

**Affirmative Action Plan
for
City of Madison
Public Works Contractors
(Effective for 2 Years)**

1. Company Name

5. E-mail Address

2. Address/City/State/Zip Code

6. Your Website

7. Chief Executive Officer

3. Telephone

8. EEO/AA Officer

4. FAX

9. Date

FOR QUESTIONS:

CONTACT AA CONTRACT COMPLIANCE SPECIALIST

Department of Civil Rights Affirmative Action Division

210 Martin Luther King, Jr. Boulevard, Room 523

Madison, Wisconsin 53703

PH (608) 266-4910

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contractcompliance@cityofmadison.com

www.cityofmadison.com/dcr

Section III - Policy Statement

- It is our policy not to discriminate against any employee or applicant because of:
 - race
 - religion
 - marital status
 - age
 - color
 - sex
 - disability/handicap
 - national origin or ancestry
 - income level or source of income
 - arrest record or conviction record
 - less than honorable discharge
 - gender identity
 - physical appearance
 - sexual orientation
 - political beliefs
 - student status

- We shall take affirmative action to ensure that applicants and employees are treated without regard to race, religion, color, age, marital status, disability, sex, gender identity, sexual orientation or national origin. Such action shall include, but not be limited to:
 - employment
 - upgrading
 - demotion or transfer
 - recruitment or recruitment advertising
 - layoff or termination
 - rates of pay or other forms of compensation
 - selection for training including apprenticeship insofar as it is within our control

- We will maintain a harassment-free work environment for all employees. We will require our employees to comply with this policy statement and Affirmative Action Plan. **All related non-discrimination policies must include all of the above protected groups.**

Section IV - Staff Responsibility

31. (Name)

32. (Name)

Our Chef Executive Officer is responsible for implementation of our Affirmative Action(AA) Plan.

has been designated as our Equal Employment Opportunity/Affirmative Action Officer and is responsible for internal monitoring, data and reporting on compliance with Section 39.02 of the Madison General Ordinances and our Affirmative Action Plan."

Section V - Subcontractors

33. We agree not to discriminate against any business entity or person because of race, religion, color, age, disability, sex, sexual orientation, gender identity or national origin. We are committed to increasing our utilization of Small Business Enterprises (SBEs). This includes those owned by racial/ethnic affirmative action group members, women and people with disabilities as subcontractors on City of Madison Public Works projects. We will take affirmative measures to increase subcontracting opportunities to these businesses. We will require similar efforts from those companies with which we do business on City of Madison contracts. We commit to the following:
- a We commit to provide SBEs, Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs) and Disadvantaged Business Enterprises (DBEs) maximum feasible opportunity to compete for subcontracting opportunities on City of Madison Public Works projects
 - b We commit to make a good faith effort to increase our overall utilization of SBEs, MBEs, WBEs and DBEs as subcontractors, vendors and suppliers and to ensure that these businesses receive an equitable share of our business
34. We will ensure that all our **subcontractors** working on City of Madison Public Works contracts also provide equal employment opportunity.
35. We will include the **AA Articles of Agreement** contained in our contract with the City for Public Works construction in **every** subcontract so that these provisions will be binding upon each subcontractor. We will require our subcontractors working on City of Madison Public Works projects to comply with the requirements of MGO 39.02 prior to starting work on any City project. We will take the necessary action to enforce these provisions, including sanctions provided for noncompliance in Section 39.02(9)(e)2., Article VII of the Madison General Ordinances.
36. Yes - We are subcontracting or will subcontract and have **attached a copy of our standard subcontract** to this plan.* Any City subcontract will include the City's full AA Articles of Agreement (available at: <http://www.cityofmadison.com/dcr/documents/ArticlesAgmt.pdf>)
- No - We do **not** subcontract normally or expect to do so.

Section VI - Personnel and Other Employment-Related Policies

We will have **non-discriminatory personnel and employment-related policies**. These policies and practices will be applied in a fair and uniform manner to achieve equal employment opportunity. We will continuously review our personnel and employment-related policies and procedures. We will **take whatever action is necessary** to correct those that are found to be discriminatory and/or have a disparate impact on racial/ethnic affirmative action group members, women and people with disabilities.

Such review will include, but not be limited to, the following:

DIRECTIONS:		If in place, check YES	If NO , indicate date of implementation (within 3 mos.)
<ul style="list-style-type: none"> ▪ Respond YES to indicate which of the following activities you have ALREADY implemented. ▪ For any NO responses, indicate the date it will be implemented. ▪ Attach additional sheets if more detail or explanation is required. It is not acceptable to respond "N/A."			
Dissemination of Policy Statement and Plan			
37.	Include policy statement and reference to Affirmative Action Plan in policy manual.	<input type="checkbox"/>	
38.	Prominently display "Equal Employment Opportunity/Affirmative Action Employer" on employee bulletin boards.	<input type="checkbox"/>	
39.	Make a reference copy of this plan available to any employee who requests one.	<input type="checkbox"/>	
40.	Display "Equal Employment Opportunity/Affirmative Action Employer" in all employment-related advertising.	<input type="checkbox"/>	
41.	Make available reasonable accommodations when requested by an employee or applicant with a disability.	<input type="checkbox"/>	
Recruitment			
42.	Review employment application form to ensure that information requested is bias-free and job-related.	<input type="checkbox"/>	
43.	Utilize a self-identification form for all applicants to provide Affirmative Action data. Include notification of Affirmative Action Plan. At a minimum, applicants must be able to self-identify their race/ethnicity, gender, and whether or not they qualify as a person with a disability. See sample self-identification form at: http://www.cityofmadison.com/dcr/documents/SelfIDform.pdf .	<input type="checkbox"/>	
44.	Supply job applicants with a reference copy of this Affirmative Action Plan upon request.	<input type="checkbox"/>	
45.	Notify City Affirmative Action Division of all external job openings at all of your facilities in Dane County by the opening date of the advertisement for solicitation of applicants.	<input type="checkbox"/>	
46a.	Have available for review and maintain applications of all racial/ethnic affirmative action group members, female applicants, and applicants with disabilities for a minimum of six (6) months. Use these applications as a recruitment source for future openings.	<input type="checkbox"/>	
46b.	Summarize the number and status (Total interviewed? hired?) of all applicants who are women, racial/ethnic affirmative action group members and/or persons with disabilities last year. (Employee logs or listings are not acceptable —we require a summary breakdown for review.) ** (Information is listed on the last page of this report.)		

Section VI - Personnel and Other Employment-Related Policies

DIRECTIONS: <ul style="list-style-type: none"> ▪ Respond YES to indicate which of the following activities you have ALREADY implemented. ▪ For any NO responses, indicate the date it will be implemented. ▪ Attach additional sheets if more detail or explanation is required. It is not acceptable to respond "N/A."		If in place, check YES	If NO , indicate date of implementation (within 3 mos.)
47a.	Encourage current racial/ethnic affirmative action group members, female employees, and employees with disabilities to assist in the recruitment of prospective racial/ethnic and female applicants.	<input type="checkbox"/>	
47b.	Summarize the number of women, racial/ethnic affirmative action group members and employees with disabilities (in each category) currently assist in recruitment? ** (Information is listed on the last page of this report.)		
48a.	Review scope and methods of recruitment to ensure that prospective racial/ethnic affirmative action group, female applicants and applicants with disabilities are being reached.	<input type="checkbox"/>	
48b.	Please check any of the programs below that serve as your dedicated-DIVERSITY recruitment resources, and/or list more in the box below. You must have evidence of contacting and using these resources. Please list other recruitment resources here: ** (Information is listed on the last page of this report.)		
49.	Review personnel policies and practices and revise as necessary to ensure that they are reliable and unbiased.	<input type="checkbox"/>	
50.	Establish selection criteria which accurately identify actual skill requirements of jobs, including an essential functions job evaluation for applicants with a disability.	<input type="checkbox"/>	
Selection Criteria			
51.	Use reliable and unbiased screening methods application (oral and written tests, interview questions, etc.) to measure job-related skills.	<input type="checkbox"/>	
52.	Review layoff, discipline, employee or applicant, termination procedures and workplace accommodations policy to ensure that there is no adverse impact on racial/ethnic affirmative action group members, female employees or employees with a disability. Employees with disabilities will be given all rights under this policy prior to discipline, termination or layoff.	<input type="checkbox"/>	
Payroll Practices			
53.	At a minimum of every two years , review the entire payroll for potential Equal Pay Act and Title VII issues, wage discrimination, and disparities in wage and promotional opportunities in the workforce. Attach documentation to demonstrate that no inequities were found during your review. *	<input type="checkbox"/>	
54.	Maintain records of any potential problems discovered in the review and the goals established to eliminate them.	<input type="checkbox"/>	
55.	Review and take into account workforce and salary goals when hiring, promoting, laying off and terminating employees.	<input type="checkbox"/>	
56.	Make hiring, promotion, bonus and other pay decisions without regard to race/ethnicity, gender or disability.	<input type="checkbox"/>	
57.	Review payroll policies to ensure that wage, salary and benefit decisions are based on nondiscriminatory factors.	<input type="checkbox"/>	

Section VI - Personnel and Other Employment-Related Policies

DIRECTIONS: <ul style="list-style-type: none"> ▪ Respond YES to indicate which of the following activities you have ALREADY implemented. ▪ For any NO responses, indicate the date it will be implemented. ▪ Attach additional sheets if more detail or explanation is required. It is not acceptable to respond "N/A."		If in place, check YES	If NO , indicate date of implementation (within 3 mos.)
Staff Development			
58.	Participate, when feasible, in area training programs such as the Workforce Investment Act of 1998 and the Targeted Jobs Tax Incentive Program, which expressly include racial/ethnic affirmative action groups, women and people with disabilities, or other upgrading, training and apprenticeship programs relevant to our needs.	<input type="checkbox"/>	
59.	Ensure all employees equal access to training & promotional opportunities.	<input type="checkbox"/>	
60.	Review training programs, promotional opportunities and seniority systems to ensure that they are nondiscriminatory.	<input type="checkbox"/>	
61.	Take affirmative steps to provide promotional and career advancement opportunities, including compensable training to affirmative action group members.	<input type="checkbox"/>	
Harrassment-Free Work Environment			
62.	Ensure a harassment-free work environment for all employees.	<input type="checkbox"/>	
63.	Be sure that all managers and supervisors know their responsibility for eliminating harassment.	<input type="checkbox"/>	
64.	Distribute anti-harassment policy to all employees.	<input type="checkbox"/>	
Complaint Procedures			
65.	Make certain that all employees are aware of the appropriate person(s) to whom discrimination and harassment complaints should be made.	<input type="checkbox"/>	
66.	Make employees aware of internal complaint process.	<input type="checkbox"/>	
67.	Inform employees of their right to file complaints with external enforcement agencies if harassment is not eliminated.	<input type="checkbox"/>	
68.	Develop procedure for internal investigation of discrimination and harassment complaints.	<input type="checkbox"/>	
Subcontracting (Certify even if you don't presently subcontract.)			
69.	Regularly review City of Madison list of certified SBEs, MBEs, WBEs and DBEs and identify SBEs, MBEs, WBEs and DBEs from which to solicit bids/quotes.	<input type="checkbox"/>	
70.	Assure that SBEs, MBEs, WBEs and DBEs are solicited whenever they are <u>potential</u> sources.	<input type="checkbox"/>	
71.	Refer prospective SBEs, MBEs, WBEs and DBEs to the City for certification.	<input type="checkbox"/>	
72.	Provide the City of Madison with a list of subcontractors, vendors and suppliers for covered projects. Identify SBE, MBE, WBE and DBE subcontractors. Notify the Affirmative Action Division of changes in subcontractors, vendors or suppliers.	<input type="checkbox"/>	
73.	Maintain and make available for City review, records of solicitation and utilization of SBEs, MBEs, WBEs and DBEs on City contracts.	<input type="checkbox"/>	
74.	Comply with the special requirements of the respective program(s) for City projects with SBE, MBE, WBE and/or DBE goals.	<input type="checkbox"/>	

Section VII - Goals, Good Faith Efforts and Timetable

- We are committed to achieving the city's utilization goals of 6% racial/ethnic affirmative action group members and 7% women. We understand that the City has established these goals for **all contractors regardless of whether they are prime or subcontractors on a project. The goals are measured in percentages of contractor project work hours on each project.** The goal of this Affirmative Action Plan is to achieve a balanced workforce, which employs racial/ethnic affirmative action groups, women and people with disabilities throughout all job categories. We have analyzed our current workforce. Based upon our projections of changes in the workforce and the availability of racial/ethnic affirmative action groups and women, we have set goals for the coming year. This data is contained in the Workforce Analysis and Goals Sheet accompanying this plan.

Collective Bargaining

- 75a. We are party to collective bargaining agreement(s) (CBA) with the labor union(s) listed below:
- 75b. No - We are not party to collective bargaining agreement(s):

Union, Local, Address	Has EEO Policy?
76. <input type="checkbox"/> For contractors with unions referring them labor (act as hiring halls), we agree to make job-specific written requests to our unions to “refer racial/ethnic affirmative action group members, women and people with disabilities for work on City Public Works projects in order to achieve the City’s AA goals.” We have attached a copy of the form* that we will transmit to our unions making the specific request for all needed labor that includes a space for designation of the number of AA referrals actually made by the union, for the union’s return, prior to work beginning on any City of Madison project. Consistent with the Madison General Ordinances, we agree that the City may audit or request copies of the union’s returned forms during or after work on City of Madison projects. (An example template is available here: www.cityofmadison.com/dcr/documents/LaborRequestAAreferrals.pdf) To demonstrate acceptable good faith AA efforts, we understand that the failure of any labor union to refer racial/ethnic affirmative action group members, women and people with disabilities does not excuse us from our responsibility to achieve the project utilization goals of this plan.	
77. <input type="checkbox"/> One or some of our CBAs contain restrictions prohibiting hiring outside of the union, and we have attached a copy of the cover and relevant pages of any of those most recent CBAs.*	

Section VII - Goals, Good Faith Efforts and Timetable

78. **IF we are NOT presently achieving the City's AA goals, we have included the following acceptable good faith AA efforts demonstrations:***

Current year documentation of at least, but not limited to, **three (3)** of any the following types of efforts **must be submitted with your plan** if your company has not achieved the City's minority and/or female goals:

- Two new AA recruitment outreach correspondences (letters/emails/feature advertisements/documentation of in-person meetings) to relevant dedicated diversity/minority/female programs, (trade) publications or organizations (Ex. include but not limited to: Urban League, Non-Traditional Careers for Women, YWCA's Construct-U, START, Big Step, Societies of Black, Hispanic or Female Professional Organizations, construction trades newsletters, workforce diversity council beneficiaries, etc.)
- Participation in/registration for a diversity-focused job fair, including preparation of and (prospective) use of materials that include the specific language "Affirmative Action/Equal Opportunity Employer" to specifically reach out to, engage with, and encourage prospective minority, female and/or disabled applicants.
- Development of/participation in diversity mentor/intern/apprenticeship hiring and/or training/trade or advanced skills/education programs to increase racial/gender/disability equity in underutilized employment areas/job groups of your company.
- Affirmative inclusion and incorporation of more of your current, non-involved minorities, females and/or people with disabilities into your recruitment/hiring process (be it as resume reviewers, interview panelists, employment or labor management groups, etc.), AND/OR
- Actual increase in AA utilization: hiring of additional minority, female and/or people with disabilities. The City/AA Plan/Division explicitly does NOT require new hiring of minorities or females, or any sort of "quotas", for any Plan to be approved, but if your company has indeed increased utilization of affirmative action/target employees, it, of course, exemplifies and serves as an acceptable good faith AA effort by your company.

Your company is responsible for investigating/developing the above efforts independently. Please be reminded ALL written recruitment/employment-related communications must include the specific language of "Affirmative Action/Equal Opportunity Employer."

79. We understand that we are expected to make good faith efforts to eliminate wage disparities, and to document our AA outreach efforts as outlined above to achieve a balanced workforce.

Job Category	No. of Employees 1 year Ago		No. of Employees Hired During Past Year	No. of Employees Who Left During Past Year	Current No. of Employees		Est. No. of Employees to be Hired w/in Next Year	Est. No. of Employees to Leave w/in Next Year	Target Workforce	
	1A	1B	2A	2B	3A	3B	4A	4B	5A	5B
Clerical & Admin. Support: Total Employees										
Racial/Ethnic AA Group Employees										
Women Employees										
Employees with a Disability										
Craft Workers: Total Employees										
Racial/Ethnic AA Group Employees										
Women Employees										
Employees with a Disability										
Operatives: Total Employees										
Racial/Ethnic AA Group Employees										
Women Employees										
Employees with a Disability										
Laborers, Helpers, Material Handlers: Total Employees										
Racial/Ethnic AA Group Employees										
Women Employees										
Employees with a Disability										
Service Workers: Total Employees										
Racial/Ethnic AA Group Employees										
Women Employees										
Employees with a Disability										
TOTAL EMPLOYEES										
TOTAL RACIAL/ETHNIC AA GROUP EMPLOYEES										
TOTAL WOMEN EMPLOYEES										
TOTAL EMPLOYEES WITH A DISABILITY										

Total **PROMOTIONS** in last year _____ Out of this total how many:

Racial/Ethnic AA Group Women Individuals with Disabilities

Section IX - Performance Evaluation

- The Affirmative Action Division will evaluate our performance under this Plan continuously throughout each City Public Works project, as well as the remainder of the Public Works contracting year for which we are prequalified by the City. This Contractor will cooperate with this monitoring process.

Section X - Compliance

- We understand that we are in compliance with the City of Madison Affirmative Action Ordinance and Contract Compliance Program when we fulfill all City of Madison ordinance provisions and meet or exceed utilization goals. If we do not meet the utilization goals, we must demonstrate good faith efforts to do so in order to be in compliance including, but not limited to contemporaneous, new affirmative action outreach communications, diversity job fairs, and/or mentor/internship participation. Compliance is determined by the Affirmative Action Division Manager, whose determination may be appealed by following the procedure contained in Section 39.02(9)(g) of the Madison General Ordinances.

Section XI - Additional Affirmative Action Program

- We understand that the City of Madison must apply certain additional federal equal opportunity or affirmative action requirements to its contractors, when applicable. These requirements will be made a part of the appropriate contract documents.

Section XII - No Private Cause of Action

- This Plan is not intended to create a private right of action by or on behalf of any employee or applicant for employment based upon a claim that this Plan, or the employer's contractual obligation have not been complied with. An employee or applicant for employment who claims a violation of this Plan or the employer's agreements with the City may file a complaint as provided in Section 39.02(9)(h) of the Madison General Ordinances.

Section XIII - Acknowledgement

- On behalf of this Contractor and with its authorization the undersigned acknowledges that he/she has read, reviewed and adopted this Affirmative Action Plan and agrees to be bound by it. Further, the information provided herein is accurate and true to the best of this employer's ability. The undersigned further acknowledges that the City of Madison has the right to review the records of this employer, which shall be maintained as documentation of this employer's agreement to be bound by the current Plan and supplemental data we have submitted.

46.b. Summary of the number and status (Total interviewed? hired?) of all applicants who are women, racial/ethnic affirmative action group members and/or persons with disabilities last year.

47.b. Summary of number of women, racial/ethnic affirmative action group members and employees with disabilities (in each category) currently assist in recruitment.

SAMPLE
not for
Submission

Diversity Recruitment Resources (From question 48b.)

- County Job Center (programs serving unemployed minorities, females and/or people with disabilities)
- WorksmartNetwork (Columbia, Dane, Dodge, Jefferson, Marquette and Sauk counties)
- Societies of Black, Hispanic and/or Female Engineers
- Big Step/WRTP
- TRANS program (DOT)
- Urban League
- Non-traditional careers for Women (at MATC)
- START/Foundation for the Trades
- Construction Training, Inc. (CTI)/Construction Workforce Diversity Alliance (CWDA)
- Construct-U (YWCA)
- Operation Fresh Start
- Madison Urban Ministry (MUM)
- Centro Hispano
- Aging and Disability Resource Center (of Dane County)
- Esperanza Unida
- Independence First

Other resources not listed above: