2026 CDOT FHWA-1391 EEO Report Instructions

The FHWA-1391 is an annual requirement that summarizes the demographic composition of the project workforce employed during the last full payroll period of July. By uploading weekly certified payroll reports (CPRs) into LCPtracker, the system automatically captures and counts all laborers and mechanics (DBRA applicable classifications). Contractors only need to manually add non-prevailing wage staff or log a period of non-performance.

For all FHWA-funded projects let by CDOT, or by local agencies with the exception of the City and County of Denver, contractors and subcontractors submit their 1391 data electronically via LCPtracker.

- **Submission Deadline:** August 28, 2026. The reporting data in LCPtracker is due at this time.
- **Target Reporting Period:** The last full payroll period in July 2026. The report must capture all personnel who performed project-related work during this period, including both on-site DBRA classifications and non-prevailing wage staff assigned exclusively to the project.
- **Important Deadline Requirement:** Because trade workforce data is automatically pulled from submitted payrolls, it is critical that all weekly certified payroll reports (CPRs) for the entire month of July are uploaded, submitted, and accepted on time in LCPtracker.

Step 1: Confirming Reporting Requirements

Any Prime Contractor and subcontractor (regardless of tier) performing on-site work on active CDOT Federal-Aid Highway Construction projects **where the value of their individual contract or subcontract is $10,000 or greater** during the final full pay period of July 2026 must be reported. This is required only for projects receiving FHWA-federal funding. Solely state-funded projects do not need to complete the FHWA 1391. Organizations performing only professional services and no onsite labor **do not** need to complete the FHWA 1391 Report.

Prime Contractors are required to submit information for their applicable workforce but are **not** responsible for submitting subcontractor information. However, Prime Contractors are responsible for ensuring all subcontractors are aware of, and in compliance with, reporting requirements.

Step 2: Evaluating the Workforce

Before opening the data entry screen in LCPtracker, determine which scenario applies to the company's workforce for the target week in July:

- **Scenario A: (No Action):** All on-site personnel are already reported on the weekly certified payroll in July and there are **no** personnel in non-prevailing wage personnel (such as management, superintendents, or clerical staff) that are assigned exclusively to the project.
    - **Action: Stop. No further action is required**. LCPtracker automatically pulls the workforce demographic data directly from the accepted weekly payroll reports. Do not access the "FHWA 1391 Additional Data Entry" screen and do not check the "Non-Performance" box. The reporting obligation is complete.
- **Scenario B (Manually Add Staff):** The company has active crews on-site (reported via certified payroll) **and also** has personnel in non-prevailing wage personnel (such as company officials, management, superintendents, or clerical staff) who do not appear on certified payrolls but are assigned exclusively to the project.
    - **Action:** Proceed to Step 3 (Scenario B Instructions) to manually add the non-prevailing wage personnel.

- **Scenario C (Non-Performance): The company logged zero hours on-site for the entire month of July.**
    - **Action:** Proceed to Step 3 (Scenario C Instructions).

Step 3: The LCPtracker Data Entry Process

Instructions for Scenario B: Reporting Non-Prevailing Wage Personnel

Follow these steps if the company must report non-prevailing wage personnel (officials/managers, supervisors, foreman/forewomen, clerical) who are not captured on standard certified payroll reports and are assigned exclusively to the project.

Critical Rules Before Entering Data:

- **DO NOT** include project personnel if they are on the project only from time to time and do not have daily, on-site responsibility for project activity.
- **DO NOT** include office personnel unless they are assigned exclusively to a project and appear on the project's internal accounting payroll (not the CPR).

Data Entry Steps:

1. **Log into LCPtracker and navigate to the 1. Payroll Records tab.**
2. Click the FHWA 1391 Additional Data Entry button.
3. Select the appropriate Project and Contract from the dropdown menu. (Note: If the project is missing, the agency administrator has not activated the FHWA flag).
4. Select the Week End Date corresponding to the **last performing certified payroll** submitted in July.
5. Enter Data: Manually enter the headcounts and demographics (gender and ethnicity) only for non-prevailing wage workers who were assigned exclusively to the project or stationed on the job site. This includes:
    - Officials (Managers): Project Engineers, Superintendents, etc.
    - Supervisors: Supervisory staff below management but above foremen.
    - Foremen / Forewomen: Personnel directly in charge of trade laborers performing work.
    - Clerical: Project-specific office staff assigned exclusively to the project or providing dedicated project support.
    - Trade categories should be left blank, as LCPtracker automatically extracts them from uploaded payroll files.
6. Enter the user's Name, Title, and eSignature password, then click submit.

Instructions for Scenario C: Non-Performance Report

If a contract is active but the company has zero certified payroll hours logged on-site for the entire month of July, a "Non-Performance" report must be filed using the following steps:

1. Navigate to the 1. Payroll Records tab → FHWA 1391 Additional Data Entry.
2. Select the relevant Project and Contract.
3. Set the Week End Date dropdown to 7/31/2026.
4. Check the box labeled "Non-Performance" directly below the date dropdown.
5. Enter the user's Name, Title, and eSignature password to submit.

Step 4: Verifying the Submission

Prime contractors are responsible for ensuring that all lower-tier subcontractors comply with reporting rules. To verify that a company or subcontractor successfully completed data entry, the Prime Contractor can utilize the following LCPtracker reports.

FHWA 1391 Additional Data Entry Status Report

This report displays a high-level overview of the FHWA Additional Data Entry submittals completed by contractors for each project (including non-prevailing wage job categories such as managers, supervisors, foreman, and clerical workers).

1. Click on the **Reports** tab.
2. Select **Specialty Reports, ARRA, HUD, Transit**.
3. Click on **FHWA 1391 Additional Data Entry Status Report**.
4. Enter the July date range, select the project, select the contractor, select the sub to, and click **View Report**. If completed correctly, the week-ending date entry will display in the table.

FHWA Contractor Submittal Report

This report will provide an overview of the list of contractors, dates of submitted CPRs, and any missing CPRs. Additionally, it shows whether the FHWA Additional Data entries were performing or non-performing, as well as how many employees were reported. This serves as a useful tool for Prime Contractors to review the reporting period and see if all CPRs have been certified by contractors.

1. Click on the **Reports** tab.
2. Select **Specialty Reports, ARRA, HUD, Transit**.
3. Click on **FHWA Contractor Submittal Report**.
4. Enter the July date range, select the project, select the contractor, select the sub to, and click **View Report**.

For questions regarding submission of the FHWA 1391 Report in LCPtracker, please contact: Kelly Whaley by email at kelly.whaley@state.co.us or by phone at 720-930-1523.

Reference Guides

1. Job Categories and Classification Examples
   All employees on a project should have an assigned job category. Use the following definitions and examples to correctly classify the project workforce:

   - Officials (Managers): Employees with management level responsibilities/authority; i.e. Officers, Project Engineers, Superintendents, etc.
   - Supervisors: Any and all levels of supervision between management and foreman levels.
   - Foreman/Forewoman: Men/Women directly in charge of laborers performing work on the project.
   - Mechanics: Personally assisting with equipment service and/or maintenance.
   - Laborers, Semi-skilled: All laborers classified by specialized work type.
   - Laborers, Unskilled: All non-classified laborers.
   - Others: Any other job categories are to be included in the most appropriate category listed previously.

   Classification Examples:

   - Air tool operators and operators of power pavement saws, form setters, etc. should be listed as "Laborers – semi-skilled"
   - Operators of paint striping trucks are not painters and should be listed as either "Truck Drivers" or "Equipment Operators"
   - Flaggers should be listed as "Laborers – unskilled"
   - Form builders are carpenters
   - Form setters are laborers – Semi-Skilled
   - Concrete finishers are cement masons
   - Welders are included in ironworkers
   - List the employees who work in multiple classifications only once and in the classification in which they work the most frequently
   - Professional services with no Davis-Bacon classifications are not required to report

2. Race/Ethnic Identification Guidelines:

   - **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)** - All persons who identify with more than one of the above five races.

- **White (Not Hispanic or Latino)** - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

3. Self-Identification Rules:

- Employees are encouraged to only check one racial/ethnic identifier.
- If an employee claims to belong to two or more categories, they should select the 'Two or More Races' option.
- If an employee is a member of two or more groups but self identifies with only one category, then they would select only the category they most identify with.
- If an employee identifies as 'multi-racial' they will select 'Two or More Races'
- In the event an employee declines to self-identify, Contractors can use employment records or observer identification to determine race/ethnicity.