

**EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY
UNDER EXECUTIVE ORDER 11246**

A. Statement of Policy.

In order to provide equal employment opportunities to all qualified persons without regard to race, color, religion, sex, national origin, or disability, C. W. Driver LLC agrees to do the following:

- 1) Recruit, hire, train, and promote persons in all job titles, without regard to race, color, religion, sex, national origin, or disability.
- 2) Base decisions on employment so as to further the principle of equal employment opportunity.
- 3) Ensure that promotion decisions are in accord with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.
- 4) Ensure that all personnel actions, including but not limited to compensation, benefits, transfers, lay-offs, return from lay-offs, company-sponsored training, education, tuition assistance, social and recreational programs, will be administered without regard to race, color, religion, sex, national origin, or disability.

B. Responsibility for the Program.

The Director of Human Resources as the Equal Employment Opportunity Officer (hereinafter referred to as the EEO Officer) will carry out the program. The EEO Officer is hereby given full authority to carry out the program and is given the responsibility and authority to:

- 1) Develop policy statements and internal and external communication procedures.
- 2) Assist management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables and developing programs to achieve goals. Such programs shall include specific remedies to eliminate any discriminatory practices discovered in the employment system.

- 3) Design, implement and monitor internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed and, if necessary, to assure that such action is taken.
- 4) Report, at least quarterly, to the Executive Committee on the progress of each office in relation to company goals.
- 5) Serve as liaison between the company, government regulatory agencies, minority and women's organizations and other community groups.
- 6) Assure that current legal information affecting affirmative action is disseminated to responsible officials.

C. Dissemination of Policy.

1) *On an on-going basis, the HR Department will conduct the following internal dissemination of policy to all members of the company who are authorized to hire, supervise, promote and discharge employees, or who recommend such action, the company will take the following steps:*

How:

- a) Include the policy in the company's policy manual;
- b) Publicize the policy in company newsletters, annual reports, and other available media devices;
- c) HR Director will conduct special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the President's attitude with respect to affirmative action obligations;
- d) HR Director will schedule special meetings with all other employees to discuss policy and explain individual employee responsibilities;
- e) HR Department will discuss the policy thoroughly in both employee orientation and management training programs;
- f) Meet with union officials as appropriate to inform them of the policy, and to request their cooperation;

- g) Include non-discrimination clauses in any union agreements, and review all contractual provisions to ensure they are non-discriminatory;
- h) Publish articles in company publications, covering EEO programs, progress reports, promotions, etc., for minority and female employees;
- i) Annually post policy on the company bulletin boards;
- j) Ensure that employees featured in product or consumer advertising, employee handbooks, or similar publications include both minority and non-minority men and women;
- k) Periodically, inform employees of the existence of the company's affirmative action policy and enable employees to avail themselves of its benefits;
- l) Maintain a working environment free of harassment, intimidation, and coercion at all times and in all facilities at which C. W. Driver employees are assigned to work. C. W. Driver shall specifically ensure that all foremen, superintendents, and other onsite supervisory personnel are aware of and carry out the C.W. Driver obligation to maintain such a working environment, with specific attention to minorities or women working at such sites or in such facilities.

2) *On an on-going basis, the HR Department will conduct the following External Dissemination of Policy* in order to make the company's Equal Employment Opportunity Policy known to all employees, prospective employees, and potential sources of employees, such as schools, employment agencies, labor unions, and college placement offices, the company will take the follow actions:

How:

- a) Inform all recruitment sources verbally and in writing of the company policy, stipulating that these sources actively recruit and refer minorities and women for all positions listed. Strategically target recruitment sources that specialize in attracting women, minorities and vets;
- b) Incorporate the equal opportunity clause in all purchase orders, leases, and contracts covered by Executive Order 11246, as amended and its implementing regulations;

- c) Notify minority and women's organizations, community agencies, community leaders, secondary schools, and colleges of the company policy, preferably in writing;
- d) Inform prospective employees via the company website of the existence of the company's affirmative action policy and enable such prospective employees to avail themselves of its benefits;
- e) Ensure that employees pictured in consumer or help wanted advertising include both minority and non-minority men and women;
- f) Semi-annually send written notification of the company policies to all subcontractors, vendors, and suppliers with requests for appropriate action on their part.

D. Utilization of Minorities, Females and Vets.

On an on-going basis the HR Department of the company will make a good faith effort to meet the designated goals set forth by the Office of Federal Contract Compliance Programs for utilizing minorities, females and vets in the various crafts on all construction jobs during the time C. W. Driver LLC has a Federally-assisted or direct Federal construction contract.

How:

Qualified, experienced minorities, females and vets in this profession are extremely hard to find in the general population. With the advent of more minorities and females moving ahead in the industry, we hope to see qualified candidates in the future. We put special emphasis through our recruiting sources to try and identify qualified individuals to fill vacancies through quarterly partnerships with various regional outreach organizations.

E. Outreach and Recruitment

When advertising for employees, the company will include in all advertisements for employees the notation: "An Equal Opportunity Employer." The company will insert advertisement in newspapers or other publications having a large circulation among minority, female and vet groups in the area from which the company's workforce would normally be derived.

The company will conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority group applicants, including, but not limited to, state employment agencies, schools, colleges and minority group organizations. To meet these requirements, the company will, through the EEO Officer, identify sources of potential minority, female and vet group employees and establish procedures whereby applicants may be referred to the company for employment consideration.

3) The company will encourage its present employees to refer minority, female and vet group applicants for employment by posting appropriate notices or bulletins in areas accessible to all such employees.

How:

- a) The company makes personal contacts on a regular basis with community agencies serving the disabled, women, and minorities including vocational rehabilitation and social service agencies, state job services, Veterans Administration facilities and offices, advocacy groups, private employers, college placement officers, and other community agencies. The company works with such agencies to develop procedures for referring applicants, attracting qualified individuals, and following and providing feedback on the disposition of applicants.
- b) The company sends job announcements on a regular basis to community agencies, social service agencies, state job services, college placement officers, Veterans Administration facilities and offices, and vocational rehabilitation services. A special recruitment resource list has been developed and is maintained semi-annually.
- c) The company sponsors annual briefing sessions for recruitment sources to make them aware of company policies and opportunities. The company presents a home office tour, a clear and concise explanation of the company's selection process, and recruitment literature.
- d) A semi-annual advisory committee of present employees, including women and minorities, assists in recruitment and orientation. The company will participate in specialized training programs and explore nontraditional employment options, as feasible.

Hiring & Promotion:

- a) The company reviews semi-annually the resumes and applications of vets, women and minority employees to see if their skills are being fully used and if it is appropriate to promote and/or transfer them to higher level positions.
- b) The company will continue to utilize our outreach recruiting efforts at ASC Reno, college career fairs, recruit military, and other vet, minority, and female targeted career events and websites.

F. **Personnel Actions.** Wages, working conditions, and employee benefits shall be established and administered, and personnel action of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, will be taken without regard to race, color, religion, sex, national origin or disability. The following procedures will be followed:

- 1) Periodic inspections of project sites will be conducted to ensure that working conditions and employee facilities do not allow discriminatory treatment of project site personnel.
- 2) Bi-annually the spread of wages paid within each classification will be evaluated by the HR Department to determine any evidence of discriminatory wage practices.
- 3) The company will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the company will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.
- 4) The company will investigate all complaints of alleged discrimination in connection with its obligations under its contracts, will attempt to resolve such complaints, and will take appropriate corrective action. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the company will inform the complainant of all avenues of appeal.

G. Training and Promotion.

The company will assist in locating, qualifying and increasing the skills of vets, minority and female employees and applicants for employment. Consistent with its requirements and as permissible under Federal and State regulations, the company will make full use of

training programs, such as pre-apprenticeship, apprenticeship, or on-the-job training programs, for the geographical area of contract performance.

How:

- 1) To the extent possible, the company will advise employees and applicants for employment of available training programs and entrance requirements for such programs.
- 2) The company will semi-annually review the training and promotion potential of vets, minority and female employees and will encourage eligible employees to apply for such training and promotion.

H. **Unions.** The company will use its best efforts to obtain the cooperation of any unions with which it has collective bargaining relationships to increase minority and female opportunities within the unions, and to effect referrals of minority and female employees by such unions.

- 1) The company will encourage the incorporation of an equal employment opportunity clause into any union agreements stating that such unions will be bound contractually to refer applicants without regard to race, color, religion, sex, national origin, or disability.
- 2) In the event a union is unable to refer minority and female applicants as requested by the company within the time limit set forth in a union agreement, the company will, through its own recruitment procedures, fill the employment vacancies without regard to race, color, religion, national origin, or disability, making every effort to obtain qualified female employees.
- 3) The company will provide immediate written notification to the Deputy Assistant Secretary when a union with which it has a collective bargaining agreement fails to refer a minority or woman, or when the company has other information that the union referral process is impeding its efforts to meet its obligations.

I. **Subcontracting.**

- 1) The company will use its best effort to utilize minority group subcontractors, suppliers and vendors. The company, however, reserves the right to determine if the firm is a *bona fide* Minority Business Enterprise.

2) The company will use its best effort to assure subcontractor compliance with equal employment opportunity obligations.

J. Records and Reports.

1) The company will keep such records as are necessary to determine compliance with its equal employment opportunity obligations. The records kept by the company will be designed to indicate:

- a) The number of minority, non-minority and female group member employees in each work classification.
- b) The progress and efforts being made (in cooperation with unions, if appropriate) to increase protected group employment opportunities.
- c) The progress and efforts being made in locating, hiring, training, qualifying and upgrading protected group employees.
- d) The progress and efforts being made in securing the services of minority group subcontractors.

2) All such records will be retained for a period of three years following completion of the contract work and shall be available at reasonable times and places for inspection by authorized representatives of the State and Federal governments. The company reserves the right to require these representatives to show proper credentials.

3) The company will submit all reports required by Executive Order 11246 and appropriate State and Federal agencies, and will permit access to its books, records, and accounts by the appropriate governmental agencies and the Secretary of Labor for purposes of investigation to ascertain compliance with the rules, regulations and orders of the Secretary of Labor promulgated pursuant to Executive Order 11246.

K. Other Work. The company agrees that it will be bound by the Equal Opportunity Clause required by Executive Order 11246 with respect to its own employment practices when it participates in non-Federal construction work during which time it also has a Federally-assisted or direct Federal contract.

L. Assistance in Compliance. The company agrees it will assist and cooperate actively with the appropriate governmental agencies and the Secretary of Labor in obtaining the

compliance of contractors and subcontractors with the Equal Opportunity Clause and the rules, regulations, and relevant orders of the Secretary of Labor. The company will furnish such information as may be required for the supervision of such compliance.

M. Non-Segregated Facilities. All employee facilities provided by the company shall be non-segregated. These include, but are not limited to, rest areas, parking lots, drinking fountains, and all other such common facilities. Toilets and necessary changing facilities will offer privacy to both males and females.

N. Post-Award Compliance. It is understood that the OFCCP may review our employment practices as well as those of any subcontractors the company has employed during the performance of a Federally-assisted or direct Federal contract. If the goals for the employment of minorities and females set by the OFCCP are not being met, the company shall still be given the opportunity to demonstrate that it has made every good faith effort to meet its commitment.

For the purpose of this policy statement, the term “minority” means Black, Hispanic, Asian and Pacific Islander, American Indian and Alaskan Native.

For the purpose of this policy statement, a *bona fide* Minority Business Enterprise is a business, firm, or corporation which is at least fifty percent (50%) owned and operated by a minority person or persons.

The purpose of the company’s commitment to specific goals for the utilization of minority and/or female employees is to meet the affirmative action obligations under the Equal Opportunity Clause of a direct Federal or Federally-assisted contract. This commitment is not intended and shall not be used to discriminate against any qualified applicant or employee.

O. Refusal to Deal with Debarred or Ineligible Contractors of Subcontractors. The company agrees that it will refrain from entering into any contract or contract modifications subject to Executive 11246 with a contractor or subcontractor debarred from or who has not demonstrated eligibility for direct Federal or Federally-assisted construction contracts pursuant to Executive Order 11246.