



## CONTRACT COMPLIANCE CRASH COURSE

### ▶ POSTERS

**Display your job site posters, including wage rates, in an outside location where they can be seen easily by all employees.** If your project does not have a job office due to the nature of the work and/or the length of the contract, then the posters must be displayed at the home office where hiring is conducted and each employee must be provided copies of all the notices or posters and sign a statement acknowledging they received and understood the content of all the notices or posters.

**POSTERS BOARD MUST BE UP PRIOR TO THE START OF THE PROJECT!**

**Please remember to provide copies of the wage rates to ALL of your sub contractors.** Additional copies of all posters and wage rates are available on our web site: <http://vtrans.vermont.gov/civil-rights/doing-business/contractors-center/poster-packages> or by calling Sonya Boisvert 802-279-1330 or email: [sonya.boisvert@vermont.gov](mailto:sonya.boisvert@vermont.gov).

### ▶ LABOR COMPLIANCE

#### Davis-Bacon Wage Decisions (Rates)

- The wage rates included in the poster package are the rates applicable for the duration of the project. To view the most current rates you should go to: <http://vtrans.vermont.gov/civil-rights/doing-business/contractors-center/davis-bacon>.
- Copies of the applicable wage rates must be included in the contract between the prime and subcontractors.

#### Davis-Bacon/Certified Payrolls

- Contractors are required to submit their payrolls and subcontractor payrolls on a weekly basis to the VTrans Office of Civil Right through the secure SFTP Server web site. Please contact Sonya Boisvert at 802-279-1330 or email: [sonya.boisvert@vermont.gov](mailto:sonya.boisvert@vermont.gov) to obtain a step by step guide for using the system.
- Each Payroll must include a Statement of Compliance (Side B of Wh347 payroll form). Each Statement of Compliance form must be completed in its entirety and signed. More information can be found in the [WH347 instructions](#). A sample form can also be downloaded from the USDOL website: <https://www.dol.gov/whd/forms/wh347.pdf>.
- Additional Work Classifications: Request must be submitted on the USDOL SF1444 form. Subs should submit through the Prime. If you need help with the form please contact Sonya Boisvert, 802-279-1330, email: [sonya.boisvert@vermont.gov](mailto:sonya.boisvert@vermont.gov).

**Any project visits by Civil Rights Staff will be coordinated with the Resident Engineer on the project.**

### ▶ FORMS

- Form 1391 (Annual EEO Report): This applies to all federally-assisted projects over \$10,000. All contractors must provide the required information online, using a very simple, user-friendly web-based application. If you have not already done so, please contact Sonya Boisvert, 802-279-1330, email: [sonya.boisvert@vermont.gov](mailto:sonya.boisvert@vermont.gov) for your log on ID.

### ▶ DBE & PROMPT PAY

- For FY2019 – FY2021 the DBE Participation Rate = 7.2% for the Agency's overall goal. The Contractor is to use its best efforts to solicit bids from and to utilize certified Disadvantaged Business Enterprise (DBE) firms. Go to: <http://vtrans.vermont.gov/civil-rights/doing-business/dbe-center/directory> to view the online DBE Directory. For more information contact: Sonya Boisvert at 802-279-1330, email: [sonya.boisvert@vermont.gov](mailto:sonya.boisvert@vermont.gov).
- Vermont's Prompt Pay Statute requires payment from primes to ALL subs within seven days of the primes' receipt of payment. Our DBE Regulations require that VTrans monitor and enforce this by having prime contractors report all sub contractor payments to us monthly. For more information visit our web site: <http://vtrans.vermont.gov/civil-rights/doing-business/contractors-center/prompt-pay> or contact Sonya Boisvert , 802-279-1330, email: [sonya.boisvert@vermont.gov](mailto:sonya.boisvert@vermont.gov).

## ▶ AFFIRMATIVE ACTIONS TO ENSURE EEO

The FHWA 1273 and the Executive Order (for all federally-assisted projects over \$10,000) outline actions the contractor must take to achieve and maintain a diverse workforce and a working environment free of harassment, intimidation and coercion.

### 1. RECRUITMENT EFFORTS:

- **Keep a list of female and minority recruitment sources.** We have one available on our web site at <http://vtrans.vermont.gov/sites/aot/files/civilrights/documents/edhc/EmploymentResourceList.pdf> and in our OJT Manual. Contact them for referrals of women and minorities.

- Document all your recruitment efforts, including:

- **Contact Information** of any women or minority referrals received;
- **Copies of any letters, e-mails, and/or telephone logs** regarding recruitment and hiring that indicate responses and action taken (hired or not hired and reasons); and,
- **Copies of any newspaper ads** your company places for recruitment on the project.
- **Include in all advertising/documentation the notation: "An Equal Opportunity Employer."**

### 2. EEO POLICY/PROGRAM: Every contractor is required to develop and implement the following affirmative action policies and procedures to ensure equal employment opportunity:

- Appoint a company AA/EEO Officer who is given responsibility and authority for ensuring compliance with all AA/EEO requirements. Ensure that all employees, sub contractors and VTrans have access to the designated AA/EEO Officer.
- Develop and disseminate a written EEO Policy/Program, including an Affirmative Action Policy, which states the legal obligations and expectations of the company's commitment to EEO, and specifies a process for addressing complaints of discrimination.
- Develop and disseminate a separate written harassment policy and complaint procedures.
- All AA/EEO policies and programs must be REVIEWED ANNUALLY with all employees who have responsibility for employment decisions and supervising personnel. Keep attendance records of these meetings. Distribute, post, and include the policy in manuals. Publicize it and include it in any advertising.
- Maintain a WORKING ENVIRONMENT FREE OF HARASSMENT AND DISCRIMINATION and make sure that all foremen/women and supervisors are aware of and carry out your obligation to maintain such a working environment with respect to all employees working on the site.
- The prime contractor is responsible for the actions of its own employees AS WELL AS the actions of any subcontractors with respect to harassment and discrimination.

**Contact Sonya Boisvert at 802-279-1330 or email: [sonya.boisvert@vermont.gov](mailto:sonya.boisvert@vermont.gov) with any questions.**

## ▶ ON-THE-JOB TRAINING HOURS (when applicable to the project)

- Training hours are assigned in increments of 520 hours (i.e., 520 hours generally equates to one OJT on a project; 1040 hours equates to two trainees; etc.). The OJT Program Manager typically contacts the contractor prior to the conference and is available for questions.
- The OJT Program Manager HAS TO APPROVE EACH OJT PRIOR TO THE OJT'S Official START DATE. She works closely with the contractor to ensure proper assessment and evaluation of each individual, whether it is a current employee being promoted into a training position or a new employee. Contact the [Karen Brouillette](#), OJT Program Manager at 802-917-8388 if you have questions.
- OJT Program forms and information are available on our web site: <http://vtrans.vermont.gov/civil-rights/doing-business/contractors-center/information>.
- After a two-week probationary period, the OJT Program Manager will do an on-site OJT enrollment/orientation which will be coordinated with the Resident Engineer and Contractor on-site OJT Supervisor.
- A blank weekly progress report is available on our website: <http://vtrans.vermont.gov/civil-rights/doing-business/contractors-center/information>. If you are using the online form, it is not necessary to distribute color copies; however you must ensure that both the trainee and supervisor have signed the forms before they are scanned and electronically submitted. We will not accept unsigned forms! Everyone must receive a copy.

If you are using the old form please refer to color chart for distribution.

**Contact Karen Brouillette, at 802-917-8388 or email: [karen.brouillette@vermont.gov](mailto:karen.brouillette@vermont.gov) with any questions.**