



State of New Jersey

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Sent Via Email Transmittal

August 8, 2023

IMPORTANT NOTICE

For All NJDOT Construction Contractors

RE: 2023 EEO Workforce Report – Federal Highway Administration (FHWA) Form 1391

This will serve as notice that the annually required, EEO Workforce Report is now due. NJDOT is requiring that these reports be prepared on the Excel spreadsheet labeled Form FHWA 1391 NJ, which is attached to the email transmittal (Form FHWA 1391 NJ). Please see further information and instructions below.

Regulatory Requirements

In accordance with 23 CFR Part 230.121 as well as the Federal, Civil Rights Contract Provisions, prime contractors and their subcontractors are required to annually report on the make-up of their workforce by race, gender, and job category for the last payroll period in the month of July 2023, using the above noted Form FHWA 1391 NJ. You must report on each covered contract or subcontract active during the month of July 2023. The employment data entered should reflect the on-site workforce on board during all or any part of the last payroll period preceding the end of July 2023.

Contractors Required to Report

All NJDOT prime contractors and all related subcontractors with subcontracts of \$10,000 or more who worked on FHWA or Federally Funded construction contracts are required to report. NJDOT prime contractors and subcontractors who did not work on a FHWA/Federally Funded contract during the month of July 2023 are not required to report.

Firms working on multiple Federally funded projects during this period must report each project individually. All firms must have sufficient documentation on file that would effectively show their workforce on a project-by-project basis in support of the data submitted to the NJDOT on this consolidated Form 1391.

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Reporting Period

All applicable prime contractors and their subcontractors must prepare Form FHWA 1391 NJ identifying the project workforce on all or any part of the last payroll period preceding the end of July (i.e. Sunday, July 23, 2023, through Saturday, July 29, 2023.)

Reporting Instructions

The Excel Form FHWA 1391 NJ must be filled out completely and represent the firm’s workforce on each NJDOT Federally Funded project for the month ending July 31, 2023. The employment data entered should capture the on-site workforce on board during all or any part of the last payroll period preceding the end of the month (i.e., Sunday, July 23, 2023, through Saturday, July 29, 2023).

This form must be completed and submitted in the electronic Excel file in the format provided. Pdf versions of this form will not be accepted.

DO NOT ALTER OR CHANGE ANY CELLS IN THE EXCEL FORM PROVIDED FOR THIS REPORT.

Completing the Form:

The form is to be filled out as follows: **Block 1:** Check “Contractor” or “Subcontractor” or mark both if acting as both a prime and subcontractor. **Block 2:** Name and address (city & state) of company. **Block 3:** Report the number of projects (contracts) in which your company was the prime contractor (do NOT include subcontract amounts if applicable). **Block 4:** The total dollar value of those projects in which you are the prime contractor. **Block 5:** List project(s) location by county in which you are the prime contractor. (Blocks 3, 4 and 5 are blank if you are reporting subcontract work only.)

Employment Data:

Table A: Enter the number of regular employees by race, gender, and job category. This information reported in Table A should include journey-level men and women, apprentices, and on-the-job trainees. Include those company officials and supervisors that are on projects even if they do not appear on payrolls. Any employee, even those working at the home office, who have responsibilities to support the project, should be counted. This primarily involves support staff not based on the project.

Table B: Enter only the number of apprentices and on the Job Trainees by Job Category and gender. DO NOT count any project personnel as apprentices or OJTs unless they are currently enrolled in a recognized and approved (by State DOT, U.S. Dept. of Labor and/or FHWA) training program. DO NOT include company trainees as apprentices or OJTs unless the company program has been approved by one of the above agencies. Remember to be sure to include all active trainees who are enrolled in approved programs.

Table C: Show a breakdown by race and gender of all apprentices and on-the-job trainees shown in Table B.

Note: Totals for Tables B and C for the FHWA-1391 should match.

Entries made for the “Job Categories” are to be confined to the listing shown. Miscellaneous job classifications are to be incorporated in the most appropriate category listed on the form. All employees on projects should thus be accounted for.

Prime contractors are required to complete and submit their Form FHWA 1391 NJ and ensure that their subcontractors who performed work during this period also complete and submit the Form FHWA 1391 NJ.

Primes should collect their subcontractors’ reports and submit all reports (primes and subcontractors) by email no later than September 1, 2023, directly to the NJDOT, Division of Civil Rights/Affirmative Action’s Contractor Compliance Unit at: DOT.CRContCompl@dot.nj.gov **with an email subject line indicating “July 1391 Workforce Reports For Project(s) DPxxxx”** by no later than **September 4, 2023**.

The original signed and dated form should be maintained on file for three years.

ORIGINAL / ELECTRONIC SIGNED

Vicki Tilghman-Ansley, Director
Division of Civil Rights and Affirmative Action

Attachment – Please refer to separate Excel document - FHWA Form 1391