



# EEO COMPLIANCE COMMITTEE

## Virtual Committee Meeting Agenda Thursday, October 1, 2020

Welcome – Ananth Prasad, President FTBA

Roll Call – please confirm everyone is receiving the group emails

Remaining/New Introductions:

- (1) Dee Anna Hays
- (2) Jose Mazorra
- (3) Joseph Portilla
- (4) Maria Perez

### Updates:

#### **1. Ananth – Daily Work Reports (DWRs): via email Dan Hurtado**

The screenshot displays the FDOT website interface. At the top left is the FDOT logo with the text "Florida Department of TRANSPORTATION" and the tagline "Safety, Innovation, Mobility, Attract, Retain & Train". A navigation bar contains links for Home, About FDOT, Contact Us, Maps & Data, Offices, Performance, and Projects. Below this is a secondary navigation bar with links for State Construction Office, Active Contracts, Vendor Estimate, Contract Analytics, Reports, What's New, Administration, My Queued Reports, Help, and Logout for user Quinton Tillman. The main content area is titled "Central Office Reports" and includes a sub-header "FDOT Hours of Availability". A horizontal menu lists various report categories: Change Orders, Contract Change Tracking System, DWR Reports (which is highlighted), Estimate, Misc, Pay Items, Process Reviews, Status, and Vendor. Below this menu are several blue buttons: "Daily Work Report", "List of Approved/Unapproved DWR's", "DWR Remarks Report", "DWR Preview Report", and "DWR Reported Work". At the bottom of the page, there is a footer with links for Contact Us, Employment, MyFlorida.com, Performance, Statement of Agency, and Web Policies & Notices.

They would be required to have an FDOT Login to our cloud based applications (if they had a Citrix account they may already have this).

The reports are available at: <https://scoc.fdot.gov/#/active/1>

They would be required to login.



Then they would access the reports.



After they reach the Reports tabs (as shown above) select DWR Reports.

## Comments:

## **2. Subcommittee – Wage Decisions (Carli Bailey, de Moya Group, Inc.)**

*Committee members: Susana Herrera, Bonnie Rimel*

### **Issue #1**

Truck Driver: Off Road – Using the FDOT CRM database the description for Truck Driver: Off Road is not detailed enough so the USDOL always comes back approving it as a Truck Driver: Dump Truck. Then have to appeal it explaining a Dump Truck driver is paid more than an Off Road Truck Driver because the Dump Truck Driver is required to obtain a CDL driver's license and requires more skill than an Off Road Truck Driver.

### **Possible Solution #1**

**The updated description from the CARS database to the CRM does now state that a CDL is not required. May need to get a little more detailed.**

*Current Definition:* A TRUCK USED STRICTLY FOR MOVEMENT OF MATERIAL ON PROJECT SITE THAT DOES NOT REQUIRE CDL NO USAGE ON HIGHWAY.

*Possible Update:* A TRUCK USED STRICTLY WITHIN THE PROJECT FOR MOVEMENT OF MATERIAL. TRUCK CAN NOT ENTER HIGHWAY AND DOES NOT REQUIRE THE DRIVER TO OBTAIN A CDL LICENSE. DOES NOT REQUIRE A DRIVER'S LICENSE OF ANY KIND TO OPERATE.

### **Issue #2**

Operator: Piledriver Leadsman – This classification always is denied, and we are instructed to use Operator: Piledriver. We then appeal explaining that an Operator: Piledriver is the employee in the crane and requires a substantial amount of skill more than an Operator: Piledriver leadsman which is just the employee on the ground signaling the Operator: Piledriver.

### **Possible Solution #2**

The definition for Operator: Piledriver Leadman's is the same as Operator: Piledriver in the CRM database. Needs to be updated to separate the two

Current Definition: SETS UP WOODEN STEEL OR CONCRETE PILE IN LEADS PLACES CUSHION CAP ON PILE TO PREVENT SPLITTING GUIDES PILE WHILE BEING DRIVEN PLUMBS PILES WITH JACK TO MAINTAIN VERTICAL POSITION SIGNALS THE PILE DRIVER OPERATOR TO START AND STOP HAMMERING.

Possible Update: ASSISTS THE OPERATOR: PILEDRIVER SETTING UP WOOD, STEEL, OR CONCRETE PILES WHILE BEING DRIVEN OR TO BE DRIVEN USING VARIOUS (HAND/VEREBAL) SIGNALS TO ENSURE THE PILE IS PLACED IN THE CORRECT POSITION.

**Issue #3**

Form setter – this classification was removed when the USDOL redid all the wage tables a while back. Depending on the county it is either grouped in with a Carpenter or a Concrete Finisher.

The description in CRM is the same a Form Curb & Gutter however Form setter is also used as the level below a Carpenter who assists the carpenter. With OJT we train as a form setter then a Carpenter.

**Possible Solution #3**

Make another classification in the CRM for Form setter as a Carpenter assistant and nothing to do with Curb & Gutter. When the wage table does not group carpenter and formwork together the USDOL has approved adding the form setter it just takes a lot of back and forth and explaining. However, when it is grouped together, they deny it.

**Issue #4**

We've had the DCCM not validate a classification request because he wanted more information first. For example, he would not approve Traffic Signal Laborers, Traffic Signal Installers, or Traffic Signal Mechanic because he said they should all be classified as electricians. When the classification descriptions in the CRM defined all 3 clearly and they were not electricians.

These classifications were not validated until months after their request after receiving a letter from our sub stating they agreed with the definitions in the CRM.

**Possible Solution #4**

DCCM's should have a timeframe of how long they can take before validating a request. Also need clarification to what grounds a DCCM has for denial of a request or not validating one. I do not believe they should be able to deny a request on the basis they feel everyone is an electrician which requires schooling, certifications, etc.

**Issue #5**

Inspector's are not knowledgeable in the type of equipment being used onsite. For example, its very common they list a Boom Truck as a Crane Op.

**Possible Solution #5**

Inspectors need better training on the type of equipment onsite as well as maybe using site manager.

**Comments:**

### **3. Subcommittee – OJT (Clarissa Dellinger, DAB Constructors)**

*Committee members: Kevin Buchanan, Linda Shutt, Linda Bailey*

#### OJT Training Recommendations

1. Process to transfer trainees takes too long -
  - DAB participated in an OJT Pilot Program last year that was very successful – graduated 12 trainees in 7 months – We trained across FDOT, County and Municipal projects. We provided a schedule of what jobs trainees would be working on and got approval in advance, then we were able to move the trainees seamlessly between jobs. We submitted a weekly schedule at first but throughout the trial we tweaked the process until I was able to only submit a revised schedule monthly. The crew supervisor introduced the trainee to the lead inspector on each project when they arrived, so they knew who they were observing and signed off on the OJT time sheet. With monthly MTR, we submitted the supporting payrolls to one RCS for approval and tracking. Below are our suggestions for implementing this into the OJT program permanently. We currently are enrolling a trainee over 4 FDOT jobs between D5 and D7. **See attached pilot FDOT schedule along with a company excel tracking schedule.**
  - This should be an option that a contractor may choose to implement in their program as opposed to changing the entire process.
  - Select an FDOT project to enroll trainee against. Communicate with DCCM plan with regard to what projects trainee is expected to be working on for approval.
  - Using the current OJT schedule template that we have; we suggest just adding information above the highlighted boxes for the dates to indicate jobs working on.
  - Schedule will be submitted to RCS for each project and lead inspector for each project to keep everyone aware of when to expect trainee on their projects.
2. Training hours are too high breakdown for hours required for each proficiency is unbalanced on many of these proficiencies. - **see attached pdf**. We are still working on some of these.
3. Training classifications do not match classifications on wage decisions - There should be an available OJT training classification for each of the 549 classifications that can appear on our wage decisions. This will eliminate the need to request additional training classifications unless we truly have something unique.
  - An example of this, Gradall Operator appears on every one of our wage decisions. We just graduated a trainee on this, but we had to request an additional training classification to even enroll him. But was already a classification on our wage decision.
4. Purpose of OJT is to increase number of skilled craft workers in our field. The current parameters make this difficult. We can only train minorities or disadvantaged persons. However, the manual states that this training is to be available to all with no discrimination for any reason, so eliminating Caucasian males because they are not minority or disadvantaged is discriminating in itself. We would like to change this and make it open to all. Maybe there still needs to be a percentage of our enrollees / trainees that fall under the minority or disadvantaged category but at least make it available to all.

5. We have also found that especially for our entry level laborers, this position tends to be covering several positions. We would like to also suggest that the option be presented to train across 2 classifications at once. We focused on the following as these seem to be the ones that fit this scenario the best:
- Laborer – Traffic Control Specialist
  - Laborer – Erosion control Specialist
  - Laborer – Grade Checker
  - Roller Operator
6. We are open to any other suggestions

## Comments:

### Training Information:

#### Ananth – EOC training via email from Terry Watson, State DBE Program Coordinator

<https://www.fdot.gov/equalopportunity/eoc.shtm>

The link takes you to the EOC page that has several different helpful links for contractors with questions about using the system. Under the EOC Overview section, the last link, “EOC Computer Based Training” should be very helpful. It is narrated and goes through all of the facets of inputting, correcting and reviewing information that a firm needs to put into EOC. If someone doesn’t want to go through the CBT, they can go to the bottom of the page and look under the Training Manuals section, and choose the link “Contractors & Consultants” to utilize the manual we’ve prepared with screen shots. If one of our contractors has a specific topic in mind, and doesn’t want to look through the manual, they can select any of the links under the other specific headings to be taken directly to the area in the manual that covers that specific topic (with screen shots).

#### Virtual Training District 5 – DCCM, Cindy Wolcott – 9/21/2020

Job Site Bulletin Board Training – **see attached PDF training material**

**Comments:** Please forward your training experiences to the group email. If you attended any FDOT trainings, please note which trainings and attach any training materials you received during that training.

Sublet Information Update: Carli Bailey (de Moya Group)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**CERTIFICATION OF SUBLET WORK**  
TRANSFORM 10-01-2020 Page 1 of 1

TO: THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Contract ID: [REDACTED] Contract Title: [REDACTED]

Request No.: [REDACTED] By: [REDACTED]  
 P.A.P. No.: [REDACTED] State of Florida: [REDACTED]  
 Proj. No.: [REDACTED] County of: [REDACTED]  
 Cont. No.: [REDACTED]  
 County: [REDACTED]

Total Contract Amount: [REDACTED]

Sl. No.	Subcontractor Name	CIN	FEID#	Subletted to Whom	Work Description	PERCENT	Total Amt Sublet	DATE
<b>TOTAL</b>								

All contract provisions and requirements of the prime contract including but not limited to Required Contract Provisions Federal Aid Contract (PRVA/CPI) and Special Provisions, Specific Equal Opportunity Requirements Part 21.276-0000 or Federal Aid Policy/Manual call for part of the sub-contract. It is agreed that as reflected on a certified copy of the sub-contract all beneficial work requested by the State of Florida Department of Transportation. All sub-contractors in compliance with all contract provisions and that the Contractor will continue to maintain the minimum performance of Contractor with suitable work organization as required by the Contract. It is recognized and agreed that, as the Contractor, the undersigned Contractor represents for the project the performance of all requirements of each contract, to be in full compliance with the contract and to be in full compliance with all applicable laws, rules and regulations. The Contractor shall send a report to the State of Florida Department of Transportation (in a copy of PRVA, CCI or P Award Aid Project) and the Safety Company. The Firm certifies that items or materials, installed or transported by this P.A.P. or the Department, will not be used on sub-contract.

I, the undersigned, hereby certify that the information provided in this form is true and correct to the best of my knowledge and belief, and I am not aware of any facts or circumstances that would make this information misleading or incomplete. I am not aware of any facts or circumstances that would make this information misleading or incomplete.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 State of Florida \_\_\_\_\_  
 County of \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me, by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_ (month), by \_\_\_\_\_ (Signature of Notary Public/Certified Notary).

**NOTAR PUBLIC - not required**  
 Signature: \_\_\_\_\_  
 Commission Expires: \_\_\_\_\_  
 Personally Known \_\_\_\_\_ DR Produced Identification \_\_\_\_\_  
 Type of Identification Produced: \_\_\_\_\_

**Instructions for Form:**  
 The contractor must provide enough information through a Schedule "A" spreadsheet to determine which pay-item(s) are being sublet, the amounts, and cost. For sublet calculations, the amount will be calculated based on the actual contract unit price(s) unless there is a partial sublet. For partial sublets, use the unit prices from the actual sub-contract.

Comments:

**Committee Vacancies:**

If you are working on a subcommittee, please jump off the FTBAEEO group distribution listing and create your own subcommittee network. *Please be reminded that the purpose of the subcommittees is to provide recommendations for a specific charge to include a more consistent policy and procedure flow, a consistent overall plan and an opportunity for better communication and partnership. We need everyone's help!!!*

- Forms Committee – review the current forms for updates; more user friendly
- Workbook/Manual Committee – review layout, definitions, procedures; more defined interpretation
- Communication Committee (Notices, PRV, DWL, DL); no consistency
- Partnership Committee – plans for face to face meetings and events

**Comments:** If you have examples of situations that would benefit the progress of a subcommittee, please forward it through the group distribution list.

**Review of unfinished business from September 9, 2020:**

DCCM meetings – we will reach out to the districts once COVID19 restrictions are lifted

**Comments:**

Additional items for discussion:

Next Meeting:

Adjourned: