

# 52.222-23 Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity for Construction.

As prescribed in 22.810(b), insert the following provision:

Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity for *Construction* (Feb 1999)

(a) The *offeror's* attention is called to the Equal Opportunity clause and the Affirmative Action Compliance Requirements for *Construction* clause of this *solicitation*.

(b) The goals for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all *construction* work in the covered area, are as follows:

Goals for Minority Participation for  
Each Trade

Goals for Female Participation for Each Trade

\_\_\_\_\_

[ *Contracting Officer shall insert goals*]

\_\_\_\_\_

[ *Contracting Officer shall insert goals*]

These goals are applicable to all the Contractor's *construction* work performed in the covered area. If the Contractor performs *construction* work in a geographical area located outside of the covered area, the Contractor *shall* apply the goals established for the geographical area where the work is actually performed. Goals are published periodically in the *Federal Register* in notice form, and these notices *may* be obtained from any Office of Federal Contract Compliance Programs office.

(c) The Contractor's compliance with Executive Order 11246, as amended, and the regulations in 41 CFR 60-4 *shall* be based on (1) its implementation of the Equal Opportunity clause, (2) specific affirmative action obligations required by the clause entitled "Affirmative Action Compliance Requirements for *Construction*," and (3) its efforts to meet the goals. The hours of minority and female employment and training *must* be substantially uniform throughout the length of the contract, and in each trade. The Contractor *shall* make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor, or from project to project, for the sole purpose of meeting the Contractor's goals *shall* be a violation of the contract, Executive Order 11246, as amended, and the regulations in 41 CFR 60-4. Compliance with the goals will be measured against the total work hours performed.

(d) The Contractor *shall* provide written notification to the Deputy Assistant Secretary for Federal Contract Compliance, U.S. Department of Labor, within 10 working days following award of any *construction* subcontract in excess of \$10,000 at any tier for *construction* work under the contract resulting from this *solicitation*. The notification *shall* list the-

(1) Name, address, and telephone number of the subcontractor;

(2) Employer's identification number of the subcontractor;

(3) Estimated dollar amount of the subcontract;

(4) Estimated starting and completion dates of the subcontract; and

(5) Geographical area in which the subcontract is to be performed.

(e) As used in this Notice, and in any contract resulting from this *solicitation*, the "covered area" is \_\_\_\_\_ *[Contracting Officer shall insert description of the geographical areas where the contract is to be performed, giving the state, county, and city].*

(End of provision)

**Parent topic:** [52.222 \[Reserved\]](#)