

Federal-Aid Highway Construction Contractors' Annual EEO Report -- Form FHWA-1391

2025 Instructions for Contractors and Subcontractors on Joint City and County of Denver (CCD) and CDOT Federal-Aid Construction Projects

What:

The FHWA Annual Equal Employment Opportunity (EEO) Report is required for all federal-aid construction contracts. The Annual EEO Report collects employment data, specifically highlighting employment of racial/ethnic minorities and women, from all construction contractors, both Prime Contractors and subcontractors, regardless of their tier, with active federal-aid contracts valued at \$10,000 or more during the designated reporting period (see below). Accordingly, any subcontractors who also subcontracted project work to others will need to submit a report for their workforce as well. Accurate reporting of data is imperative to maintain federal funding for future CDOT Federal-Aid highway construction projects. The FHWA-1391 report effectively summarizes a contractor's project labor force as of your workforce's last full pay period ending in July.

NOTE: This report is for the last full PAY PERIOD in July, which is the last pay week in July that employees were on the jobsite. If employees were on the jobsite on the 2nd week of July but not after, you would report for the second week. You will enter non-performance in the case that no employees had been on the jobsite for the entire month of July.

If a contractor did not perform any work (i.e., they had NO certified payroll) during the month of July, they are not required to submit the FHWA 1391 information for that project.

Who:

Any Prime Contractor and subcontractor (regardless of tier) on active CDOT Federal-Aid Highway Construction projects **valued at \$10,000 or greater** during the final full pay period of July must submit workforce employment information by Friday, August 15, 2025 in order to successfully complete their FHWA-1391 report as required. This is required only for projects receiving federal funding. Solely state-funded projects do not need to complete the FHWA 1391.

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

Organizations performing only professional services and no onsite labor DO NOT need to complete the FHWA 1391 Report.

When:

All FHWA-1391 EEO Report information is to be submitted no later than Friday, August 15, 2025. Submissions made not following these instructions cannot be guaranteed to be counted toward reporting requirements.

Where:

For all CDOT/CCD projects, please use the attached (Excel) form that CDOT has sent out to all CCD projects within the city and county of Denver.

Prime Contractors and subcontractors will complete the information on the spreadsheet for each active CDOT/CCD federal-aid construction project. Be sure to include any company officials, support staff, or supervisors, even those working from the home office that had support responsibilities, that worked on projects even if they are not included on payrolls.

- **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 home office personnel unless they are assigned exclusively to a project and appear on project payroll. This would involve primarily clerical personnel.
- **DO NOT** count project personnel or company trainees as apprentices or OJT's unless they are currently enrolled in a recognized and approved (by CDOT, US Department of Labor and/or FHWA) training program.
- **DO NOT** include OJT trainees/apprentices in Table A. Table B and C should be filled out and must correspond to one another.

In the Excel spreadsheet, the columns and rows shaded in green are locked and the program will automatically total individual columns.

Please complete the Excel Spreadsheet as follows:

Block 1: Check 'Contractor' or 'Subcontractor' (can also check both if acting as both a Prime and a Subcontractor on a project).

Block 2: Fill in the name and address, including city and state, of the contracting company.

Block 3: Enter the CDOT sub-account project (five-digit) number for the information being submitted.

Block 4: Enter the total dollar value of the project. This will be the amount for each contract or subcontract.

Block 5: Enter the region and location of the project (including county and city).

Table A: Enter the number of hired employees based on their race, gender, and job category. **DO NOT** include OJT and Apprentice information in this section.

Table B: Enter the number of Apprentices and OJT Trainees hired for the project based on race, gender, and job category. The amounts in this Table should match the amounts in Table C.

Table C: Enter the number of Apprentices and OJT Trainees hired for the project based on race and gender. The amounts in this Table should match the amounts in Table B.

Block 8: Enter the name and title of the employee responsible for entering the information on the form. Reminder, original documentation shall be signed and maintained by Contractors and subcontractors for a minimum period of 3 years.

Block 9: Enter the date that the report was completed.

Block 10: This section is for CDOT Office Use ONLY.

Once all information is complete, select 'File' and 'Save As' in Excel, and save the form as an Excel Spreadsheet (.xcl, .xclx). **DO NOT SAVE OR SUBMIT FORMS IN .PDF FORMAT, THEY WILL NOT BE ACCEPTED.**

Prime Contractors working on CDOT/ CCD projects submit a completed spreadsheet for each project which consolidates the workforce information provided by their subcontractors in their Excel forms. Subcontractors will submit a completed FHWA 1391 spreadsheet to their project's Prime Contractor for the Prime to reference when completing their report. Prime Contractors will send all completed spreadsheets for each project to the Project Engineer and to CDOT Civil Rights Contract Compliance Manager at monica.vialpando@state.co.us.

For questions regarding submission of the FHWA 1391 Report, please contact:

Mónica Vialpando by email at monica.vialpando@state.co.us or by phone at 720-668-0367.

Additional Information

Job Categories: All employees on a project should have an assigned job category.

- 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.

Other 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 DB wages are not required to report

DO NOT add categories

Race/Ethnic Identification:

- **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.
 - Employees are encouraged to only check one racial/ethnic identifier per employee.
 - 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'
- **White (Not Hispanic or Latino)** - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

* In the event an employee declines to self-identify, Contractors can use employment records or observer identification to determine race/ethnicity.