9 | Informational |
| Box 10 | Attendees of the meeting print their full name and record their signature confirming meeting attendance. |

Section 4.4

ANNUAL JULY EEO REPORT

4.4.1 Purpose

Annually, the Federal Highway Administration (FHWA) submits a report on the status of the equal employment opportunity program to the U.S. Senate. July is the reporting period due to generally good weather nationwide. The Florida Department of Transportation (FDOT) creates one cumulative report from the individual contractor reports. This represents the total employment on all federal aid highway projects in Florida as of July 31 and the report is therefore known as the "July Report".

4.4.2 Scope

All FDOT construction projects active in July that receive federal aid participation (FAP) are included in Florida's July Report. All construction contractors having a contract of \$10,000 or more and who were active one or more days between July 1 and July 31 prepare a report.

4.4.3 Content

All full-time and part-time employees employed on the specific FAP project during the selected July pay period must be accounted for by sex and race for each of the fifteen job categories. Note that Officials (Managers), Supervisors, Foremen/women and Clerical who are assigned primarily to the project are included in this report.

Employment data is reported on the Contractor's Annual July EEO Report Form Number 275-021-08. To ensure full project reporting, inactive contractors should submit the same form and record "inactive" in Box 6.

4.4.4 Pay Period Reported

Employment data is collected for a very specific time frame. The contractor's report is based on their final July pay period which is the last active pay week which falls fully within July. (The report is not based on the contractor's peak week of employment during the month of July.)

The pay period on which a contractor's report is based must fall fully in July; the pay period must have start and end dates between July 1 and July 31.

Selecting which pay period to base the report on depends on the contractor's activity during July.

If the Contractor is	Base the July Report on
Both active and inactive during July	The last pay period (*) that falls fully within July for which they were active on the project.
Active throughout July	The last pay period (*) that falls fully within July.
Inactive between July 1-31	Submit the Contractor's Annual July EEO Report form declaring same.
*The pay period must have start and end dates between July 1 and July 31.	

If contractors' only active work days in July are in a pay period that does not have start and end dates between July 1 and July 31, then the contractor would submit the July EEO Report reflecting 'inactive'.

4.4.5 Report Submission

On or before August 20, contractors submit the Contractor's Annual July EEO Report data by submitting a copy of the completed form to the Resident Compliance Specialist (RCS) of that project.

4.4.6 Florida's July Report Cycle

Contractor reports are compiled into project reports (including Local Agency project reports); project reports are compiled into District reports, District reports are compiled into the State report.

Timely submission of data on the proper form is essential to meeting FHWA's deadline. Table 4.4.6.1 summarizes Florida's July Report Cycle and report due dates. In the event a due date falls on a Saturday or Sunday, that report is due on the preceding Friday.

4.4.7 Directions for Completing the Contractors Annual July EEO Report (Form No. 275-021-08)

- Box 1 Company's official name and the Florida home office address (mailing address, city, and zip code)
- Box 2 Record the company's Federal Identification Number or FDOT vendor number
- Box 3 Record the Financial Project Number
- Box 4 Identify if the reporting company is the prime contractor or a sub-contractor on the project
- Box 5 Record the year
- Box 6 If you were active on the project one or more days between July 1 and 31 check yes; otherwise check no and proceed to Box 9
- Box 7 This includes three tables: A, B and C. Table A is the report of all project employees, including On-the-Job trainees. Table B and Table C contain additional data regarding the On-the-Job Trainees included in Table A

TABLE A: This table reports the job category, race and sex of all employees assigned to the project for this pay period who are part-time and full-time, journeymen/women, On-the-Job trainees and apprentices. Officials (Managers), Supervisors, Foremen/women and Clerical who are assigned primarily to the project are included in this report.

Each employee is reported in only one job category. Employees who worked in more than one classification in the payroll period should be reflected in the category in which the employee performed the majority of work hours in that pay week.

Calculations:

TOTAL MALES (each race) (and) TOTAL FEMALES (each race)

The sum of employees reported in all Job Categories for that race and sex

TOTAL MINORITIES MALE (and) TOTAL MINORITIES FEMALE

The sum of Black, Hispanic, American Indian or Alaskan Native, and Asian or Pacific Islander

TOTAL EMPLOYEES MALE (and) TOTAL EMPLOYEES FEMALE:

The sum of "Total Minorities" and "White"

TABLE B Identify the job category and sex of each employee reported in Table A, who is recorded in the pay period as a trainee enrolled in the FDOT/FTBA On-the-Job Training Program. The numbers recorded in Table B are included in the race and sex numbers of Table A.

Calculations:

OJT TOTALS: The sum of male (and) female columns in Table B.

TABLE C: Record the race and sex of each employee reported in Table A who is recorded in the pay period as a trainee enrolled in the FDOT/FTBA On-the-Job Training Program. The numbers recorded in Table C are included in the race and sex numbers of Table A.

- Box 8 If any employees reported in Table A are apprentices, state the name of the apprentice program. Identify the job category and the number of apprentices by race and sex.
- Box 9 Print the first and last name of person who prepared this form, phone number and date (month/day/year) it was prepared
- Box 10 Print the first and last name of person who reviewed this form, phone number and date.

Note Proper reporting of an employee working in an FDOT OJT classification or an approved apprentice program:

One (1) trainee (or apprentice) is reported three (3) times:

Table A: Report the race and sex of the trainee according to the job category of the training classification.

Table B: Report the sex of the trainee according to the job category of the training classification.

Table C: Report the race and sex of the trainee.

**Table 4.4.6.1
Florida's July Report Cycle**

Who is Reporting:	What is the FDOT form Number reported on?	Name of Form	What data is reported	What is the Due Date* (Or preceding Friday if date is a Saturday or Sunday)	Who is the report sent to?
Contractors (contract of \$10,000 or more) (includes contractors on Local Agency Projects)	275-021-08	"Contractor's Annual July Report"	Contractor's workforce on a project per the last active week falling fully in July (or 'no work' if not active in July)	Aug 20	Compliance Specialist
Resident and Local Agency Compliance Specialists	275-020-01	"Federal Aid Projects: Summary Employment Data for July"	Project total workforce (sum of all contractor 275-021-08 reports for a project)	Sept. 1	District Contract Compliance Office
District Contract Compliance Office	275-020-01	"Federal Aid Projects: Summary Employment Data for July"	District Project Total Workforce (3 Reports) : 1.LAP 2.Regular Work Program 3. Sum of LAP & regular work program	Sept. 8	State Contract Compliance Administrator, FDOT Equal Opportunity Office
FDOT Equal Opportunity Office	n-a	FHWA Form 1392, "Federal Aid Highway Construction, Summary of Employment Data including Minority Breakdown for all Federal Aid Projects for Month Ending 7/31/2XXX"	LAP Statewide Total for of all Districts	Sept. 15	FI FHWA Civil Rights Specialist
			Regular (non LAP) Work Program Statewide Total for of all Districts		FI FHWA Civil Rights Specialist
			LAP & regular work program Statewide Total for of all Districts		FI FHWA Civil Rights Specialist

Section 4.5

PROJECT EEO REPORT

4.5.1 Purpose

Contractors report project workforce data by job category, race and sex as requested by FDOT or FHWA. The Resident Compliance Specialist(s) and District Contract Compliance Manager(s) analyze this data in conjunction with other information to confirm contractor compliance.

4.5.2 Reported Workforce

Data is recorded in the format shown on the Project EEO Report (Form 275-010-12).

All full-time and part-time construction craft and laborer employees working on the project during the specified payroll period must be accounted for by sex and race for each of the fifteen job categories. Classifications are recorded in the same EEO categories as those used for the Company EEO Report (Form 275-021-07).

Refer to Section 3.4 and Attachment 3.4.1 for the EEO category of job classifications.

Employees working in more than one job classification during the pay period are to be included in the one EEO category associated with the majority of their project work hours.

If the contractor has employed an agency for supplying job site workers, the agency's workers are included in that contractor's Project EEO Report if they are on the job the week reported.

4.5.3 Pay Period Reported

The Project EEO Report is based on a single weekly pay period and that period is specified by FDOT or FHWA at the time of request.

4.5.4 Directions for Completing the Project EEO Report (Form No. 275-010-12)

- Box 1 Place a check to indicate if you are the prime contractor or subcontractor on the project
- Box 2 Company's official name and the Florida home office address (mailing address, city, and zip code)
- Box 3 Record the company's Federal Identification Number or FDOT vendor number
- Box 4 State the county where the project is located
- Box 5 State the project's Financial Project Number
- Box 6 Record the month, day and year the reporting contractor began work on the project
- Box 7 Record the FDOT contract number for this project
- Box 8 Record the ending date (mm/dd/yy) of the pay period this report is based on
- Box 9 Entries are to be confined to the job categories, races and sexes shown and are to be incorporated in the most appropriate item listed on the form. This box includes three tables: A, B and C

Table A includes part time and full time Journeymen/women, On- the- Job Trainees and Apprentices.

Table B is the job category and sex of On-the-Job Trainees included in Table A.

Table C is the race and sex of the On-the-Job Trainees included in Table A.

Table A: This table includes part-time and full-time, Journeymen/women, On-the-Job Trainees and Apprentices by job category, race, and sex. This data is based on the company pay period that includes the date specified in Box 8. Report each employee in only one job category. Each job classification is considered to belong to one of the broad categories. Employees, who worked in more than one classification in the payroll period, should be recorded in the category in which the employee performed the majority of work hours in that pay week.

Table Calculations:

‘TOTAL MINORITIES MALE’ and ‘TOTAL MINORITIES FEMALE’: This is the sum of Black, Hispanic, American Indian or Alaskan Native, and Asian or Pacific Islander for each sex.

‘TOTAL EMPLOYEES MALE’ and ‘TOTAL EMPLOYEES FEMALE’: This is the sum of Total Minorities and White for each sex.

Table B: Identify the job category and sex of each employee reported in Table A, who is recorded on the noted payroll period as a trainee in FDOT/FTBA On-the-Job Training Program in this payroll period. The numbers recorded in Table B are included in the race and sex numbers of Table A.

Table C: Record the race and sex of each employee in Table A, who is recorded on the noted payroll period as a trainee in the FDOT/FTBA On-the-Job Training Program in this payroll period. The numbers recorded in Table C are included in the race and sex numbers of Table A.

OJT Totals

The sum of male (and) female On-the-Job Trainees in Table B and Table C should be equal and reported in the OJT TOTALS box.

Box 10 If any employees reported in Table A are apprentices, state the name of the apprentice program, the job category, count, race and sex.

Box 11 Report by job category, race, and sex all hires (new and rehires) for the entire calendar month of the pay period reported in Box 8. This includes the first day of that month through the last day of that month. Hires are to include:

Those still employed as of the noted payroll period.

Those terminated prior to the noted payroll period.

Box 12: Print the first and last name of the person who prepared this form, their email address, phone number, and signature and date (month/day/year) it was prepared.

Box 13: Print the first and last name of the person who reviewed this form, their email address, phone number, signature and date (month/day/year) it was reviewed.

Note Proper reporting of an employee working in an FDOT OJT classification or an approved apprentice program:

One (1) trainee (or apprentice) is reported three (3) times:

Table A: Report the race and sex of the trainee according to the job category of the training classification.

Table B: Report the sex of the trainee according to the job category of the training classification.

Table C: Report the race and sex of the trainee.

Section 4.6

PROJECT EEO/AA FORMS & DOCUMENTS

This is a list of forms and documents referenced in this chapter that are listed in numerical sequence and alphabetical order.

NUMERICAL SEQUENCE

FDOT Form No.	Document Title	Workbook Section
275-010-12	Contractor's Project EEO Report	4.5
275-020-01	Federal Aid Projects: Summary Employment Data for July	n-a
275-020-28	Poster of EEO Policy and Officers	4.2
275-021-06	Project Personnel EEO Meeting Record	4.3
275-021-08	Contractor's Annual July EEO Report	4.4
275-021-10	Inspection Report for Job Site Bulletin Board	4.2
700-010-67	Additional Federal Wage Rate Decisions	4.2
FDOT Equal Opportunity Office Website	EEO Is the Law (Poster)	4.2
FDOT Equal Opportunity Office Website	Employee Rights & Responsibilities Under the Family & Medical Leave Act (Poster)	4.2
FDOT Equal Opportunity Office Website	E-Verify	4.2
FDOT Equal Opportunity Office Website	Florida Law Prohibits Discrimination (Poster)	4.2
FDOT Equal Opportunity Office Website	Important (Poster)	4.2
FDOT Equal Opportunity Office Website	Job Safety & Health It's the Law (OSHA) (Poster)	4.2
FDOT Equal Opportunity Office Website	Notice Employee Polygraph Protection (Poster)	4.2
FDOT Equal Opportunity Office Website	Notice –FHWA Highway Construction (Poster)	4.2
FDOT Equal Opportunity Office Website	Wage Determination Appeal Process (Poster)	4.2
FDOT Equal Opportunity Office Website	Whistleblowers Know Your Rights (Poster-ARRA projects only)	4.2

ALPHABETICAL SEQUENCE

Document Title	FDOT Form No.	Workbook Section
Additional Federal Wage Rate Decisions	700-010-67	4.2
Contractor's Annual July EEO Report	275-021-08	4.4
Contractor's Project EEO Report	275-010-12	4.5
EEO Is the Law (Poster)	FDOT Equal Opportunity Office Website	4.2
Employee Rights & Responsibilities Under the Family & Medical Leave Act (Poster)	FDOT Equal Opportunity Office Website	4.2
Federal Aid Projects: Summary Employment Data for July	275-020-01	n-a
Florida Law Prohibits Discrimination (Poster)	FDOT Equal Opportunity Office Website	4.2
Important (Poster)	FDOT Equal Opportunity Office Website	4.2
Inspection Report for Job Site Bulletin Board	275-021-10	4.2
Job Safety & Health It's the Law (OSHA) (Poster)	FDOT Equal Opportunity Office Website	4.2
Notice Employee Polygraph Protection (Poster)	FDOT Equal Opportunity Office Website	4.2
Notice –FHWA Highway Construction(Poster)	FDOT Equal Opportunity Office Website	4.2
Poster of EEO Policy and Officers	275-020-28	4.2
Project Personnel EEO Meeting Record	275-021-06	4.3
Wage Determination Appeal Process (Poster)	FDOT Equal Opportunity Office Website	4.2
Whistleblowers Know Your Rights (Poster-ARRA projects only)	FDOT Equal Opportunity Office Website	4.2

Section 4.6

PROJECT EEO/AA FORMS & DOCUMENTS

This is a list of forms and documents referenced in this chapter that are listed in numerical sequence and alphabetical order.

NUMERICAL SEQUENCE

FDOT Form No.	Document Title	Workbook Section
275-010-12	Contractor's Project EEO Report	4.5
275-020-01	Federal Aid Projects: Summary Employment Data for July	n-a
275-020-28	Poster of EEO Policy and Officers	4.2
275-021-06	Project Personnel EEO Meeting Record	4.3
275-021-08	Contractor's Annual July EEO Report	4.4
275-021-10	Inspection Report for Job Site Bulletin Board	4.2
700-010-67	Additional Federal Wage Rate Decisions	4.2
FDOT Equal Opportunity Office Website	EEO Is the Law (Poster)	4.2
FDOT Equal Opportunity Office Website	Employee Rights & Responsibilities Under the Family & Medical Leave Act (Poster)	4.2
FDOT Equal Opportunity Office Website	Florida Law Prohibits Discrimination (Poster)	4.2
FDOT Equal Opportunity Office Website	Employee Rights: Davis Bacon (Poster)	4.2
FDOT Equal Opportunity Office Website	Job Safety & Health It's the Law (OSHA) (Poster)	4.2
FDOT Equal Opportunity Office Website	Notice Employee Polygraph Protection (Poster)	4.2
FDOT Equal Opportunity Office Website	Notice –FHWA Highway Construction (Poster)	4.2
FDOT Equal Opportunity Office Website	Wage Determination Appeal Process (Poster)	4.2
FDOT Equal Opportunity Office Website	Whistleblowers Know Your Rights Poster (ARRA projects only)	4.2

ALPHABETICAL SEQUENCE

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Wage Determination Appeal Process (Poster)	FDOT Equal Opportunity Office Website	4.2
Whistleblowers Know Your Rights Poster (ARRA projects only)	FDOT Equal Opportunity Office Website	4.2

EQUAL OPPORTUNITY

05/02

FEDERAL AID HIGHWAY CONSTRUCTION

SUMMARY OF EMPLOYMENT DATA (INCLUDING MINORITY BREAKDOWN) FOR ALL
FEDERAL AID HIGHWAY PROJECTS FOR MONTH ENDING JULY 31, 2 _____

STATE - REGION	NUMBER OF PROJECTS	TOTAL DOLLAR VALUE
----------------	--------------------	--------------------

EMPLOYMENT DATA

TABLE A

JOB CATEGORIES	TOTAL EMPLOYEES		TOTAL MINORITIES		BLACK (Not of Hispanic Origin)		HISPANIC		AMERICAN INDIAN or ALASKAN NATIVE		ASIAN or PACIFIC ISLANDER		WHITE (Not of Hispanic Origin)		APPRENTICES		ON THE JOB TRAINEES	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
02 OFFICIALS (MANAGERS)																		
03 SUPERVISORS																		
04 FOREMEN/WOMEN																		
05 CLERICAL																		
06 EQUIPMENT OPERATORS																		
07 MECHANICS																		
08 TRUCK DRIVERS																		
09 IRONWORKERS																		
10 CARPENTERS																		
11 CEMENT MASONS																		
12 ELECTRICIANS																		
13 PIPEFITTERS, PLUMBERS																		
14 PAINTERS																		
15 LABORERS, SEMI-SKILLED																		
16 LABORERS, UNSKILLED																		
17 TOTALS																		

TABLE B

18 APPRENTICES																		
19 ON THE JOB TRAINEES																		

PREPARED BY (Signature & Title)

Date

REVIEWED BY (Signature & Title of State Hwy. Official)

Date

This report is required by law and regulation (23 U.S.C. 140a and 23 CFR Part 230). Failure to report will result in noncompliance with this regulation.

EQUAL EMPLOYMENT OPPORTUNITY ('EEO') POLICY & OFFICERS

PROJECT

Financial Project No.	F.A.P. No.	Contract No.	County	Prime Contractor

POLICY DECLARATION

The prime contractor and each subcontractor having a contract of \$10,000 or more on this project have accepted the following operating policy. A copy of the full policy may be obtained by contacting the contractor's EEO Officer identified below.

“It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.”

CONTRACTOR EEO OFFICERS

Anyone who feels they have been discriminated against because of their sex, race, religion, color, age, national origin or Vietnam era and special disabled veteran status, should report the matter to the appropriate EEO Officer.

Company Name EEO Officer's full name, Mailing Address, Telephone Number including area code	Company Name EEO Officer's full name, Mailing Address, Telephone Number including area code	Company Name EEO Officer's full name, Mailing Address, Telephone Number including area code

**State of Florida Department of Transportation
EEO Policy and Officers Form
Instructions for Completing Form**

General: This form is completed and maintained by the prime contractor for posting on the job site bulletin board of a project.

Project

Fin. Proj No. – The Financial Project Number

FAP No. – The Federal Aid Project Number assigned to federally funded projects

Contract No. - the project contract number

County – County or counties project work is being performed in

Prime Contractor Name – The name of the prime contractor.

Contractor EEO Officers

This section lists the full name, mailing address and phone number for the EEO officer of the prime and each subcontractor having a contract of \$10,000 or more. This data is posted as subcontracts are entered into and the data remains posted until the bulletin board is removed from the job site. A second page is available for listing more companies and officers.

List the prime contractor first.

Company Name: name of the firm.

EEO Officer's full name: first and last name of Company EEO Officer

Mailing address: street, city, state, zip code for the EEO Officer's business address

Phone Number Including Area code: EEO Officer's phone number

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

CONTRACTOR'S ANNUAL JULY EEO REPORT

July Employment Data (Including Minority Breakdown) on a Federal-Aid Highway Project

1. NAME AND FLORIDA HOME OFFICE ADDRESS	3. FINANCIAL PROJECT NO.	5. YEAR: <u>20</u>
2. FEID # OR FDOT VENDOR #	4. CHECK ONE <input type="checkbox"/> PRIME CONTRACTOR <input type="checkbox"/> SUBCONTRACTOR	6. CHECK ONE: DID YOU HAVE EMPLOYEES ON THIS PROJECT ONE OR MORE DAYS BETWEEN JULY 1 AND JULY 31? <input type="checkbox"/> YES <input type="checkbox"/> NO (If NO proceed to Box No. 9)

7. PROJECT EMPLOYMENT DATA

JOB CATEGORIES	TABLE A																		TABLE B	
	TOTAL EMPLOYEES		TOTAL MINORITIES		WHITE (Not of Hispanic Origin)		BLACK (Not of Hispanic Origin)		HISPANIC		AMERICAN INDIAN or ALASKAN NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		TWO OR MORE RACES		On-The-Job Trainees (OJT)	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
OFFICIALS (MANAGERS)	0	0	0	0																
SUPERVISORS	0	0	0	0																
FOREMEN/WOMEN	0	0	0	0																
ADMINISTRATIVE/CLERICAL	0	0	0	0																
EQUIPMENT OPERATORS	0	0	0	0																
MECHANICS	0	0	0	0																
TRUCK DRIVERS	0	0	0	0																
IRONWORKERS	0	0	0	0																
CARPENTERS	0	0	0	0																
CEMENT MASONS	0	0	0	0																
ELECTRICIANS	0	0	0	0																
PIPEFITTERS, PLUMBERS	0	0	0	0																
PAINTERS	0	0	0	0																
LABORERS, SEMI-SKILLED	0	0	0	0																
LABORERS, UNSKILLED	0	0	0	0																
TOTALS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

On-The-Job Trainees (OJT)	TABLE C																		OJT TOTALS			
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		
																					0	0

8. IF ANY EMPLOYEES REPORTED IN 'TABLE A' ARE APPRENTICES, STATE NAME OF THE PROGRAM, JOB CATEGORY, COUNT, RACE & SEX.

	PRINTED NAME -FIRST/LAST	EMAIL	PHONE	SIGNATURE	DATE
9. PREPARER:					
10. REVIEWER:					

INSPECTION REPORT FOR JOB SITE BULLETIN BOARD

SECTION 1		PROJECT			SECTION 2		INSPECTOR				
Prime Contractor					Name & Title of Person performing inspection						
Financial Project #.			County		Date Inspected (M/D/Y)						
Circle applicable wage tables HIGHWAY HEAVY WATER/SEWER BUILDING					Photos Taken? (attach to Inspection Report)			Yes No			
SECTION 3		LOCATION & STYLE			SECTION 4		CONDITION				
Specific Location (Road/Street)					Access to fixture is clear			Yes No			
Location is within Project Limits? Yes No					Protective cover is in good condition			Yes No			
Describe style of fixture & covering					Documents are at readable height			Yes No			
Comments Section 3					Documents are not faded /water stained			Yes No			
					Each document is clearly / fully displayed			Yes No			
					Comments Section 4						
SECTION 5		FDOT REQUIRED POSTERS			SECTION 6		WAGE INFORMATION				
EEO Is The Law				Yes No		Is each page of every Wage table posted?			Yes No		
Fl. Law Prohibits Discrimination (bi-lingual)				Yes No		Is Additional Wage Decisions Posted?			Yes No		
Notice				Yes No		Number of Additional Classifications listed					
Employee Rights Under Davis Bacon				Yes No		SECTION 7		US DEPT OF LABOR POSTERS			
Wage Determination Appeals				Yes No		Family & Medical Leave Act Rights			Yes No		
<i>(ARRA projects only)</i> ARRA Whistleblowers Poster				Yes No		OSHA Safe Healthful Workplace in English & Spanish			Yes No		
Comments -Sections 5-6 or 7:					Employee Polygraph protections			Yes No			
SECTION 8		EEO OFFICERS LIST (FDOT FORM # 275-020-28) Prior to Inspection, list each Subcontractor									
Name of Contractor		Co. Name	Officer's Name	Address	Phone #	Name of Contractor		Co. Name	Officer's Name	Address	Phone #
PRIME		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
		Yes No	Yes No	Yes No	Yes No		Yes No	Yes No	Yes No	Yes No	Yes No
Comments Section 8											
SECTION 9		COMPLIANCE STAFF'S DETERMINATION OF COMPLIANCE									
Compliance Comments											
Is Bulletin Board in Compliance?					Yes No		If 'No' was written notice issued to prime			Yes No	
Compliance Staff Signature									Date of Signature		

ADDITIONAL FEDERAL WAGE RATE DECISIONS

The U.S. Dept. of Labor has established Wage Rates for the following additional classifications of work on this project.

FINANCIAL PROJECT NO.		COUNTY:
DECISION TYPE	WAGE DECISION NO. (or NA)	MODIFICATION NO. (or NA)
HIGHWAY		
HEAVY		
BUILDING		
WATER/SEWER		

CLASSIFICATION	RATE (\$)	FRINGE (\$ or NA)

Directions: The prime contractor is responsible for completing this form for the project and posting it on the job-site Bulletin Board. Type or print the financial project number, county, each Wage Decision number and Modification Number. Record the classification, rate and fringe data decisions issued by the FDOT Prevailing Wage Rate Coordinator. For ease of update, retain a copy of the posted form and add additional wage decisions as issued. Contractors may waive the construction job site posting of individual wage decision letters when this form is posted.

Equal Employment Opportunity is **THE LAW**

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid job-protected leave to eligible employees for the following reasons:

- *for incapacity due to pregnancy, prenatal medical care or child birth;
- *to care for the employee's child after birth or placement for adoption of foster care
- *to care for the employee's spouse, son, daughter or parent who has a serious health condition; or
- *for a serious health condition that makes the employee unable to perform the employees' job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition".

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.

Use of FMLA leave cannot result in the loss of any emolument benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

*Special hours of service eligibility requirements apply to airline flight crew employees.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental conditions that involved either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the function of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment or incapacity due to pregnancy, or incapacity due to chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employee must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the employer's normal call-in procedures.

Employees must provide sufficient information to the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization, continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employee requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- *interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- *discharge or discriminate against any person for opposing any practice made unlawful by FMLA for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-Wage (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV
U.S. Department of Labor Wage and Hour Division



U.S. Wage and Hour Division
WHD Publication 1420 Revised February 2013

FLORIDA LAW
PROHIBITS
DISCRIMINATION

BASED ON:

RACE, COLOR, RELIGION,
SEX, NATIONAL ORIGIN, DISABILITY, AGE
OR MARITAL STATUS

WHAT IS COVERED UNDER THE LAW:

- EMPLOYMENT
- PUBLIC ACCOMODATIONS
- RETALIATION AFTER FILING A CLAIM
- STATE EMPLOYEE WHISTLE-BLOWER RETALIATION

*If you feel that you have been discriminated against,
visit our web site or call us!*

FLORIDA COMMISSION ON HUMAN RELATIONS

2009 Apalachee Parkway, Suite 200, Oakland Building
Tallahassee, Florida 323201-4857

<http://FCHR.state.fl.us>

Phone: (850) 488-7082 Voice Messaging: 1-800-342-8170

LA LEY DE LA FLORIDA

PROHIBE

DISCRIMINACION

BASADA EN:

RAZA, COLOR, RELIGION, SEXO, ORIGEN NACIONAL,
INCAPACIDAD, EDAD, O ESTADO CIVIL

LO QUE ESTA CUBIERTO BAJO LA LEY:

- EMPLEO
- LUGARES DE ACOMODO PUBLICO
- ACCION VENGATIVA DESPUES DE PRESENTAR UNA QUEJA
- ACCION VENGATIVA EN CONTRA DE UN TRABAJADOR PUBLICO, DESPUES DE PRESENTAR UNA QUEJA BAJO LA LEY DEL "SOPLON" (WHISTLE-BLOWER)

*Si usted siente que ha sido discriminado,
visite nuestra página web o llámenos!*

**LA COMISION DE RELACIONES
HUMANAS DE LA FLORIDA**

2009 Apalachee Parkway, Suite 200, Oakland Building
Tallahassee, Florida 323201-4857

<http://FCHR.state.fl.us>

Telefono: (850) 488-7082 Correo de Voz 1-800-342-8170

EMPLOYEE RIGHTS UNDER THE DAVIS-BACON ACT

FOR LABORERS AND MECHANICS EMPLOYED ON FEDERAL OR FEDERALLY ASSISTED CONSTRUCTION PROJECTS

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

PREVAILING WAGES	You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.
OVERTIME	You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.
ENFORCEMENT	Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll record or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.
APPRENTICES	Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.
PROPER PAY	If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below

Fl. Dept. of Transportation, 605 Suwannee St., Tallahassee, FL 32399-0450

David Sadler- Director Office of Construction, 850-414-5203; David.Sadler@dot.state.fl.us OR
Patty Vickers-Construction Compliance Specialist, 850-414-4688; Patty.Vickers@dot.state.fl.us

o póngase en contacto con la Sección de Horas y Sueldos del Departamento de Trabajo de EEUU.

DERECHOS DEL EMPLEADO BAJO LA LEY DAVIS-BACON

PARA OBREROS Y MECANICOS EMPLEADOS EN PROYECTOS DE CONSTRUCCION FEDERAL O CON ASISTENCIA FEDERAL

LA SECCION DE HORAS Y SUELDOS DEL DEPARTAMENTO DE TRABAJO DE EEUU

SALARIOS PREVALECIENTES	No se le puede pagar menos de la tasa de pago indicada en la Decisión de Salarios Davis-Bacon fijada con este Aviso para el trabajo que Ud. desempeña.
SOBRETIEMPO	Se le ha de pagar no menos de tiempo y medio de su tasa básica de pago por todas las horas trabajadas en exceso de 40 en una semana laboral. Existen pocas excepciones.
CUMPLIMIENTO	Se pueden retener pagos por contratos para asegurarse que los obreros reciban los salarios y el pago de sobretiempo debidos, y se podría aplicar daños y perjuicios si no se cumple con las exigencias del pago de sobretiempo. Las cláusulas contractuales de Davis-Bacon permiten la terminación y exclusión de contratistas para efectuar futuros contratos federales hasta tres años. El contratista que falsifique los registros certificados de las nóminas de pago o induzca devoluciones de salarios puede ser sujeto a procesamiento civil o criminal, multas y/o encarcelamiento.
APRENDICES	Las tasas de aprendices sólo se aplican a aprendices correctamente inscritos bajo programas federales o estatales aprobados
PAGO APROPIADO	Si Ud. no recibe el pago apropiado, o precisa de información adicional sobre los salarios aplicables, póngase en contacto con el Contratista Oficial que aparece arriba.

Or contact the U.S. Department of Labor's Wage and Hour Division.

For additional information: (Para obtener información adicional:)

1-866-4-USWAGE

1-866-487-9243

TTY 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV



U.S. Wage and Hour Division





Occupational Safety & Health Administration
U.S. Department of Labor

Job Safety and Health It's the Law!



Administración de Seguridad y Salud Ocupacional
Departamento del Trabajo de los Estados Unidos

Seguridad y Salud en el Trabajo ¡Es la Ley!

EMPLOYEES:

You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.

You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.

You can file a complaint with OSHA within 30 days of retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the OSH Act.

You have a right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.

Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.

You have the right to copies of your medical records and records of your exposure to toxic and harmful substances or conditions.

Your employer must post this notice in your workplace.

You must comply with all occupational safety and health standards issued under the *OSH Act* that apply to your own actions and conduct on the job.

EMPLOYERS:

You must furnish your employees a place of employment free from recognized hazards.

You must comply with the occupational safety and health standards issued under the *OSH Act*.

Free assistance in identifying and correcting hazards or complying with standards is available to employers, without citation or penalty, through OSHA-supported consultation programs in each state.

Free assistance in identifying and correcting hazards or complying with standards is available to employers, without citation or penalty, through OSHA-supported consultation programs in each state.

EMPLEADOS:

Usted tiene el derecho de notificar a su empleador o a la OSHA sobre peligros en el lugar de trabajo. Usted también puede pedir que la OSHA no revele su nombre.

Usted tiene el derecho de pedir a la OSHA que realice una inspección si usted piensa que en su trabajo existen condiciones peligrosas o poco saludables. Usted o su representante pueden participar en esa inspección.

Usted tiene 30 días para presentar una queja ante la OSHA si su empleador llega a tomar represalias o discriminar en su contra por haber denunciado la condición de seguridad o salud o por ejercer los derechos consagrados bajo la Ley OSH.

Usted tiene el derecho de ver las citaciones enviadas por la OSHA a su empleador. Su empleador debe colocar las citaciones en el lugar donde se encontraron las supuestas infracciones o cerca del mismo.

Su empleador debe corregir los peligros en el lugar de trabajo para la fecha indicada en la citación y debe certificar que dichos peligros se hayan reducido o desaparecido.

Usted tiene derecho de recibir copias de su historial o registro médico y el registro de su exposición a sustancias o condiciones tóxicas o dañinas.

Su empleador debe colocar este aviso en su lugar de trabajo.

Usted debe cumplir con todas las normas de seguridad y salud ocupacionales expedidas conforme a la ley OSHA que sean aplicables a sus propias acciones y conducta en el trabajo.

EMPLEADORES:

Usted debe proporcionar a sus empleados un lugar de empleo libre de peligros conocidos.

Usted debe cumplir con las normas de seguridad y salud ocupacionales expedidas conforme a la Ley OSHA.

Los empleadores pueden obtener ayuda gratis para identificar y corregir las fuentes de peligro y para cumplir con las normas, sin citación ni multa, por medio de programas de consulta respaldados por la OSHA en cada estado del país.

Los empleadores pueden obtener ayuda gratis para identificar y corregir las fuentes de peligro y para cumplir con las normas, sin citación ni multa, por medio de programas de consulta respaldados por la OSHA en cada estado del país.

1-800-321-OSHA (6742)

www.osha.gov



EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits *polygraph* (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to \$10,000 against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

For additional information:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor Wage and Hour Division



U.S. Department
of Transportation
Federal Highway
Administration

NOTICE

The highway construction underway at this location is a Federal or Federal-aid project and is subject to applicable State and Federal laws, including Title 18, United States Code, Section 1020, which reads as follows:

“Whoever, being an officer, agent, or employee of the United States, or any State or Territory, or whoever, whether a person, association, firm or corporation, knowingly makes any false statement, false representation or false report as to the character, quality, quantity, or the cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction of any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever, knowingly makes any false statement, false representation, false report, or false claim with respect to the character, quality, quantity or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to a material fact in any statement, certificate, or report submitted pursuant to the provision of the Federal Aid Road Act approved July 11, 1916 (39 Stat. 355) as amended and supplemented, Shall be fined under this title or imprisoned not more than five years, or both.”

Any person having reason to believe this statute is being violated should report the same to the agency representative(s) named below.

(Federal-aid projects only-State Highway Department)

Fl. Dept of Transportation
David Sadler
Director, Office of Construction
605 Suwannee St.
Tallahassee, Fl 32399-0450
(850) 414-4150

(Both Federal and Federal-aid projects)

Federal Highway Division Administrator
James Christian
545 John Knox Road, Suite 200
Tallahassee, Fl 32303
(850-942-9650)

(Both Federal and Federal-aid projects)

Department of Transportation
Office of Inspector General
Toll Free Hotline
1-800-424-9071

WAGE DETERMINATION APPEALS PROCESS

- 1.) Has there been an initial decision in the matter? This can be:
- * an existing published wage determination
 - * a survey underlying a wage determination
 - * a Wage and Hour Division letter setting forth a position on a wage determination matter
 - * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U. S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

- 2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

- 3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U. S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

- 4.) All decisions by the Administrative Review Board are final.

---END OF GENERAL DECISION----



**U.S. Department of Transportation
Office of Inspector General**

**WHISTLEBLOWERS
KNOW YOUR RIGHTS**

On February 17, 2009 the American Recovery and Reinvestment Act (ARRA) was signed into law by President Obama to improve public welfare. If you protect America's interests by reporting fraud, abuse, or mismanagement of ARRA funds at your workplace, and are retaliated against as a result, know that America is here for you.

American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, Title XV, Subtitle D, Section 1553

A **DMINISTRATIVE REVIEW:**

You have the right to file a complaint with the Office of Inspector General and receive a timely investigation and response.

R **EPRIAL-FREE:**

You have the right to be free from discharge, demotion, or discrimination as a result of disclosing:

- *Gross mismanagement of a stimulus-funded project.*
- *Gross waste of stimulus funds.*
- *Danger to public health and safety related to a stimulus-funded project.*
- *Violation of the law relating to stimulus funds or a stimulus-funded project.*
- *Abuse of authority related to the implementation of stimulus funds.*

R **EMEDIES:**

You have the right to receive remedies if the Office of Inspector General determines you were subjected to an unlawful reprisal. Your employer may be ordered to abate the reprisal, reinstate your employment, and you may receive compensation to reimburse you for your attorney fees and other financial suffering experienced as a result of the reprisal.

A **LTERNATIVES:**

You have the right to take action against your employer in civil district court if the Office of Inspector General does not respond within 210 days or determines that there was not an unlawful reprisal.

***** OIG HOTLINE *****

www.oig.dot.gov/recovery/whistleblower_protections.jsp

Phone; 1-800-424-9071

Email: hotline@oig.dot.gov

