

Missouri Department of Transportation
FHWA 1391: 2024 Contractor's EEO Report Instructions

***** Please forward the initial email from Rhonda Wilson with
ALL attachments to ALL of your subcontractors
(**DBE and non-DBE**) *****

1. Submission of the FHWA 1391 report is required for all Prime Contractors and Subcontractors (**DBE and non-DBE**) who work on the construction site for federally funded contracts that equal or exceed \$10,000.00. This also includes off-system projects that was let by a city or a county as pass through funds from MoDOT. **Projects that are 100% state funded are NOT to be reported on a FHWA 1391 form by either the Prime Contractor or any Subcontractors. The following Subcontractors are NOT required to submit a 1391 form:**
 - a. **hauling companies**
 - b. **professional services companies**
 - c. **material testing companies**
 - d. **supplying companies**
 - e. **surveying companies**

2. **Reporting Period:** The reporting period should be the **latest** week in July 2024 in which work was performed. Below are the weeks in July 2024 that need to be used and are countable weeks.
 - a. *Sunday, July 07, 2024 – Saturday, July 13, 2024*
 - b. *Sunday, July 14, 2024 – Saturday, July 20, 2024*
 - c. *Sunday, July 21, 2024 – Saturday, July 27, 2024*

3. **Data to report:** The FHWA 1391 reports need to include the **number of people** who worked on the project during the latest week in July 2024, work was performed. **DO NOT provide number of hours worked.**

4. The FHWA 1391 report will only be submitted if work was performed during the latest week work was performed listed in #2 above.
 - a. We will **not** be collecting “*NO WORK*” reports starting in 2024.
 - b. Prime contractors are required to send one email per project listed on the Active Project List. The email needs to be sent to Rhonda.Wilson@modot.mo.gov **AND** Laura.Bouslaugh@modot.mo.gov with the subject line stating FHWA 1391 Reports for, and provide the contract number **(Example: FHWA 1391 Reports For 230703-D01.)**
 - c. If neither the prime contractor nor any subcontractors performed any work during July 2024, please send an email to Rhonda Wilson **AND** Laura Bouslaugh stating in the **body** of the email **NO WORK**. Please make sure the subject of the email is like the example in 4b above.
 - d. If the prime contractor did not perform any work during July 2024 and one or more subcontractors did perform work during July 2024, please send an email to Rhonda Wilson **AND** Laura Bouslaugh stating in the **body** of the email **PRIME NO WORK** and attach all subcontractor's 1391 forms to the email. If the subcontractor did not work, please do not include a 1391 form for that subcontractor.

5. **Sub List:** Prime Contractors are **not** required to submit a Sub List starting in 2024.

6. **Subcontractors Report Submission:** Subcontractors will submit the FHWA 1391 report to only the Prime Contractor for each project listed on the 2024 Active Project List.
 - a. **Subcontractors WILL NOT submit any FHWA 1391 reports to MoDOT External Civil Rights Division.**

7. **Prime Contractors Submission:** Prime Contractors will collect all the FHWA 1391 reports from all subcontractors (DBE and non-DBE) for each project listed on the 2024 Active Project List and submit one 1391 report for the prime contractor and one 1391 report for each subcontractor (DBE and non-DBE) individually for one specific project directly to [Rhonda Wilson and Laura Bouslaugh](#).
 - a. **Example:** For the sake of this example, the following companies performed work on Project 5 during the month of July 2024.
Red, White, and Blue Construction, LLC = Prime Contractor = One 1391 Report for Project 5
ABC Contrete, LLC = DBE Subcontractor = One 1391 Report for Project 5
XYZ Landscaping, LLC = non-DBE Subcontractor = One 1391 Report for Project 5
 - b. **It is the responsibility of the Prime Contractor** to verify all reports have been received for each subcontractor who performed work counting the latest week work was performed from the weeks listed in #2 above and submit all required reports via email to [Rhonda Wilson AND Laura Bouslaugh](#) by the due date.
 - c. *Emails including a zip file of the 1391 forms will be accepted.*

8. All reports are due from Prime Contractors by **close of business on August 21st** or the next business day if August 21st is a Saturday or Sunday.

9. As a prime contractor, you are not listed on the Active Project List for any projects, you do not need to submit any reports. However, if you feel you are working on an active project and it is not on the list, please email Rhonda Wilson and Laura Bouslaugh.

**** Please read the below instructions carefully prior to completing the 1391 form.****

FHWA 1391 forms are to be submitted to MoDOT ECR by Wednesday, August 21 2024

Do's & Do Not's: Personnel To Be Counted for FHWA 1391 Form

10. **Do count the number of personnel who performed work on each federally-aided project where the company is a prime or a subcontractor.**
11. **DO NOT enter the number of hours each employee worked.**
12. **Do** include company officials and supervisors that are on the project, even if they do not appear on payrolls.
13. **DO NOT** include any company personnel if they are on the project only from time to time and do not have daily, on-site responsibility for project activity.
14. **Do** include employees working on multiple projects during July 2024, it is acceptable to count the employee on each project specific report.
15. **Do** start with a blank form for each project, rather than clearing out a previously filled form. This ensures data is entered correctly and not mistakenly left from a previous project. To easily clear the form, click the red "**CLEAR FORM**" button at the top of the form.
16. **DO NOT** include any home office personnel unless they are assigned exclusively to a project and appear on project payroll. This would involve primarily clerical personnel.
17. **DO NOT** count any company trainees as apprentices or OJT's unless they are currently enrolled in a recognized and approved (by MoDOT, US Dept. of Labor and/or FHWA) training program.
18. **DO NOT** count apprentices and OJTs in **Table A** on 1391 form.

The form is to be completed as follows:

1. Box 1: Mark the appropriate box next to contractor or next to subcontractor
2. Box 2: Enter company name and company address
3. Box 3: Enter **MoDOT Contract number (example: 231024-D01)** for information being submitted -one report to be completed per prime contractor and one per subcontractor, per project.
4. Box 4: Enter dollar value of project (**Prime contract amount**) – if you are a subcontractor leave the value blank or write “**subcontractor**”.
5. Box 5: Enter county and state location of project. If more than 3 counties, enter at least 3 counties and add various. Example: Cole, Callaway, Boone, and various. (Only projects located in Missouri)
6. Box 6: Table A is to be used to list the number of all employees who were working for the company on the specific project.

TABLE A

JOB CATEGORIES	TOTAL EMPLOYED		TOTAL RACIAL/ ETHNIC MINORITY		BLACK or AFRICAN AMERICAN		WHITE/HISPANIC OR LATINO		AMERICAN INDIAN OR ALASKA NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		TWO OR MORE RACES		WHITE/NON-HISPANIC OR LATINO	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
OFFICIALS	0	0	0	0														
SUPERVISORS	0	0	0	0														
FOREMEN/WOMEN	0	0	0	0														
CLERICAL	0	0	0	0														
EQUIPMENT OPERATORS	0	0	0	0														
MECHANICS	0	0	0	0														
TRUCK DRIVERS	0	0	0	0														
IRONWORKERS	0	0	0	0														
CARPENTERS	0	0	0	0														
CEMENT MASONS	0	0	0	0														
ELECTRICIANS	0	0	0	0														
PIPEFITTER/PLUMBERS	0	0	0	0														
PAINTERS	0	0	0	0														
LABORERS-SEMI SKILLED	0	0	0	0														
LABORERS-UNSKILLED	0	0	0	0														
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

7. Enter the **number of employees** broken out by job categories (laborers, painters, carpenters, etc.), gender, and ethnicity. All numbers in the green areas will total automatically and you will not need to total your entries, unless you are completing the form by hand and not electronically.

TABLE A

JOB CATEGORIES	TOTAL EMPLOYED		TOTAL RACIAL/ ETHNIC MINORITY		BLACK or AFRICAN AMERICAN		WHITE/HISPANIC OR LATINO		AMERICAN INDIAN OR ALASKA NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		TWO OR MORE RACES		WHITE/NON-HISPANIC OR LATINO	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
OFFICIALS	0	0	0	0														
SUPERVISORS	0	0	0	0														
FOREMEN/WOMEN	0	0	0	0														
CLERICAL	0	0	0	0														
EQUIPMENT OPERATORS	0	0	0	0														
MECHANICS	0	0	0	0														
TRUCK DRIVERS	0	0	0	0														
IRONWORKERS	0	0	0	0														
CARPENTERS	0	0	0	0														
CEMENT MASONS	0	0	0	0														
ELECTRICIANS	0	0	0	0														
PIPEFITTER/PLUMBERS	0	0	0	0														
PAINTERS	0	0	0	0														
LABORERS-SEMI SKILLED	0	0	0	0														
LABORERS-UNSKILLED	0	0	0	0														
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

8. The sum of the "TOTAL EMPLOYED" Male TOTAL plus the "TOTAL EMPLOYED" Female TOTAL should equal the sum of "TOTAL RACIAL/ETHNIC MINORITY" Male TOTAL plus "TOTAL RACIAL/ETHNIC MINORITY" Female TOTAL plus the "WHITE/NON-HISPANIC OR LATINO" Male TOTAL plus "WHITE/NON-HISPANIC OR LATINO" Female TOTAL.

TABLE A																		
JOB CATEGORIES	TOTAL EMPLOYED		TOTAL RACIAL/ETHNIC MINORITY		BLACK or AFRICAN AMERICAN		WHITE/HISPANIC OR LATINO		AMERICAN INDIAN OR ALASKA NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		TWO OR MORE RACES		WHITE/NON-HISPANIC OR LATINO	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
OFFICIALS	0	0	0	0														
SUPERVISORS	2	0	1	0	1													1
FOREMEN/WOMEN	0	1	0	1				1										
CLERICAL	0	1	0	0														1
EQUIPMENT OPERATORS	0	0	0	0														
MECHANICS	0	1	0	1						1								
TRUCK DRIVERS	0	0	0	0														
IRONWORKERS	0	0	0	0														
CARPENTERS	0	0	0	0														
CEMENT MASONS	0	0	0	0														
ELECTRICIANS	0	0	0	0														
PIPEFITTER/PLUMBERS	0	0	0	0														
PAINTERS	0	0	0	0														
LABORERS-SEMI SKILLED	0	0	0	0														
LABORERS-UNSKILLED	0	0	0	0														
TOTAL	2	3	1	2	1	0	0	1	0	1	0	0	0	0	0	0	1	1

$2 + 3 = 5$ (Total Male + Total Female)
 $1 + 2 = 3$ (Total Racial/Ethnic Minority Male + Female)
 $1 + 1 = 2$ (Total White/Non-Hispanic or Latino Male + Female)
 $3 + 2 = 5$ (Total Racial/Ethnic Minority + Total White/Non-Hispanic or Latino)

9. The sum of "TOTAL RACIAL/ETHNIC MINORITY" Male and Female should equal the total of "BLACK or AFRICAN AMERICAN" Male and Female TOTALs plus "WHITE/HISPANIC OR LATINO" Male and Female TOTALs plus "AMERICAN INDIAN OR ALASKA NATIVE" Male and Female TOTALs plus "ASIAN" Male and Female TOTALs plus "NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER" Male and Female TOTALs plus "TWO OR MORE RACES" Male and Female TOTALs.

NOTE: Women are NOT to be counted as minorities unless they are members of one of the five ethnic minority groups shown.

TABLE A																		
JOB CATEGORIES	TOTAL EMPLOYED		TOTAL RACIAL/ETHNIC MINORITY		BLACK or AFRICAN AMERICAN		WHITE/HISPANIC OR LATINO		AMERICAN INDIAN OR ALASKA NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		TWO OR MORE RACES		WHITE/NON-HISPANIC OR LATINO	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
OFFICIALS	0	0	0	0														
SUPERVISORS	2	0	1	0	1													1
FOREMEN/WOMEN	0	1	0	1		1												
CLERICAL	0	1	0	0														1
EQUIPMENT OPERATORS	0	0	0	0														
MECHANICS	1	0	1	0			1											
TRUCK DRIVERS	0	0	0	0														
IRONWORKERS	0	0	0	0														
CARPENTERS	0	0	0	0														
CEMENT MASONS	0	0	0	0														
ELECTRICIANS	0	0	0	0														
PIPEFITTER/PLUMBERS	0	0	0	0														
PAINTERS	0	0	0	0														
LABORERS-SEMI SKILLED	0	0	0	0														
LABORERS-UNSKILLED	0	0	0	0														
TOTAL	3	2	2	1	1	1	1	0	0	0	0	0	0	0	0	0	1	1

$2 + 1 = 3$ (Total Racial/Ethnic Minority Male + Female)
 $1 + 1 + 1 = 3$ (Total Black or African American + White/Hispanic or Latino + American Indian or Alaska Native)

10. The Apprentices/On the Job Trainees (OJT) should NOT be included with the employees listed in **Table A**. The apprentices and OJTs must be listed separately and only in **Table B** and **Table C**.

JOB CATEGORIES	TABLE B			
	APPRENTICES		ON THE JOB TRAINEES	
	M	F	M	F
OFFICIALS				
SUPERVISORS				
FOREMEN/WOMEN				
CLERICAL				
EQUIPMENT OPERATORS				
MECHANICS				
TRUCK DRIVERS				
IRONWORKERS				
CARPENTERS				
CEMENT MASONS				
ELECTRICIANS				
PIPEFITTER/PLUMBERS				
PAINTERS				
LABORERS-SEMI SKILLED	1		1	
LABORERS-UNSKILLED				
TOTAL	1	0	1	0

JOB CATEGORIES	TOTAL EMPLOYED	TOTAL RACIAL/ ETHNIC MINORITY	BLACK or AFRICAN AMERICAN	WHITE/HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE	ASIAN	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER	TWO OR MORE RACES	WHITE/NON-HISPANIC OR LATINO
TABLE C (Table B data by racial status)									
APPRENTICES	0	0	0	0					
OJT TRAINEES	0	0	0	0					

11. **Table B** is only for those employees registered in a formal, approved apprenticeship or OJT program. List the number of Apprentices and OJTs for each Job Category in which they are training. Regardless if an Apprentice or OJT work in more than one Job Category, each Apprentice and OJT should only be counted one time and use the job category they work in most frequently. DO NOT add or change job categories.

Table C is for the ethnic and gender reporting for the apprentice and/or OJT reporting in **Table B**. Table C should be completed like Table A. **“TOTAL EMPLOYED”** should equal **“TOTAL RACIAL/ETHNIC MINORITY”** + **“WHITE/NON-HISPANIC OR LATINO”** Female.

JOB CATEGORIES	TOTAL EMPLOYED	TOTAL RACIAL/ ETHNIC MINORITY	BLACK or AFRICAN AMERICAN	WHITE/HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE	ASIAN	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER	TWO OR MORE RACES	WHITE/NON-HISPANIC OR LATINO
APPRENTICES	1 2	1 1	1				1		1
OJT TRAINEES	1 2	1 1		1 1					1



JOB CATEGORIES	TOTAL EMPLOYED	TOTAL RACIAL/ ETHNIC MINORITY	BLACK or AFRICAN AMERICAN	WHITE/HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE	ASIAN	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER	TWO OR MORE RACES	WHITE/NON-HISPANIC OR LATINO
APPRENTICES	1 2	1 1	1				1		1
OJT TRAINEES	1 2	1 1		1 1					1



12. Box 8: Indicate the person responsible for the preparation of the form by listing their name. Original documentation shall be signed and maintained by the Contractor and subcontractors for a period of 3 years. ***The use of an electronic signature is highly encouraged.***
13. Box 9: Enter the date prepared
14. Box 10: To be completed by **MoDOT representative.**
15. Box 11: To be completed by **MoDOT representative.**

Submit the 1391 data reports to MoDOT by email to both [Rhonda Wilson and Laura Bouslaugh](#) by Wednesday, August 21, 2024.

Please call Rhonda Wilson at 573-751-4309 or Laura Bouslaugh at 573-751-1355 if you have any questions.

RACE and ETHNIC Identification Definitions

Black or African American (NOT Hispanic or Latino) – A person having origins in any of the black racial groups of Africa.

White/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.

White/Non-Hispanic or Latino – A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

Two or more races – All persons who identify with more than one of the above six races.