



Minnesota Department of Human Rights

How to Create A Work Plan and Show Good Faith Efforts

A Primer for Sub-Contractors

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Our Mission and Vision

Minnesota Department of Human Rights

Our mission: To make Minnesota discrimination free

Our vision: All Minnesotans can lead full lives, rich with dignity and joy, free from discrimination

Office of Equity & Inclusion for Minnesota Businesses

The Office of Equity and Inclusion for Minnesota Businesses seeks to create a world where everyone can lead full lives, rich with dignity and joy by partnering with businesses to address racial, gender, and disability biases in order to end disparities. It uses strategic compliance principles to advance its work.

Compliance Certificates

Workforce Certificates under Minnesota Human Rights Act

- Affirmative Action Plans, Annual Compliance Reports, Desk and On-site Audits for companies bidding for goods and services with State in excess of \$100,000 and 40+ employees
- Construction Projects- Pre-Construction Packets with Work Plans and Monthly Utilization Reports showing Good Faith Efforts
- Workforce Monitoring of High Profile Projects (Southwest LRT, U.S. Bank Stadium, etc.)

Equal Pay Certificates under Women's Economic Security Act of 2014

- Equal Pay Commitments and Desk Audits for companies with State contracts in excess of \$500,000 and 40+ employees

Construction Monitoring

Purpose

- Ensure construction contractors are implementing provisions of Affirmative Action Plans and making good faith efforts to have a workforce that reflects its communities, and people of color and women are being hired, promoted and retained in an equitable and inclusive manner
- On site and desk audits are performed
- High Profile projects of over 10,000 hours and over 30 days are monitored closely

“Good Faith Efforts” – What and Why?

“Good Faith Efforts” are reasonable efforts undertaken by a contractor to accomplish the goals and implement the corrections identified in the self-analysis. ~ Minnesota Administrative Rules, 5000.3400 – 5000.3600

Helps ensure that the construction industry is able to find and retain sufficiently trained workers within the Minnesota labor force

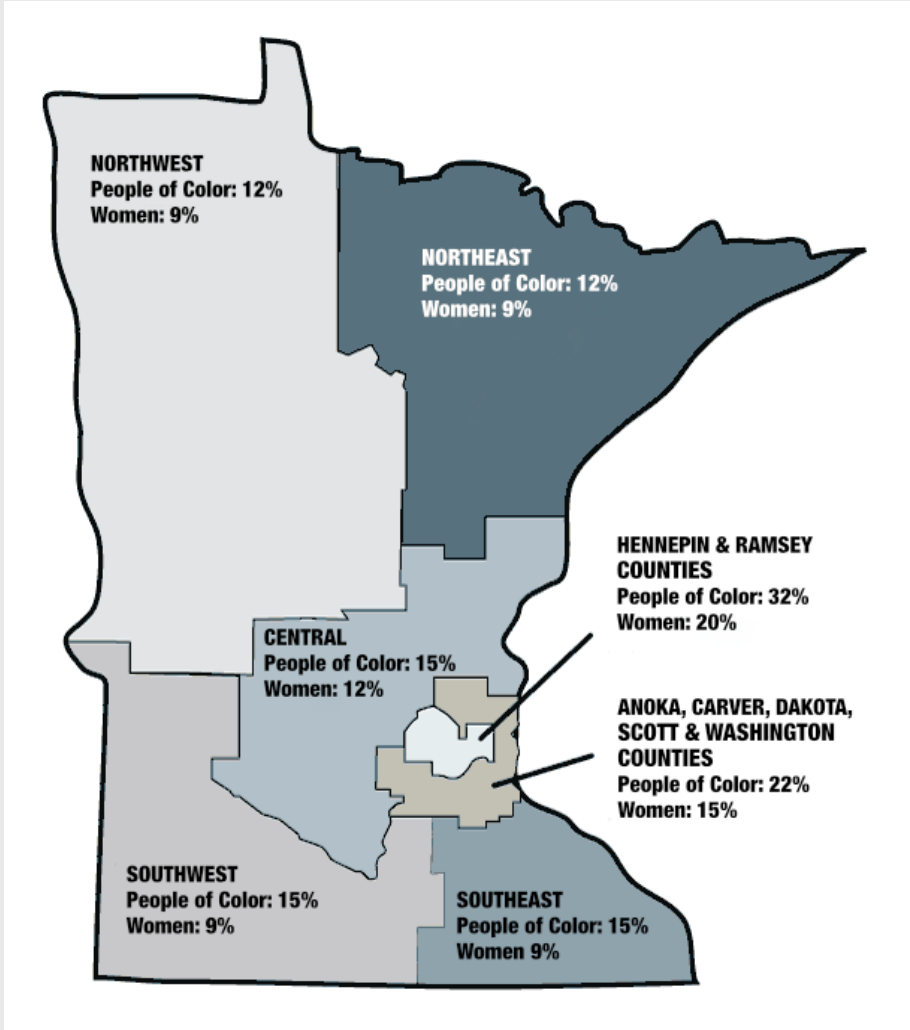
We want all Minnesotans to benefit from the public dollars through creation of jobs/ reduction of unemployment and efforts that specifically target people of color and women

Minnesota Workforce Goals – By Region and County

Regions	Goal People of Color	Goal Women
Central: Benton, Chisago, Isanti, Kanabec, Kandiyohi, McLeod, Meeker, Mille Lacs, Pine, Renville, Sherburne, Stearns, Wright	15%	12%
Northeast: Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, St. Louis	12%	9%
Northwest: Becker, Beltrami, Cass, Clay, Clearwater, Crow Wing, Douglas, Grant, Hubbard, Kittson, Lake of the Woods, Mahnommen, Marshall, Morrison, Norman, Otter Tail, Pennington, Polk, Pope, Red Lake, Roseau, Stevens, Todd, Traverse, Wadena, Wilkin	12%	9%
Southeast: Dodge, Fillmore, Freeborn, Goodhue, Houston, Mower, Olmstead, Rice, Steele, Wabasha, Winona	15%	9%
Southwest: Big Stone, Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Lac Qui Parle, Le Sueur, Lincoln, Lyon, Martin, Murray, Nicollet, Nobles, Pipestone, Redwood, Rock, Sibley, Swift, Waseca, Watonwan, Yellow Medicine	15%	9%
Five-county Metro: Anoka, Carver, Dakota, Scott, Washington	22%	15%
Two-county Metro: Hennepin, Ramsey	32%	20%

Workforce Goals by Region

Goals are expressed in percentages of the total hours of employment and training of women and people of color used on the project.



Reporting for Construction Projects

Step 1: Preconstruction Packets- Work Plan Section 1

- Names of all subcontractors, description of work to be done, dollar amounts, work hours per sub/prime and total, and work hours for people of color and women based on goals set by MDHR.

Reporting for Construction Projects

Preconstruction Packets- Work Plan Section 2- for Prime and Subcontractor

- Internal Meetings to meet Workforce Goals- Names of attendees, strategies for solicitation of bids for subs, workforce goals and staffing/oversight
- Information of bids solicited (quotes, responses from subcontractors)
- Internal communication (emails/correspondence) on recruitment efforts
- Annual training/meeting including subjects discussed and training materials
- Company wide and project specific outreach-community orgs, training oriented orgs, educational institutions, job fairs, construction training programs.
- Prime/sub EEO policies and dissemination internally and externally to employees, unions, recruitment sources- Prime shares EEO policy with subs including lower tier.

Reporting for Construction Projects

Preconstruction Packets- Work Plan Section 2- for Prime and Subcontractor

EXCEPTION

If subcontract amount is small and work is short-lived (one week or less)- a letter in lieu of Work Plan would be accepted

Reporting for Construction Projects

Step 1: Preconstruction Packets- Work Plan Section 3

- Estimated work schedules for Primes/Subs- Block out dates that each will be working on this project.

Monthly Utilization Reports

Primes and Subs submit by 10th of each month with data from prior month. It serves a tool of self-analysis of their good faith efforts

Monthly Project Summary Report

- Completed by Prime Contractor
- Lists Total Hours by Prime & All Subcontractors (from the Monthly Utilization Reports)

Monthly Utilization Reports

- Completed by Prime & All Subcontractors
- Lists Total Hours Worked by Trade, Race/Ethnicity & Gender – includes training hours
- Also lists Total Number of Workers

Strategies for Maximizing Participation

- Goal Requirements included in Subcontracts
- Require Written Work Plans from all contractors working on the project with documented Good Faith Efforts
- Document communications with subcontractors
- Contact Building Trades Councils for assistance in maximizing inclusion
- Develop active partnerships with Construction training programs, and Educational and training institutes
- Engage in active recruitment efforts by participating in job fairs, construction industry events, recruitment programs and workforce centers

Strategies for Maximizing Participation

- Recruitment and Hiring - Establish and keep an updated resource lists that are likely to yield people of color and female applicants.
 - Urban League, Summit Academy OIC, Women Venture, Apprenticeship training programs, MN Workforce Centers, Community-based and ethnic organizations and newspapers, etc.
 - Develop a good rapport with Union Referrals agents, communicate Workforce Goals and participate in Construction community job fairs and related events
 - Follow-up with Unions and Community organizations when requesting their assistance in meeting goals and applicant referrals

Strategies for Maximizing Participation

- Document requests for referrals from unions or other organizations/training facilities/community organizations
- Keep track of applicants and who referred them
- On Job Sites – Conduct EEO Training Pre-Construction (superintendents and foremen) and as part of orientation for all workers, including Contractor’s policies on harassment, intimidation, coercion, reasonable accommodations, and complaint procedures
- Post “Contractor Nondiscrimination Posters. Make Restrooms accessible or provide comparable facilities. Check work areas regularly for potentially offensive materials

Thank you!

mn.gov/mdhr

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