



METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI

EQUAL EMPLOYMENT OPPORTUNITY AND CONTRACT COMPLIANCE GUIDELINES

The MSDGC Equal Employment Opportunity and Contract Compliance Office is designated to provide an evaluation of policies and practices relating to the extension of equal employment opportunity to all persons without regard to race, religion, color, sex, national origin, age, disability, military status or ancestry. MSDGC policies pursuant to state and federal rules and regulations provide for contract compliance inspection of personnel policies and practices relating to designated contracts with MSDGC including contracts for construction, labor, services, materials, supplies, equipment, leases and concession agreements. Company/Organization's that choose to do business with MSDGC are required to maintain an Affirmative Action Plan that adheres to the goals and timetables for minority and/or female participation in the Company/Organization's workforce, as established by the State of Ohio Equal Employment Opportunity Requirements. Specifically, each Company/Organization choosing to do business with MSDGC agrees that they ...

... will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national or ethnic origin, age, handicap, or Vietnam military service.

... will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, sex, national origin, age, disability, military status or ancestry. Such action will include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

... will in all solicitations or advertisements for employees, placed by or on behalf of the Company/Organization, or any subcontractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin, age, disability, military status or ancestry.

... will send to each labor union or representatives of workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided by MSDGC advising the said labor union or workers' representative of their commitments under this section and shall post copies of the notice in conspicuous places available to employees and applicants.

... will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended and of the rules, regulations and relevant orders of the Secretary of Labor or other Federal agency responsible for enforcement of the equal opportunity provisions where applicable and will likewise comply with the provisions of Sections 4112.02, 4112.07 and 153.59 of the Ohio Revised Code.

... will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto when the same are applicable, and will permit access to all books, records and accounts by the appropriate MSDGC, City and Federal officials for purposes of investigation to ascertain compliance with such rules, regulations and orders.

... will include the provisions stated above in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The company shall take such action with respect to any subcontract or purchase order as MSDGC may direct as a means of enforcing such provisions including sanctions for non-compliance.

... will file and shall cause each subcontractor, if any, to file compliance reports with MSDGC in the form and to the extent as may be prescribed by MSDGC. Compliance reports filed at such times as directed shall contain information as to the practices, policies, programs, and employment policies, and employment statistics of the contractor and each subcontractor.

In the event of a Company/Organization's non-compliance with the non-discrimination clause of this contract, or with any of such rules, regulations or orders, any and all purchase orders / contracts may be cancelled, terminated or suspended in whole or in part, and the Company/Organization may be declared ineligible for further MSDGC contracts in accordance with procedures provided in Executive Order No. 11246 of September 24, 1965, as amended, and such other sanctions may be imposed and remedies invoked as provided in the said Executive Order, or by rule, regulation or order of the Secretary of Labor, or as may otherwise be provided by law.

MSDGC Form 147

Each Company/Organization that wishes to do business with MSDGC shall submit a complete and accurate Form 147, prior to the award of a contract or purchase order. Completion of MSDGC Form 147 is required in order to demonstrate compliance with Equal Employment Opportunity and Contract Compliance requirements. Additional actions that demonstrate compliance with Equal Employment Opportunity and Contract Compliance requirements include, but are not limited to, the following:

Adopt a policy of non-discrimination on the basis of race, religion, color, sex, national origin, age, disability, military status or ancestry with regard to recruitment, hiring, training, upgrading, promotion, disability or maternity leave, discipline and remuneration of employees or an applicant for employment. An Affirmative Action Plan including goals and timetables will be developed to correct existing deficiencies in the aforementioned areas, if those deficiencies exist.

Assign responsibility to one of its officials to develop procedures which will assure that this policy is understood and carried out by managerial, administrative and supervisory personnel.

State its non-discrimination policy in writing and communicate it, as applicable, to all employees, advertisement / recruitment sources, relevant employee organizations and labor unions, and subcontractors.

Utilize recruitment sources that maintain a similar policy for referring applicants on a non-discriminatory basis.

Sponsor or finance educational or training programs for the benefit of employees without regard to race, religion, color, sex, national origin, age, disability, military status or ancestry.

Seek a broad recruitment base in order for a representative cross-section of applications to be obtained; and will refrain from a hiring policy which limits job applicants to persons recommended by company/organization personnel.

Integrate any positions, departments, or plant locations which have no minority persons, or are predominantly staffed with one particular ethnic, sex-classified, age or racial group.

Achieve an integrated work force by making every practical attempt to employ minority workers in each trade or job classification.

Review its qualifications for each job to determine whether such standards eliminate unemployed persons or underutilized persons who could perform the duties of the jobs adequately. Review should include, but not be limited to, Education, Experience, Tests and/or Arrest Records.

Ensure that residence in a particular geographical area is not a qualifying criterion for employment with the Company/Organization.

Provide that all bargaining agreements with employee organizations, including labor unions, have non-discrimination clauses requiring equal employment opportunity.

Failure of a Company/Organization to demonstrate sincere efforts to comply with MSDGC's Equal Employment Opportunity and Contract Compliance requirements may result in exclusion from the bidding and/or award of future purchase orders / contracts.

DESCRIPTION OF OCCUPATIONAL CATEGORIES

Officials, Managers and Supervisors – Occupations requiring administrative personnel who set broad policies, exercise over-all responsibility for executive of these policies, and direct individual departments or special phases of a firms operations.

Includes: officials, executive, middle management, plant managers, department managers and superintendents, salaried foremen who are members of management, purchasing agents and buyers, and kindred workers.

Professionals - Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background.

Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, personnel and labor relation workers, physical scientists, physicians social scientists, teachers and kindred workers.

Sales Workers - Occupations engaging wholly or primarily in direct selling.

Includes: advertising agents and salesmen, insurance agents and brokers, real estate agents and brokers, stock and bond salesmen, demonstrators, salesmen and sales clerks, and kindred workers.

Office and Clerical Workers – Occupations involving clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included.

Includes: bookkeepers, cashiers, collectors (bills and accounts), messengers, office machine operators, shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, and kindred workers.

Craftsmen (Skilled) - Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training.

Includes: the building trades, hourly paid foremen and lead-men who are not members of management, mechanics and repairmen, skilled machining occupations, compositors and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors and kindred workers.

Operatives (Semi-Skilled) - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training.

Laborers (Unskilled) - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training.

Service Workers - Workers in both protective and non-protective service occupations.

Includes: attendants (hospital and other institution, professional and personal service), barbers, cleaners, cooks (except household), counter and fountain workers, elevator operators, firemen and fire protection, guards, watchmen and doorkeepers, stewards, janitors, policemen and detectives, porters, waiters and waitresses, and kindred workers.

Apprentices - Persons employed in a program, including work training and related instruction to learn a trade or craft which is traditionally considered an apprenticeship, regardless of whether the program is registered with a Federal or State agency.