

NEBRASKA DEPARTMENT OF TRANSPORTATION

Instructions for Completing the 2023 Annual EEO Report Form FHWA-1391

The Federal Highway Administration (FHWA) requires that a form FHWA-1391 be completed by every prime contractor and subcontractor (“contractor”) who performs work on a federally aided project for the Nebraska Department of Transportation (NDOT) anytime during the week of July 23 - 29, 2023. The information provided on the form will be for the workforce the contractor had on the project during that time.

- A separate report is to be completed for each federal aid project on which the contractor worked during the week of July 23 – 29.
- If a contractor did not perform work on a federal aid project during the week of July 23 - 29, they do not need to complete a form. Contractors should respond and indicate they did not perform work on a qualifying project during that time.
- Likewise, a contractor does not need to complete a form for any contract less than \$10,000. Contractors should respond and indicate any such non-qualifying contract.
- The requirement to complete a form FHWA-1391 does not apply to material supply (non-trucking/hauling) and professional services contracts. Contractors should respond and indicate any such non-qualifying contract.

Federal Requirement

This is an annual Equal Employment Opportunity (EEO) report filed in compliance with Code of Federal Regulations, Title 23, Part 230.121 (CFR 23 Part 230.121), which requires contractors on federally aided projects to report annually on the composition of their workforce by race, gender, and job category.

Due Date

Completed forms are due by August 23, 2023. Information on where to submit completed forms can be found at the end of this document.

Instructions

General Notes:

- Do not include any office personnel unless they are assigned exclusively to the project and appear on the project’s payroll.
- Do not count any OJT trainees or apprentices unless they are currently enrolled in a federally approved program.
- Do not record apprentices or OJT trainees in Table A of the form. Record them in Table B and Table C as applicable.

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- Cells that are shaded green are for the calculated totals of the different categories. For the pdf version of the form, these will auto calculate. For printed hardcopies, these totals will need to be calculated and entered manually.

Complete the form as follows:

1. Box 1: Choose whether you are a prime contractor or subcontractor.
2. Box 2: Enter the name and address of your business.
3. Box 3: Enter the NDOT project number for the project being reported. Example: STP-12-34-5(678).
4. Box 4: Enter the dollar value of the firm's contract on the project.
5. Box 5: Enter the project location (example "Douglas County, Nebraska").
6. Box 6: Enter the last two digits of the current year.
7. Box 7, Table A: Report the number of employees who worked on the qualifying project by combination of job classification, race or ethnicity, and gender. Note: Do not include apprentices or OJT trainees in Table A; they will be counted in Box 7, Table B and Table C.

Use the most appropriate job classification:

- Air tool operators and operators of power pavement saws, form setters, etc. should be listed as "Laborers – semi-skilled."
- Flaggers should be listed as "Laborers - unskilled."
- Operators of paint striping trucks are not painters and should be listed as either "Truck Drivers," if they are dedicated to operating the vehicle, or "Equipment Operators," if they also operate the painting apparatus.
- Form builders should be listed as "Carpenters."
- Welders should be listed as "Ironworkers."
- Note: For employees who worked in multiple job classifications on a project, enter them only once using the classification in which they did the most work.
- Professional services employees with no Davis-Bacon wages are not required for reporting.
- Note: Do not add job classifications to those listed on the form.

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Racial and Ethnic Identification:

- 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.
- Two or More Races (not Hispanic or Latino): Any person who identifies with more than one of the above five groups.
- White (not Hispanic or Latino): A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Box 7, Table B and Table C: Enter the number of employees who are currently enrolled in a federally approved apprenticeship or OJT program. In Table B, report these employees according to job classification in combination with gender. In Table C, report these same employees according to race or ethnicity, in combination with gender.

8. Box 8: Indicate the person responsible for the preparation of the form by entering their name and title.
9. Box 9: Enter the date the form was completed.
10. Box 10: No action required. To be completed by NDOT representative.

Submission of Completed Forms

Email completed forms to ndot.hcro-eeo@nebraska.gov or mail to the address shown below.

NDOT HCRO

PO Box 94759

Lincoln, NE 68509-4759

The original copy of the form must be maintained by the company for a period of 3 years.