

University Of Illinois
EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE PROGRAM

PROCEDURE
For University-Funded Capital Projects

The Equal Employment Opportunity Compliance Program has several decades of history at the University of Illinois and is an outgrowth of the combination of institutional equal opportunity/affirmative action policy and the requirements of state and federal law. In keeping with University policy and the law, a public construction contractor is responsible for developing an affirmative action plan for the workforce for each capital project. This plan and the implementation of the plan is reviewed and monitored by University staff for University-funded projects. The Capital Development Board is responsible for monitoring compliance for those projects that are funded through that agency.

For University-funded projects, a Compliance Officer is assigned the responsibility for approving each contractor's affirmative action plan, for interacting with the campus construction units at essential points during project construction and for monitoring each contractor's implementation of the affirmative action plan. Campus construction units (CCU) are responsible for providing the Compliance Officer with notices regarding project meetings and status and also for forwarding the required documents regarding the project workforce. Each CCU will provide the Compliance Officer with the names of the individuals responsible for forwarding the needed documents. Currently the Compliance Officer concentrates on monitoring those projects that meet a million-dollar threshold, although this threshold may be modified. The Compliance Officer may also monitor other projects due to compliance concerns.

SEQUENCE OF PROCEDURES FOR UNIVERSITY-FUNDED PROJECTS

- 1) **Notification of new project.** The CCU forwards notice of any new project, the bid advertisements and the prebid conference to the Compliance Officer.
- 2) **Prebid conference.** Occasionally the Compliance Officer presents information on the affirmative action program at the prebid conference.
- 3) **Bid opening.** The CCU sends the Compliance Officer the Prequalification Statement Document 00250 (commonly PC-2, Appendix A) from apparent low bidders, both the General Contractor and the Specialty Contractors. The PC-2 establishes the projected workforce for the project, including minority and female goals, based on the Contractor's assessment of availability in the recruitment area. The Compliance Officer evaluates these projected goals and negotiates modification of the goals with the Contractor when appropriate. The Compliance

Officer forwards the assessment of each PC-2 projected workforce to the Project Manager. After negotiation, the Compliance Officer notifies the Project Manager that the projected workforce goals on the Contractor's PC-2 have been approved. The Project Manager shall issue the Notice to Proceed only after PC-2 approval has been received from the Compliance Officer.

- 4) **Contract award.** Following Board of Trustees action, the CCU notifies the Compliance Officer of a contract award.
- 5) **Notice to Proceed.** The CCU forwards a copy of the Notice to Proceed to the Compliance Officer.
- 6) **Preconstruction meeting.** The CCU notifies the Compliance Officer of the preconstruction meeting date. The Compliance Officer discusses the affirmative action program and the monitoring procedures at this meeting. If the Compliance Officer is unable to attend a meeting, the Project Manager will discuss the program based on information supplied by the Compliance Officer.
- 7) **Onsite meetings/monitoring.** The Compliance Officer makes onsite visits to monitor the contractor's implementation of the affirmative action goals. While onsite the Compliance Officer may obtain records of project staffing from the General Contractor and/or Management Firm. The Compliance Officer interacts with representatives of the General Contractor and/or Specialty Contractors and notifies the General Contractor and Project Manager of problem areas.
- 8) **Monthly Employee Utilization Reports.** The CCU forwards monthly Employee Utilization Reports to the Compliance Officer for review (Appendix B).
- 9) **Monthly employee utilization summary reports.** The Compliance Officer forwards monthly employee utilization summary reports to the head of the CCU. These reports summarize the Contractor self-reporting on the monthly Employee Utilization Reports that have been received by the Compliance Officer as of the last day of the month. Currently such summary reports are prepared for projects that meet a million-dollar threshold, although this threshold may be modified.
- 10) **Substantial Completion.** The CCU forwards the Certificate of Substantial Completion to the Compliance Officer.

Summary List of Documents Forwarded from the CCU to the Compliance Officer

- 1) Notice of new project/Project Data Summary (PDS)
- 2) Notice of prebid conference
- 3) Contract award notice
- 4) Prequalification Statement Document 00250 (commonly PC-2) for approval
- 5) Notice of preconstruction meeting
- 6) Employee Utilization Reports

7) Certificate of Substantial Completion

COMPLIANCE PROBLEM AREAS

In situations where there is a recurring problem area in the workforce of a Contractor, the Compliance Officer offers assistance, contacts the Contractor representatives and/or requests Contractor documentation of good faith efforts to implement the affirmative action plan. The Project Manager and the appropriate Contractor will be notified when such documentation is requested. Should this problem area not be resolved, further measures such as those listed below may be taken upon the recommendation of the Compliance Officer.

- 1) **Withholding of pay.** When the Compliance Officer finds that a Contractor or Subcontractor is not making a good faith effort to implement the affirmative action plan, the Compliance Officer may make a recommendation to the Project Manager that pay be withheld.
- 2) **Further enforcement of public contractor requirements under the *Illinois Human Right Act*.** If it is determined that a public contractor, subcontractor or eligible bidder has committed a civil rights violation, further measures may be taken to implement sanctions under Section 8-109 of the *Illinois Human Rights Act*. Such action will be taken only when there is confirming documentation that has been reviewed with the head of the CCU and the Office of University Counsel.

The Compliance Officer may also mediate and/or investigate a complaint of employment discrimination that involves a project construction Contractor.

STATUTORY/REGULATORY REQUIREMENTS

- 1) Federal Contractor Requirements under *Executive Order 11246* as amended:
41 CFR Part 60
Department of Labor, Office of Federal Contract Compliance Programs
- 2) *Illinois Human Rights Act* (775 ILCS 5/2 – 105): 44 Ill AC – 750
Illinois Department of Human Rights

CONTACT

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University of Illinois CONTRACTOR'S PAYMENT APPLICATIONS: PART IV - EMPLOYEE UTILIZATION REPORT

Contractor: _____

 Contract Division: _____ work
 Contract Value: _____
 Contractor's IDHR #: _____

Project: _____
 Project #: _____
 Owner: Board of Trustees, University of Illinois
 % Complete: _____
 Payment No.: _____ Date: _____
 Pay Period: _____ to _____

TABLE A: CONTRACTOR'S WORKFORCE (includes Direct Subcontractors)

Trade Codes	Job Title	Total Employees		African American		Hispanic		Asian American		American Indians and Alaskan Natives	
		M	F	M	F	M	F	M	F	M	F
G1	Laborers										
G1	Project Superintendent										
G2	Equip Operators										
G2	Drivers										
G3	Cement Finisher										
G4	Brick Masons										
G5	Ironworkers										
G6	Carpenters										
G7	Roofers/Metal Roofers										
G8	Glaziers										
G9	Ceramic Tile Setters										
G9	Painters										
G9	Plasterers/Drywallers										
G14	Elevator Mechanics										
P15	Plumbers										
P/H15	Insulators										
H15	Pipefitters										
H15	Refrig Mechanics										
H15	Temperature Control										
V15	Air Test & Balancing										
V15	Sheet Metal										
FP15	Sprinkler Fitters										
E16	Electricians										
E16	Telecommunications										
TOTALS											

TABLE B

Employee Hours Worked		
Total	Minority	Female

**University of Illinois
 CONTRACTOR'S PAYMENT APPLICATIONS: PART IV -
 EMPLOYEE UTILIZATION REPORT**

TABLE C: DIRECT SUBCONTRACTORS INCLUDED IN THIS REPORT

Subcontractors Included for this Report	Direct Subcontractor	Subcontract and Work	IDHR # (or FEIN)	Applicable Trade Codes
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
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<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____	_____

CERTIFICATION: The undersigned Contractor certifies that the information in this report is true and complete.

By: _____

Title: _____

DISTRIBUTION: Personnel Service EEO Office - 1 copy
 Contract File - 1 copy