

Missouri Department of Transportation
FHWA 1391
2022 Contractor's EEO Report Instructions

Submission of the FHWA 1391 report is required for all Prime & Subcontractors (with contracts that equal or exceed \$10,000) on federally funded contracts that have construction activity during any part of the final full week of July, **July 24-30, 2022**. If there is no work on the last full week in July, contractors must report on the last full week worked in July. This includes any off-system projects that may be let by a city or county as pass through funds from MoDOT. The report is not required for contracts that are 100% state funded. **The new reporting period for the 1391 will be the last pay period worked by the contractor for the month of July. For example, if the contractor only worked the week of July 10 through July 16, the contractor will use this pay period to report 1391 data. If the contractor worked multiple weeks during the month of July, the contractor will report on the latest week worked. For example, if the contractor worked the week of July 10 through July 16 and July 24 to July 30, the contractor will use the week of July 24 to July 30 for reporting purposes.**

Contractors must report their own workforce and assure that all subcontractors that are active during the reporting week also submit their information (for each individual project). The provided form or similar payroll report should be used to submit the data. Contractors must assure that their active subcontractors submit the report to the Missouri Department of Transportation (MoDOT). Contractors and subcontractors must determine themselves which projects they need to report on based on the federal contract amount (over \$10,000) and whether any work was conducted during the month of July. The only scenario that a "no work" report would be submitted is if the reporting company did not do any work on a specific project for the entire month of July 2022.

Please read the instructions carefully prior to completing the form.

The following items will be required to be completed for the reporting period:

- One 1391 data report for each federal-aid project (may have multiple reports)
- Subcontractor list for all active federal-aid contracts identifying the name, address, email, and phone number of those subcontractors who were active during the reporting period (primes only to complete). Attached is a form that you are highly encouraged to use to create the sub list for submittal.

Please make sure to send a copy of this notice as well as a copy of the 1391 data reports to all subcontractors that are active during the reporting period. The subcontractors can forward completed copies of the reports to the prime contractor directly, who shall then forward the report to MoDOT. The subcontractor can choose to submit the reports directly to MoDOT as well as notifying the prime contractor of that action. Electronic version of the FHWA 1391 may be found at:
<https://www.modot.org/media/32656>

Subcontractor lists are to be submitted to MoDOT by **August 5, 2022**.

1391 Data reports are to be submitted to MoDOT by **August 19, 2022**.

Report project personnel on each federally funded contract where the company is a prime or a subcontractor. **You will count number of personnel, not number of hours worked**. Include those company officials and supervisors that are on there even if they do not appear on payrolls. DO NOT include any company personnel if they are on the project only from time to time and do not have daily, on-site responsibility for project activity. **If an employee works on multiple projects during the reporting period, it is acceptable to list the employee on both project specific reports.** For each project start with a blank form rather than clearing out a previously filled form. This ensures data is entered correctly and not mistakenly left from a previous project.

DO NOT include any home office personnel unless they are assigned exclusively to a project and appear on project payroll. This would involve primarily clerical personnel.

DO NOT count any project personnel or company trainees as apprentices or OJT's unless they are currently enrolled in a recognized and approved (by MoDOT, US Dept. of Labor and/or FHWA) training program.

The form is to be completed as follows:

1. Box 1: Select contractor or subcontractor
2. Box 2: Name and address of company
3. Box 3: **MoDOT Project number** for information being submitted (Example JOP0541, BRO/STP/CMAQ) -one report to be completed per project.
4. Box 4: Dollar value of project (Prime contract amount) – if you are a subcontractor leave the value blank or write “subcontractor”.
5. Box 5: Location of project (**county** and state)
6. Box 6: Employment data (Table A) lists all employees who were working for the company on the project. The contractor should only use the **last pay period worked by the contractor for the month of July 2022**. Insert the **number of employees** broken out by classification, gender and ethnicity. *The figures in “Total Employees” columns are self totaling and you will not need to total your entries. Those columns should equal the “Total Minorities” and White columns combined. The “Total Minorities” column should equal the total of the Black, Hispanic or Latino, American Indian or Alaska Native, Asian and Native Hawaiian or other Pacific Islander or two or more races.* NOTE: women are NOT to be counted as minorities unless they are members of one of the five ethnic minority groups shown. **The contractor should include** Apprentices/OJT employees in Table A. Apprentice/OJT information will **also** be captured in Table B and Table C.

Use the most appropriate job category. List the employees who work in multiple classifications only once and in the classification in which they work the most frequently. DO NOT attempt to add categories.

Table B is only for those employees registered in a formal, approved apprenticeship or OJT program. Show the employee(s) in the classification in which they are training.

Table C is for the ethnic and gender reporting for the apprentice and/or OJT reporting in Table B.

Table C should be completed like Table A, total employed equals total racial minority plus white.

7. Box 8: Indicate the person responsible for the preparation of the form by indicating in their name. Original documentation shall be signed and maintained by the Contractor and subcontractors for a period of 3 years. *The use of electronic signatures is highly encouraged.*
8. Box 9: Date prepared
9. Box 10: To be completed by MoDOT representative.
10. Box 11: To be completed by MoDOT representative.

Submit the data reports to MoDOT by email to both laura.bouslaugh@modot.mo.gov and Rhonda.Wilson@modot.mo.gov

Please call Laura Bouslaugh at 573-751-1355 if you have any questions.

RACE and ETHNIC Identification definitions:

Black or African American (NOT Hispanic or Latino) – A person having origins in any of the black racial groups of Africa.

Hispanic or Latino – A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

American Indian or Alaska Native (NOT Hispanic or Latino) – A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

Asian (NOT Hispanic or Latino) – A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.

Native Hawaiian or Other Pacific Islander (NOT Hispanic or Latino) – A person having origins in any of the peoples of Hawaii, Guam, Samoa or other Pacific Islands.

White (NOT Hispanic or Latino) – A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

Two or more races – All persons who identify with more than one of the above six races.