



Commonwealth of Kentucky
Finance and Administration Cabinet

Matthew G. Bevin
Governor

OFFICE OF EEO AND CONTRACT COMPLIANCE

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William M. Landrum III
Secretary

Yvette M. Smith
Executive Director

ATTENTION: Vendors/Contractors

Revised: 29-January-2016

Kentucky's EEO Act, KRS 45.560-45.640 requires non-exempt parties to submit information about employment and hiring practices for any contract award which exceeds \$500,000. Bidders are required to submit reports to the Contracting Agency in accordance with the requirements of the solicitation. The Contracting Agency will send copies of the reports to the Finance and Administration Cabinet, Office of EEO and Contract Compliance (EEO/CC) for review and approval. A list of **REQUIRED** EEO reports follows.

- EEO-1: Employer Information Report
- Affidavit of Intent to Comply
- Subcontractor Report Form

The employment provisions of the EEO Act may also be met, in part, by subcontracting to a minority-owned and/ or a female-owned company (as appropriate).

EEO/CC will review and evaluate your employment data and, if applicable, the minority-owned and/ or female-owned company documentation. Thereafter, EEO/CC will determine whether your workforce reflects the percentage of available minorities and females in the area from which your employees are drawn. No award will become effective until all forms are satisfactorily submitted and EEO/CC has certified compliance. Thereafter, EEO/CC will recertify your company at one (1) year intervals. All required forms are available from the eProcurement website at the following address <http://finance.ky.gov/services/eprocurement/Pages/VendorServices.aspx>.

Contracts between the Successful Bidder and Subcontractors that exceed \$500,000 shall include a provision which requires the Subcontractor(s) to comply with the EEO Act and its reporting requirements. The Successful Bidder is responsible for submitting the subcontractor's forms to EEO/CC. (Note: contracts below the second tier are exempt from EEO reporting.)

Pursuant to KRS 45.610(2), EEO/CC reserves the right to request additional information and/or documentation and to conduct on-site monitoring reviews of project sites and/or business facilities at any point for the duration of any contract which exceeds \$500,000 in order to ascertain compliance with KRS 45.560 to 45.640 and such rules, regulations, and orders issued pursuant thereto.

For additional information, please contact Contract Compliance staff at (502) 564-2874.

Sincerely,



Yvette M. Smith, Executive Director
Office of EEO and Contract Compliance

Attachments (3)

1. EEO-1: Employer Information Report
2. Affidavit of Intent to Comply
3. Subcontractor Report Form

EEO-1: EMPLOYER INFORMATION REPORT

Important Notice: To reduce/ eliminate processing delays, read the attached instructions **BEFORE** completing this form. Incomplete forms and forms that are not completed according to the instructions will not be processed. **A substitute or alternate version of this report will not be accepted or processed.**

SECTION I. TYPE OF REPORT

- 1) Type of Report (check one):
 - Single-Establishment—firm conducts business from a single location
 - Consolidated—firm operates from multiple locations; the report must be filed by the firm's headquarters office and must combine workforce data for all locations
 - Branch Office/Other (**required for all Consolidated employers with business locations in Kentucky; also required for subsidiaries or affiliates filing EEO data**)—contains employment data for a specific location; a separate branch office/other report must be filed for **each** location in the Commonwealth of Kentucky
- 2) Total number of reports being filed by this firm _____

SECTION II. EMPLOYER/FIRM IDENTIFICATION

- 1) Name of Parent Company (owns or controls the branch/ office/other location or subsidiary or affiliate listed in Section II, #2) _____
Street Address: _____
City, State and Zip Code: _____
- 2) Name of Branch Office/ Other location for which this form is filed: _____
Street Address: _____
City, State and Zip Code: _____

SECTION III. ESTABLISHMENT INFORMATION

Describe the major activity of this establishment. **Be specific**, e.g., wholesale computer supplies, vehicle insurance carrier, electrical contractor, bus transportation, hot mix/cold mix supplier, landscape architectural services, custom computer programming, etc. _____

SECTION IV. GENERAL INFORMATION

- 1) Does the firm hire primarily from (check one): County? City? Metropolitan Statistical Area? State? Nationwide?
Identify the primary geographical area(s) from which the firm draws its employees by listing the counties, cities, Metropolitan Statistical Areas (MSAs) or states that apply. (attach a separate sheet if necessary):

- 2) Does the firm have a current Affirmative Action Plan? (check one) Yes No
- 3) Does the firm have a current Equal Employment Opportunity (EEO) policy? (check one) Yes No
- 4) Is the firm currently under federal, state or local review regarding its employment practices for any of its public contracts (check one)? If yes, attach a separate sheet fully explaining the situation and status of the review. Yes No
- 5) Within the past five (5) years, has the firm been declared ineligible for any public contract (check one)? If yes, attach a separate sheet fully explaining the situation. Yes No

SECTION V. WORKFORCE DATA: Report all full-time and permanent part-time employees including apprentices and on-the-job trainees unless specifically excluded in the instructions. Enter the appropriate figures in each space. Any blank spaces will be considered as zeros. No employee should be counted in more than one job category or in more than one race/ethnicity category. **Reports with mathematical errors will not be processed and a determination about the company's certification status will be delayed.**

Job Categories	WORKFORCE DATA/NUMBER OF EMPLOYEES														
	Race/Ethnicity														
	Male							Female							Total (A - N)
	White (Not Hispanic or Latino)	Black or African American (Not Hispanic or Latino)	Hispanic or Latino	Native Hawaiian and Other Pacific Islander (Not Hispanic or Latino)	Asian (Not Hispanic or Latino)	American Indian or Alaskan Native (Not Hispanic or Latino)	Two or more races (Not Hispanic or Latino)	White (Not Hispanic or Latino)	Black or African American (Not Hispanic or Latino)	Hispanic or Latino	Native Hawaiian and Other Pacific Islander (Not Hispanic or Latino)	Asian (Not Hispanic or Latino)	American Indian or Alaskan Native (Not Hispanic or Latino)	Two or more races (Not Hispanic or Latino)	
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
Officials and Managers (1)															
Professionals (2)															
Technicians (3)															
Sales Workers (4)															
Office, Clerical and Administrative Support (5)															
Craft Workers (6)															
Operatives (7)															
Laborers and Helpers (8)															
Service Workers (9)															
Total (1 - 9)															
Total from Previous Report															

SECTION VI. DATA COLLECTION

- 1) How was employment data in Section V obtained? (check one): Visual Survey Payroll Other (specify): _____
(Note: Data must not be more than 90 days old. Data more than 90 days old will not be accepted or processed.)
- a) If visual survey is indicated, enter the date of visual survey used for Section V: _____ to _____
 OR
- b) If payroll is indicated, enter the date of payroll used for Section V: _____ to _____
 OR
- c) If another method is indicated, enter the time period used for Section V: _____ to _____
- 2) Does this firm employ apprentices or formal on-the-job trainees? (check one): Yes No
- 3) Does the firm normally hire additional employees to perform contract work (check one)? Yes No
- 4) List the maximum number of employees working for the firm at any one time during a typical 12 month period. _____
- 5) Does the company have any Kentucky locations? (check one) Yes No If the response is "Yes," indicate how many _____
- 6) Does the company file a federal EEO-1 report? (check one) Yes No

SECTION VII. CERTIFICATION

Name of Person to Contact Regarding this Report			Title	
Mailing Address				
City	State	Zip Code	Telephone Number	Fax Number
E-mail Address				

I certify that the information contained in this EEO-1: Employer Information Report, and any attachments, is true and accurate to the best of my knowledge and belief. The employer agrees to comply with the requirements found in the Kentucky EEO Act, KRS 45.560 – KRS 45.640 and Finance and Administration Cabinet rules and regulations. Further, I am authorized to sign this form on behalf of the employer.

 Print Name and Title of Certifying Official

 Date

 Signature of Certifying Official **(must be an official or manager; refer to the Instructions)**

For Official Use Only (Minority/ Female Employment Utilization):

Initials: _____ **Review Date:** _____

FINANCE AND ADMINISTRATION CABINET
OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY/CONTRACT COMPLIANCE
CAPITOL ANNEX, ROOM 395, FRANKFORT, KY 40601

**Instructions for Completing
EEO-1: Employer Information Report**

Need Assistance? Call 502-564-2874, Monday through Friday, 8:00 a.m. to 5:00 p.m., Eastern Standard Time or e-mail: Finance.ContractCompliance@ky.gov.

EEO forms are available on the web at: <http://eprocurement.ky.gov/attachments.htm>
(Note: Click on 'Standard Attachments and General Terms')

Legal Authority. The filing requirement is found at KRS 45.560 – KRS 45.640, the Kentucky EEO Act.

Who Must File. Filing is required by law and is not optional for companies interested in doing business with the Commonwealth of Kentucky. Penalties for vendors/contractors and subcontractors that fail to comply with KRS 45.560 to KRS 45.640 may include non-award or termination of the contract, withholding payments or a declaration of ineligibility to bid on future contracts. So, who must file? Your company must file EEO documents if any one of the following applies:

1. The firm is the apparent low bidder on a state contract valued at more than \$500,000 and you have not previously filed;
2. Change orders or contract modifications bring the value of your state contract to more than \$500,000 and you have not previously filed;
3. The firm is directed to file by a contracting agency, county, city, town, school district, water district, hospital district, other political subdivision of the state or prime Vendor/Contractor;
4. The firm has a subcontract on a state project and the subcontract is valued at more than \$500,000 and you have not previously filed;
5. The firm's one (1) year certification has or will soon expire; or
6. The firm is directed to file EEO documents by the Finance and Administration Cabinet, Office of Equal Employment Opportunity and Contract Compliance.

Proper Filing. Incomplete, blank, or unsigned reports will **NOT** be accepted or processed. **Further, a substitute or alternate version of this report will NOT be accepted.** See below for more guidance:

1. Type or print legibly.
2. If you print your responses, do not use a pencil. Use black or dark blue ink.
3. Signatures must be in black or dark blue ink.
4. **DO NOT** return a copy of the instructions with your submission.

SECTION I. TYPE OF REPORT

Before completing this section, you may need to make additional copies of pages one, two and three of the EEO-1: Employer Information Report. **Remember, if your firm has locations in the Commonwealth of Kentucky a separate report is required for EACH Kentucky location. Reports submitted by your company MUST contain pages 1, 2 and 3. Reports that do not contain all three (3) completed pages will not be accepted or processed.**

Additional guidance regarding ‘locations.’ A location does not include an employee’s home address, a construction worksite or any other temporary project site.

Type of Report. Check only one box per report. **There are three (3) types of reporting (all of which use the EEO-1: Employer Information Report form).** A description of each type follows. Examples are provided to help you decide on the most appropriate report(s) to file.

- 1) *Single-Establishment*—Firms that conduct business from **ONLY ONE** location are required to file **SINGLE-ESTABLISHMENT REPORTS**.

Example: An electrical contractor with 8 employees is located in Franklin, Kentucky. The firm does not have any other business locations. This firm will file a **SINGLE-ESTABLISHMENT REPORT**.

Example: A computer hardware company with 27 employees is located in Topeka, Kansas. The firm has no other locations. For this reason, the firm will file a **SINGLE-ESTABLISHMENT REPORT**.

Example: A uniform manufacturer with 800 employees is located in Ontario, Canada. The firm does not have any other business locations. This firm will file a **SINGLE-ESTABLISHMENT REPORT**.

- 2) *Consolidated*—Firms that operate from more than one location are required to file a **CONSOLIDATED REPORT**. The **CONSOLIDATED REPORT** must be filed by the firm’s headquarters office and must reflect employment data for **ALL** locations—regardless of the number of employees at the location. **Firms that file a CONSOLIDATED REPORT must also file a BRANCH OFFICE/OTHER REPORT for each location in the Commonwealth of Kentucky.**
- 3) *Branch Office/Other*—The **BRANCH OFFICE/OTHER REPORT** contains employment data for a specific location. Any firm that files a **CONSOLIDATED REPORT** must also file a **BRANCH OFFICE/OTHER REPORT(S)** if the firm has employees in the Commonwealth of Kentucky. **A separate BRANCH OFFICE/OTHER REPORT is required for EACH Commonwealth of Kentucky location.**

IMPORTANT NOTE: The BRANCH OFFICE/OTHER REPORT must also be used by subsidiaries and affiliates when these entities file EEO data.

Example: A construction company with 375 employees is headquartered in Covington, Kentucky. The firm has nine separate office, quarry and plant locations (including the main office). Six locations are in Kentucky. The remaining three locations are in Ohio. The firm will file 7 reports: one (1) **CONSOLIDATED REPORT** reflecting data for all employees in Kentucky and Ohio and a separate **BRANCH OFFICE/OTHER REPORT** for each of its 6 Commonwealth of Kentucky locations.

Example: An insurance company has a main office in Lexington, Kentucky and six branch offices located in Paducah, Elizabethtown, Pikeville, Somerset, Louisville and Ashland. The Lexington headquarters office will file one (1) **CONSOLIDATED REPORT** that combines the firm’s employment data for all seven locations. In addition, the Lexington office will file 7 **BRANCH OFFICE/OTHER REPORTS**—one each for Lexington, Paducah, Elizabethtown, Pikeville, Somerset, Louisville and Ashland.

Example: A computer hardware company with 175,500 employees is headquartered in La Jolla, California. The firm has 30 separate plants and offices (including the headquarters office) throughout the United States. Each location is in a different state; none of the locations are in the Commonwealth of Kentucky. The firm's headquarters office will file one (1) **CONSOLIDATED REPORT** listing all employees nationwide.

Example: XYZ Plastics is located in Cleveland, Ohio and is a subsidiary of Worldwide Corporation. The firm does not have any other business locations and will file one (1) **BRANCH OFFICE/OTHER REPORT**.

Total Number of Reports Being Filed. Write in the number of reports being filed.

SECTION II. EMPLOYER/FIRM IDENTIFICATION

Single-Establishment employers. Complete Section 1, Name of Parent Company only. List:

1. Name of the company;
2. Street address (simply listing a post office box number is **NOT** sufficient); and
3. City, State and Zip Code;

Consolidated employers. Complete Section 1, Name of Parent Company **and** Section 2, Name of Branch Office/Other location for which this form is filed. Note: If applicable, the firm's headquarters office should file all reports on behalf of its various Kentucky locations. **However, any report received directly from a Branch Office/Other location will be considered to have been filed by the firm's headquarters.** List:

1. Name of the parent company (company headquarters office only);
2. Street address of the parent company (simply listing a post office box number is **NOT** sufficient);
3. City, State and Zip Code of the parent company;
4. Name of the Branch Office/Other location (includes company headquarters/main office if the headquarters/main office is located in the Commonwealth of Kentucky);
5. Street address of the Branch Office/Other location (simply listing a post office box number is **NOT** sufficient); and
6. City, State and Zip Code of the Branch Office/Other location.

Subsidiary or Affiliate employers. Complete Section 1, Name of Parent Company **and** Section 2, Name of Branch Office/Other location for which this form is filed. List:

1. Name of the parent company (company that owns/controls the subsidiary or affiliate);
2. Street address of the parent company (simply listing a post office box number is **NOT** sufficient);
3. City, State and Zip Code of the parent company;

4. Name of the Branch Office/Other location (indicate name of the subsidiary or affiliate here);
5. Street address of the Branch Office/Other location (simply listing a post office box number is **NOT** sufficient); and
6. City, State and Zip Code of the Branch Office/Other location.

SECTION III. ESTABLISHMENT INFORMATION

The description of the major activity must clearly identify the industry and product produced or service provided. If the establishment is involved in more than one activity, describe the activity that involves the **greatest** number of employees.

Note for **Consolidated employers**: The description of the major activity must reflect the dominant economic activity of the firm, i.e., the activity that involves the **greatest** number of employees.

SECTION IV. GENERAL INFORMATION

1. Select the primary geographical area(s) from which your employees are hired, i.e., county, city, metropolitan statistical area, state or nationwide (**Note: if you select 'nationwide' only the national percentage will be used to evaluate your workforce data**). A response to this question is required.

Next, **identify the primary hiring area(s) by name**, i.e., you must list all areas included in your primary hiring area. County and city information **MUST** be clearly identified, e.g., Broward County, Florida; Providence, Rhode Island, etc. Do not assume the reviewer knows the state in which the county or city is located, e.g., Franklin County, Missouri, Franklin County, Kentucky or Franklin County, Virginia. (**Note: a company headquartered in another country, e.g., Canada, is also required to comply with Kentucky's EEO Act and should identify the primary hiring area(s) accordingly.**) A response is required. If necessary, attach a separate sheet.

2. Indicate whether the firm has a current, up-to-date affirmative action plan signed by its owner, president, chief executive officer or other official or manager. A "Yes" or "No" response is required.
3. Indicate whether the firm has a current, up-to-date Equal Employment Opportunity (EEO) policy signed by its owner, president, chief executive officer or other official or manager. A "Yes" or "No" response is required.
4. Indicate whether the firm's employment practices are currently under review by **ANY** government agency. A "Yes" or "No" response is required. A "Yes" response to this question requires a full explanation to include the current status of the review. The explanation must include the name of the agency conducting the review, the name and title of the agency contact person and the agency contact person's telephone number (including area code). Attach a separate sheet.
5. Indicate whether the firm was barred from government contract work—federal, state, city, county, or local—during the past five (5) years due to a finding of employment discrimination. A "Yes" or "No" response is required. A "Yes" response to this question requires a full explanation of the situation. The explanation must include the name of the agency that found employment discrimination existed, the name and title of the agency contact person and the agency contact person's telephone number (including area code). Attach a separate sheet.

SECTION V. WORKFORCE DATA/NUMBER OF EMPLOYEES

Workforce data is required. Collecting and maintaining employee race and ethnicity data is permitted by state and federal law if the data is kept separate from other personnel information and is not used to commit unlawful discrimination. Current workforce data and workforce data from your previous report (if applicable) must be reported in this section. **A substitute or alternate version of this report will not be accepted or processed.**

Definition of Employee. "Employee" means any person on the Vendor's/Contractor's payroll who is a full-time or permanent part-time employee for purposes of Social Security withholding taxes (exception: insurance salespersons who are considered to be employees for such purposes solely because of the provisions of Section 3121 (d)(3)(B) of the Internal Revenue Code). Leased employees are included in this definition.

- "Leased Employee" means a permanent employee provided by an employment agency for a fee to an outside company. The employment agency handles all personnel functions related to the leased employee including payroll, staffing, benefit payments and compliance reporting. Therefore, the employment agency is responsible for reporting leased employees in its EEO-1: Employer Information Report.
- The term "Employee" does **NOT** include persons who are hired on a casual basis for a specific time period, or for the duration of a specific job. For example: workers at a construction site whose employment relationship is expected to terminate with the end of the employee's work at the site; workers temporarily employed in any industry (excludes construction), i.e., temporary office workers, lumber yard workers, factory workers, etc. These workers are hired through hiring halls or other referral arrangements, through employee contractors or agents, or by individual hiring arrangements; workers (excludes leased employees) on the payroll of an employment agency who are referred by the employment agency to work on the premises of another employer under that employer's direction and control.

Counting Employees. Count each employee in one and **ONLY** one job category and in one and **ONLY** one race/ethnicity category. (Descriptions of job categories and race/ethnicity categories appear later in this section.) **Do not count an employee in more than one job category. Do not count an employee in more than one race/ethnicity category.**

The count must include all full-time and permanent part-time employees who were employed during the count, except those workers specifically excluded in Section V., Definition of Employee, Page 8.

Note: If the firm has previously filed an EEO-1: Employer Information Report, data regarding "Total from Previous Report" at the bottom of page 2 is also **REQUIRED**.

Check the Math. Calculate a total for each row and each column. The grand total for all rows and the grand total for all columns must be the same. Record the grand total in the heavily outlined box (). Totals, including the grand total, must be clearly indicated on the form. **Forms without totals will NOT be processed. Forms with mathematical errors will NOT be processed.**

Description of Job Categories. Workforce data must be reported by job category. The major job categories are listed below. Each job category includes a brief description of the skills and training needed and examples of job titles that fit the category. The job titles are for descriptive purposes only. Therefore, the descriptions do not include all job titles in a particular category.

Each employee should be counted in one and **ONLY** one job category. Select the job category that contains the jobs most similar to those performed by the employee. For more information

about EEO job categories, visit the U.S. Equal Employment Opportunity Commission's web site at www.eeoc.gov.

- *Officials and Managers.* Jobs in this category include individuals who 1) plan, direct and formulate broad policies, set strategy and provide the overall direction of enterprises/ organizations for the development and delivery of products or services; 2) oversee and direct the delivery of products, services or functions at group, regional or divisional levels of organizations; 3) direct and execute the day-to-day operational objectives of enterprises/organizations, conveying the directions of higher level officials and managers to subordinate personnel; or 4) directly supervise the activities of exempt and non-exempt personnel. Examples of these kinds of positions include: owners; chief executive officers; presidents or executive vice presidents; chief legal officers; managing partners; vice presidents and directors; treasurers; human resources managers; operations managers; team managers; unit managers; purchasing managers; administrative services managers; customer service managers; technical support managers; first-line managers; and product managers.
- *Professionals.* Most jobs in this category require bachelor and graduate degrees, and/or professional certification. In some case, comparable experience may establish a persons qualifications. Examples of these kinds of positions include: accountants; auditors; architects; engineers; surveyors; computer programmers; teachers; personnel and labor relations specialists; airplane pilots and flight engineers; artists; chemists; designers; dieticians; editors; lawyers; librarians; mathematical scientists; natural scientists; registered nurses; physical scientists; physicians and surgeons; and social scientists.
- *Technicians.* Jobs in this category include activities that require applied scientific skills, usually obtained by postsecondary education (including community, technical and junior college). Depending on the occupation, in some instances additional training, certification, or comparable experience is required. Examples of these kinds of positions include: drafters; engineering aides; emergency medical technicians; chemical technicians; and broadcast and sound engineering technicians.
- *Sales Workers.* These jobs include non-managerial activities that for the most part involve direct sales. Examples of these kinds of positions include: advertising sales agents; insurance sales agents; real estate brokers and sales agents; wholesale sales representatives; securities, commodities, and financial services sales agents; telemarketers; demonstrators; retail salespersons; counter and rental clerks; and cashiers.
- *Office, Clerical and Administrative Support.* These jobs involve non-managerial tasks that provide administrative assistance and support, primarily in office settings. Examples of these kinds of positions include: office and administrative support workers; bookkeeping; accounting and auditing clerks; cargo and freight agents; dispatchers; couriers; data entry keyers; computer operators; shipping, receiving and traffic clerks; word processors and typists; proofreaders; desktop publishers; and general office clerks.
- *Craft Workers.* **Most jobs in this category include higher skilled occupations in construction** (building trades craft workers and their formal apprentices) and natural resource extraction workers. Examples of these types of positions include: boilermakers; brick and stone masons; carpenters; electricians; painters (both construction and maintenance); glaziers; pipelayers, plumbers, pipefitters and steamfitters; plasterers; roofers; elevator installers; earth drillers; derrick operators; oil and gas rotary drill operators; and blasters and explosive workers.

The craft workers category also includes occupations related to the installation, maintenance and part replacement of equipment, machines and tools. Examples include: automotive mechanics; aircraft mechanics; and electric and electronic equipment repairers. This category also includes some production occupations that are distinguished by the high degree of skill and precision required to perform them, based on clearly defined task

specifications. Examples include: millwrights; etchers and engravers; tool and die makers; and pattern makers.

- *Operatives.* Most jobs in this category include intermediate skilled occupations and include workers who operate machines or factory-related processing equipment. Most of these occupations do not usually require more than several months of training. Examples include: textile machine workers; laundry and dry cleaning workers; photographic process workers; weaving machine operators; electrical and electronic equipment assemblers; semiconductor processors; testers, graders and sorters; bakers; and butchers and other meat, poultry and fish processing workers. This category also includes occupations of generally intermediate skill levels that are concerned with operating and controlling equipment to facilitate the movement of people or materials, such as: bridge and lock tenders; truck, bus or taxi drivers; industrial truck and tractor (forklift) operators; parking lot attendants; sailors; conveyor operators; and hand packers and packagers.
- *Laborers and Helpers.* Jobs in this category include workers with more limited skills who require only brief training to perform tasks that require little or no independent judgment. Examples include: construction worker helpers; construction laborers; vehicle and equipment cleaners; freight, stock and material movers; laborers; service station attendants; refuse and recyclable materials collectors; septic tank servicers; sewer pipe cleaners; and production worker helpers.
- *Service Workers.* Jobs in this category include food service, cleaning service, personal service, and protective service activities. Skill may be acquired through formal training, job-related training or direct experience. Examples of food service positions include: cooks; bartenders; and other food service workers. Examples of personal service positions include: medical assistants and other healthcare support positions; hairdressers; ushers; and transportation attendants. Examples of cleaning service positions include: cleaners; janitors; and porters. Examples of protective service positions include: transit and railroad police and fire fighters; guards; private detectives and investigators.

Description of Race/Ethnicity Categories. You may obtain race/ethnicity information for this report either by visual surveys of the work force or from post-employment records, e.g., payroll records. Obtaining race/ethnicity information through direct inquiry is **NOT** encouraged.

Where records are maintained, it is strongly recommended the records be kept separately from the employee's basic personnel file or other records available to workers responsible for personnel duties. **Conducting visual surveys and keeping records about the race/ethnicity of employees is legal in all jurisdictions and under all Federal and state laws.**

Since visual surveys are permitted, the fact that race/ethnicity identifications are not present on employment or payroll records is not an excuse for failure to provide the data. In addition, the fact that employees may be located at different locations does not provide an acceptable reason for failure to comply with the reporting requirements. In such cases, it is recommended the employer conduct visual surveys (using persons such as supervisors who are responsible for the work of the employees or to whom the employees report for instructions).

When collecting workforce data, the basic principles for racial and ethnic self-identification are:

1. Offer employees the opportunity to self-identify; and
2. Provide a statement about the voluntary nature of this inquiry for employees. For example, language such as the following may be used (employers may adapt this language):
"<Company> is subject to certain governmental recordkeeping and reporting requirements for the administration of civil rights laws and regulations. To comply with these laws, <Company> invites employees to voluntarily self-identify their race or ethnicity. Providing this information

is voluntary and refusal will not subject you to any adverse treatment. The information will be kept confidential and will only be used in accordance with applicable laws, executive orders, and regulations, including those that require the information to be summarized and reported to government agencies for civil rights enforcement."

If an employee declines to self-identify, employment records or observer identification may be used.

Race/ethnicity designations used by the Finance and Administration Cabinet, Office of Equal Employment Opportunity and Contract Compliance do not represent scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no employee should be counted in more than one race/ethnic group, i.e., each employee should be counted in one and ONLY one race/ethnicity category. The race/ethnic categories for this report are:

- **Hispanic or Latino** - All persons of Cuban, Mexican, Puerto Rican, South or Central American, Dominican, or other Spanish culture or origin regardless of race.
- **White (Not Hispanic or Latino)** - All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- **Black or African American (Not Hispanic or Latino)** - All persons having origins in any of the black racial groups of Africa.
- **Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)** – All persons having origins in any of the peoples of Hawaii, Guam, Samoa, Fiji, or other Pacific Islands.
- **Asian (Not Hispanic or Latino)** – All persons 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, Sri Lanka, the Philippine Islands, Thailand, and Vietnam.
- **American Indian or Alaskan Native (Not Hispanic or Latino)** - All persons having origins in any of the original peoples of North and South America (including Central America), and who maintain cultural identification through tribal affiliation or community attachment.
- **Two or More Races (Not Hispanic or Latino)** – All persons who identify with more than one of the above five races.

SECTION VI. DATA COLLECTION

1. Select the method used to compile employment data in Section V.
 - a. Select "Visual Survey" if you used this method to determine race/ethnicity. In addition, you must indicate the data collection time period with a beginning date and an ending date. **Note: Data must not be older than ninety (90) days old. Data older than ninety (90) days old will not be accepted or processed.**
 - b. Select "Payroll" if you used this method to determine race/ethnicity. In addition, you must indicate the beginning payroll date and the ending payroll date. **Note: Data must not be older than ninety (90) days old. Data older than ninety (90) days old will not be accepted or processed.**
 - c. Select "Other" and identify the method used if you used some other method to determine race/ethnicity. In addition, you must indicate the data collection time period with a

beginning date and an ending date. **Note: Data must not be older than ninety (90) days old. Data older than ninety (90) days old will not be accepted or processed.**

2. Indicate whether the firm employs apprentices or on-the-job trainees. A “Yes” or “No” response is required.
3. Indicate whether the firm routinely hires extra workers to perform work on contracts. A “Yes” or “No” response is required. (Note: Extra workers are hired for a specific time period or for the duration of a specific contract.)
4. Write in the maximum number of employees that worked for the firm at any one time during a typical 12-month period. A response is required.
5. Indicate whether the company has offices, plants, quarries or other facilities in the Commonwealth of Kentucky. A “Yes” or “No” response is required. If the answer is “Yes,” also include the number of offices, plants, or other facilities.
6. Indicate whether the company annually files a federal EEO-1 report with the U.S. Equal Employment Opportunity Commission (EEOC). A “Yes” or “No” response is required.

SECTION VII. CERTIFICATION

Contact Information. The Finance and Administration Cabinet, Office of EEO and Contract Compliance may have questions about your report. To ensure the questions are resolved and the certification process proceeds without delay, you are required to provide the following information:

1. Name **and** title of the person who can answer questions about any part of the report (this is the contact person);
2. Mailing address (the company’s official mailing address—either a street address or a post office box number—is required);
3. City, State and Zip Code;
4. Telephone number including area code (also include an extension number if applicable);
5. Fax number including area code; and
6. E-mail address (if the contact person does not have an e-mail address write “None”)

Authorized Signature and Accuracy of Information Contained in the Report. The person who signs the report must be an official or manager of the firm. No other signature will be accepted. To complete this section, include the following:

1. Name and title of the certifying official;
2. Signature of the certifying official; and
3. Date.

For Official Use Only. Do **NOT** write in this box. The gray-shaded area is for use by the Finance and Administration Cabinet, Office of EEO and Contract Compliance.

FINANCE AND ADMINISTRATION CABINET
OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY AND CONTRACT COMPLIANCE
CAPITOL ANNEX, ROOM 395, FRANKFORT, KY 40601
TELEPHONE: 502-564-2874 (FAX: 502-564-1055)

AFFIDAVIT OF INTENT TO COMPLY

A substitute or alternate version of this form will not be accepted or processed.

The undersigned, after first being duly sworn, states as follows: I, _____
Type or Print Name

have authority to sign this affidavit on behalf of _____
Type or Print Company Name

Check one:

I acknowledge and agree that the aforementioned company will "comply in full with all requirements of the Kentucky Civil Rights Act," and "submit data required by 45.560 to 45.640 upon being designated the successful bidder." I also acknowledge and agree that the Finance and Administration Cabinet, Office of EEO and Contract Compliance may request additional information and/or documentation, in accordance with KRS 45.550 et seq at any point during the life of any contract awarded. I further acknowledge and agree that a failure to provide information requested in a timely manner may result in the Commonwealth of Kentucky pursuing any and all legal remedies available, including but not limited to, termination of contract and a prohibition against doing business with the Commonwealth in the future.

The aforementioned company is exempt from compliance with the Kentucky Civil Rights Act because the company is not an "employer" as defined by KRS 344.030(2). I acknowledge and agree that the aforementioned company will "submit data required by 45.560 to 45.640 upon being designated the successful bidder." I also acknowledge and agree that the Finance and Administration Cabinet, Office of EEO and Contract Compliance may request additional information and/or documentation, in accordance with KRS 45.550 et seq at any point during the life of any contract awarded. I further acknowledge and agree that a failure to provide information requested in a timely manner may result in the Commonwealth of Kentucky pursuing any and all legal remedies available, including but not limited to, termination of contract and a prohibition against doing business with the Commonwealth in the future.

AFFIANT:

Affix Notary Seal Below

Signature of Certifying Official
(must be an official or manager)

Type or Print Name and Title of Certifying Official

Date

Commonwealth or State _____

County of _____

Subscribed and sworn to before me by _____
(Affiant)/ (Title)
of _____ this _____ day of _____, 20____.
(Company Name)

MY COMMISSION EXPIRES ON: (Date) _____

NOTARY PUBLIC _____

SUBCONTRACTOR REPORT FORM

Notice: Vendors/Contractors are required to report all subcontracts valued at \$500,000 or more (Note: information is not required for contracts below the second tier). The subcontracts reported on this form must be for a specific line item(s) of work on a contract/project your firm has with the Commonwealth of Kentucky, i.e., you should **not** report contracts your firm has with a company to clean your office building, to provide security for your office, to routinely service your vehicles or equipment, to upgrade your warehouse, etc. Type or print legibly. Do not use pencil; use black or dark blue ink. A substitute or alternate version of this form will not be accepted or processed. Incomplete forms will not be processed.

- 1) Business Name (REQUIRED): _____
- 2) Solicitation or Contract Number (REQUIRED): _____
- 3) Project Name or Contract Description: _____
- 4) Indicate if your company has entered into agreements with subcontractors valued at \$500,000 or more (check one):
 - Our company has **not** entered into agreements with subcontractors valued at \$500,000 or more (skip section 5 and complete section 6).
 - Our company has entered into agreements with subcontractors valued at \$500,000 or more (complete section 5 and section 6).
- 5) Provide subcontract information as follows (attach Additional Reporting Sheets if necessary):

Name of Subcontractor	Contact Person	Telephone Number (including area code)	Street Address, City, State and Zip Code	Subcontract Amount

6) Certification: I certify that the information contained in this report and any Additional Reporting Sheets or other attachments, is true and accurate to the best of my knowledge and belief. Further, I am authorized to sign this form on behalf of the company. If necessary, the company will update this report should it enter into additional subcontracts valued at \$500,000 or more.

Printed Name and Title of Certifying Official _____

Signature of Certifying Official (must be an official or manager) _____

Date _____

