LABOR COMPLIANCE AND EEO CONTRACT COMPLIANCE JOB-SITE INTERVIEW

North Dakota Department of Transportation, Civil Rights Division

SFN 9426 (Rev. 07-2013)

INTERVIEWER: All federal-aid highway construction contractors **MUST** have Labor Compliance interviews conducted with a cross-section of their project employees on at least one job in each district annually. One minority, one nonminority, and one female in each trade, classification, or occupation should be interviewed. The project superintendent or field office manager should also be interviewed. Complete Parts A and B at the time of the interview. Except for questions 1-3, Part D need not be completed in the field. The payrolls reviewed should be for the same week in which the interviews were conducted. Part C need **ONLY** be completed for those projects on which in-depth Contract Compliance reviews are conducted. The employee interviewed **MUST** sign the interview form. If the employee refuses, a notation **MUST** be made and the reason stated. Any problems or potential problems should be **IMMEDIATELY** reported to the Civil Rights Division. One copy of each completed interview form **must** be uploaded to FileNet via the CARS Application within 14 calendar days of the date the interviews were conducted.

PART A - PROJECT INFORMATION

Project Number	District
Name And Title Of Interviewer	PCN
Name And Address Of Contractor	☐ Prime ☐ Sub
If Subcontractor, Name Of Prime	
Type Of Work	Location
Date Of Interview	

PART B - LABOR COMPLIANCE INTERVIEW DATA

1. Employee name and address:
2. Job classification:
3. Have you seen the federal wage rates posted by the contractor? ☐ Yes ☐ No
4. Do you know your minimum rate? $ ☐ Yes ☐ No
5. What is your actual rate of pay? Straight time: $ Overtime: $
6. What is your fringe benefit amount? $ ☐ Does not apply
7. If applicable, are fringe benefits paid to you in cash or does the contractor pay them into approved plans, funds, or programs? ☐ Cash ☐ Funds Have you experienced any problems? ☐ Yes ☐ No
   If yes, describe:
8. How often are you paid? ☐ Weekly ☐ Other (specify):
9. How is overtime paid? ☐ Over 40 hours per week ☐ Over 8 hours per day
10. Apprentices/Trainees: Craft: Step/Quarter: Rate: $
11. Other than the required deductions for social security and federal withholding tax, are other deductions being made to your paycheck? ☐ State tax ☐ Union dues ☐ Insurance ☐ Pension ☐ Other (specify):
12. Did you pay a fee to secure this job? ☐ Yes ☐ No
13. Are you required to return any of your wages to your employer? ☐ Yes ☐ No
    If yes, for what reason?
14. Dates employed on this project: From: To:
15. Supervisor's name:
16. How is your time reported? ☐ Daily time card ☐ Weekly time card ☐ Verbal ☐ Other (specify):
17. Do you have a wage grievance based on the above questions? ☐ Yes ☐ No
    If yes, provide details on a separate sheet of paper.
18. Additional comments:

INTERVIEWER: Continue to Part C **ONLY** if the project is scheduled for an in-depth contract compliance review.

Is permission given to divulge to your employer the information in this interview? ☐ Yes ☐ No

I have read the information reported as obtained from me and certify it to be correct to the best of my belief.

Employee's Signature _____ Date _____

Interviewer's Signature _____ Date _____

INTERVIEWER ONLY: At this point, complete questions 1-3 of Part D. The remaining questions may be answered upon receipt of the project payroll.

PART C - EEO CONTRACT COMPLIANCE INTERVIEW DATA

1. Do you know where the bulletin board is located? ☐ Yes ☐ No
2. Are you aware of the company EEO policy? ☐ Yes ☐ No
3. How were you made aware of the policy?
4. Do you know the company EEO officer? Who is he or she? ☐ Yes ☐ No
5. Have you attended any meetings on this project where EEO was discussed? When? ☐ Yes ☐ No
6. Have you been advised of any training or apprenticeship programs available to upgrade your skills? ☐ Yes ☐ No
7. Have you been asked to refer minority or female applicants when job openings become available on the project? ☐ Yes ☐ No
8. Do you know how to file a discrimination complaint? ☐ Yes ☐ No
9. How were you recruited for your job? ☐ Union ☐ Job Service ☐ Other (specify):
10. Union status: ☐ Permit ☐ Membership card ☐ Books ☐ Category classification: ☐ A ☐ B ☐ C
11. How long have you been employed by this contractor? _____Years or _____Months or _____Days
12. Do you feel the contractor has discriminated against you in any way? ☐ Yes ☐ No
    (If yes, provide details on a separate sheet of paper.)
13. Additional comments:

PART D - INTERVIEW VERIFICATION

1. The following is based on visual observation only. **DO NOT** ask the individual if he or she is one of the mentioned categories.

Minority:	Disadvantaged (disability, age, etc.)	Other (specify):	
☐ Black ☐ American Indian ☐ Hispanic ☐ Asian/Pacific Islander	☐	☐	☐ Male ☐ Female

2. What type of work was actually being done by the employee when interviewed?
3. Are the following wage, classification, and other required posters displayed on the project site?
   - ☐ Posterboard provided by the Department of Transportation (DOT 3350)
   - ☐ Labor Rates from the U. S. Department of Labor
   - ☐ Contractor's discrimination complaint procedure
4. Is the employee properly classified? ☐ Yes ☐ No
5. Is the employee properly paid? ☐ Yes ☐ No
6. Were payroll computations on overtime to the advantage of the employee? ☐ Yes ☐ No ☐ N/A
7. If payroll deductions are being made that are not required by law or authorized without permission, does the contractor have written authorization to make those deductions? ☐ Yes ☐ No ☐ None
   (If yes, attach a copy.)
   (Authorized deductions normally consist of federal and state withholding tax; social security; fringe benefits such as retirement funds, vacation pay, and sick leave pay; or any other deduction which is voluntarily consented to by the employee and where the employer receives no interest or discount. Direct advancement of wages or deductions of reasonable costs for food or lodging by the contractor are authorized.)
8. Is the information contained herein in agreement with payroll data and contract requirements? ☐ Yes ☐ No
9. Does the classification, duties, and wage information provided by the employee correspond to field office records? ☐ Yes ☐ No
   If no, list office information:
10. Remarks (Report any discrepancies noted and action taken on a separate sheet of paper.)

Classification and wages verified on payroll number _____ for week ending _____ by:

Signature _____ Date _____

SFN 9426