

## SUPPORTING STATEMENT

### **Federal-Aid Highway Construction Equal Employment Opportunity**

The purpose of this document is to request the three-year renewal of a currently approved information collection titled Federal-Aid Highway Construction Equal Employment Opportunity.

#### **1. Circumstances that make collection of information necessary:**

Under the provision of Title 23 U.S.C. Part 140(a), the Federal Highway Administration (FHWA) is required to ensure equal opportunity in contractors' employment practices on federal-aid highway projects.

To implement this provision of the law, FHWA regulation, 23 CFR 230, Subpart A requires that contractors submit to State Departments of Transportation (State DOTs) an annual report providing employment workforce data, which includes the number of minorities, women, and non-minority group employees in each construction craft. The information is reported on Form PR-1391, Federal-Aid Highway Construction Contractors Annual EEO Report. The regulation also requires State DOTs to submit an annual report to FHWA summarizing PR-1391 data. This summary is provided on Form PR-1392, Federal-aid Highway Construction, and Summary of Employment Data.

This information collection supports the DOT Strategic Goal of Economic Growth and Trade by contributing to ongoing efforts for a diverse and effective workforce.

#### **2. How, by whom, and for what purpose is the information used:**

The State DOTs use the data submitted on the PR-1391 to monitor and evaluate the effectiveness of Federal-aid contractors Equal Employment Opportunity (EEO) programs and to compile their summary of statewide Federal-aid highway construction employment information using Form PR-1392.

The FHWA uses the summary employment data contained in the PR-1392 to determine patterns and trends of employment in the highway construction industry. Specifically, the employment data is used to determine the adequacy and impacts of the Contract Compliance and the On-the-Job Training Programs. The State DOTs use this information to monitor the employment and training of minorities and women in non-traditional highway construction crafts. Additionally, the data is used by FHWA to provide summarization, trend analyses to Congress, Department of Transportation, and FHWA officials as well as others who request information relating to the Federal-aid highway construction EEO program. The information is also used in making decisions regarding resource allocation; program emphasis; marketing and promotion activities; training; and compliance efforts.

#### **3. Extent of automated information collection:**

None at this time, the State DOTs and the contractors submissions are either sent via email (about five-percent) or the balance are mailed in paper format.

**4. Efforts to identify duplication:**

These forms are the sole source of EEO information regarding the Federal-aid contract compliance program.

**5. Efforts to minimize the burden on small businesses:**

The FHWA estimates that approximately 7,900 contractors must provide the data on PR-1391 to their State DOT. Some of these could be considered “small businesses.” FHWA has minimized burdens by limiting the requirement of the data collection to one annual submission that is determined by a snapshot of the workforce during peak construction season.

**6. Impact of less frequent collection of information:**

The data is submitted annually to the FHWA, providing a snapshot of employment activity on Federal-aid projects during the highway construction peak season. Under 23 CFR, Part 230.121, the PR-1391 and PR-1392 must be completed for all Federal-aid highway projects for the month ending July 31 of each year. If the data were to be collected less frequently, the FHWA would not be able to effectively monitor the Federal-aid contract compliance program and provide information to Congress and the White House.

**7. Special circumstances:**

There are no special circumstances associated with this information collection.

**8. Compliance with 5 CFR 1320.8:**

The FHWA published a Federal Register notice on June 5, 2019 (81 page 26176). No comments were received.

**9. Payments or gifts to respondents:**

No gifts or payments will be made to the respondents.

**10. Assurance of confidentiality:**

None of the information is considered confidential.

**11. Justification for collection of sensitive information:**

The information that is collected is not sensitive because individual names are not identified on the reports. The reports only provide summary numbers for the categories.

**12. Estimate of burden hours for information requested:**

FHWA estimates it takes approximately 30 minutes for Federal-aid contractors to complete and submit Form PR-1391 and 8 hours for STAs to complete and submit Form PR-1392. FHWA has recently established a 1391 Company Wide Reporting Data Collection Program that has significantly reduced the amount of paperwork associated with the reporting of Federal-aid highway employment data. This process enables contractors to submit one consolidated PR-1391 inclusive of all Federal-aid projects rather than submitting multiple PR-1391 forms for each project.

***Estimated Total Amount Burden Hours:***

***Form PR-1391--***

11,077 PR-1391 reports x 0.5 hour each = 5539 hours per year

***Form PR-1392--***

52 STAs PR-1392 reports x 8 hours each = 416 hours per year

Total annual burden hours 5955.

**13. Estimate of total annual costs to respondents:**

There are no annual costs to the respondents.

**14. Estimate of cost to the Federal government:**

The FHWA estimates that it spends approximately 40 hours reviewing and analyzing the data from all of the Form PR-1392s. Salary costs associated with these hours, plus computer/printing costs are calculated as follows:

Professional staff time	40 hours@ \$35 =	\$1,400
Computer/Printing Costs		<u>120</u>
<b>Total Federal Government Costs</b>		<b>\$1,520</b>

**15. Explanation of program changes or adjustments:**

There are no program changes or adjustments.

**16. Publication of results of data collection:**

The data received by FHWA is compiled into an annual report that summarizes the minority and

female employment trends in the highway industry. The report is not published, but it is distributed to participants in pertinent conferences and seminars such as the National Civil Rights Conference.

**17. Approval for not displaying the expiration date for OMB approval:**

The FHWA is requesting that no expiration date be displayed on the PR-1391 or the PR-1392. Because these are annual reports, it could create confusion.

**18. Exceptions to certification statement:**

There are no exceptions to the certification statement.