

CITY OF URBANA HUMAN RELATIONS DIVISION 400 SOUTH VINE ST. URBANA, ILLINOIS 61801 (217) 384-2466 (phone); 384-2426 (fax) terent@city.urbana.il.us	Office Use Only (05/13)	
	Requested by:	Date:
	Approved by:	Date:
	Certification Date:	
	Certificate Expiration Date:	

EQUAL EMPLOYMENT OPPORTUNITY (E.E.O.) WORKFORCE STATISTICS FORM	
Please complete the sections below as instructed. Failure to properly complete this form may result in a delay or denial of eligibility to bid or do business with the City of Urbana.	
Section I. Identification	
1. Company Name and Address:	
Name: <u>Hoerr Construction, Inc.</u>	
d/b/a:	
Address: <u>1601-D W Luthy Drive</u>	
City/State/Zip: <u>Peoria, IL 61615</u>	
Telephone Number(s) include area code: <u>(309) 691-6653</u>	
Check one of the following	
Corporation <input checked="" type="checkbox"/>	Partnership <input type="checkbox"/>
Individual Proprietorship <input type="checkbox"/>	Limited Liability Corp. <input type="checkbox"/>
FEI Number: <u>37-1319433</u>	Social Security Number:
2. Name and Address of the Company's Principal Office (answer only if not the same as above)	
Name:	
Address:	
City/State/Zip	
3. Major activity of your company (product or service): <u>underground construction</u>	
4. Project on which your company is bidding:	
5. City of Urbana contact staff assigned to contract:	

SECTION II. Policies and Practices

Description of EEO Policies and Practices		YES	NO
A.	Is it the Company's policy to recruit, hire, train, upgrade, promote and discipline persons without regard to race, color, creed, class, national origin, religion, sex, age, marital status, mental and/or physical disability, personal appearance, sexual preference, family responsibilities, matriculation, political affiliation, prior arrest, conviction record, or source of income ?	X	
B.	Has someone been assigned to develop procedures, which will assure that the EEO policy is implemented and enforced by managerial, administrative, and supervisory personnel? If so, please indicate the name and title of the official charged with this responsibility. Name: <u>Max P. Hoerr II</u> Title: <u>President</u> Telephone: <u>(309) 691-6653</u> Email: <u>mhoerr@hoerr.com</u>	X	
C.	Does the company have a written Equal Employment Opportunity plan or statement? Note: If no, a copy of an EEO statement is enclosed. You must attach an EEO Statement in order to be considered eligible to do business with the City of Urbana. Questions? (217) 384-2466 or terent@city.urbana.il.us.	X	
D.	Has the company developed a written policy statement prohibiting Sexual Harassment? You must attach a copy of your company's Sexual Harassment Policy in order to be considered eligible to do business with the City of Urbana.	X	
E.	Have all recruitment sources been notified that the company will consider all qualified applicants without regard to race, color, creed, class, national origin, religion, sex, age, marital status, mental and/or physical disability, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, prior arrest, conviction record, or source of income?	X	
F.	If advertising is used, does it specify that all qualified applicants will be considered for employment without regard to race, color, creed, class, national origin, religion, sex, age, marital status, mental and/or physical disability, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, prior arrest, conviction record, or source of income?	X	
G.	Has the contractor notified all of its sub-contractors of their obligations to comply with the Equal Opportunity requirements either in writing, by inclusion in subcontracts or purchase orders?	X	
H.	Is the company a state certified minority/women owned business? If yes, please attach a copy of state certification.		X
I.	Does the company have collective bargaining agreements with labor organizations?	X	
J.	Have the labor organizations been notified of the company's responsibility to comply with the Equal Employment Opportunity requirements in all contracts with the City of Urbana?	X	
K.	Does your company perform construction, rehabilitation, alteration, conversion, demolition or repair of buildings, highways or other improvements to real property? (If yes, please complete Table B.)	X	
L.	Are you currently seeking to renew an existing or expired Urbana EEO certification? (If yes, you need to complete Table C.)	X	

SECTION III. Employment Information

Please complete the company work force analysis on the bottom of this page. Use the number of employees as of the most recent payroll period. **You must complete this form in its entirety, as instructed and submit your organization's (1) EEO Statement and (2) Sexual Harassment Policy in order to be eligible to do business with the City of Urbana.** For detailed descriptions of the Job Classifications see attached descriptions. If minorities and females are currently underrepresented in your workforce, please attach a copy of an explanation of your plan to recruit and hire qualified minorities and females.

TABLE A - TOTAL CONTRACTOR/VENDOR WORKFORCE

Job Categories	Overall Totals		White (Not of Hispanic Origin)		Black or African-American (Not of Hispanic Origin)		Hispanic or Latino		Asian or Pacific Islander		American Indian or Alaskan Native	
	M	F	M	F	M	F	M	F	M	F	M	F
Officials & Mgrs	3		3	3								
Professionals	1		1	1								
Technicians	1		1	1								
Sales Workers	1		1	1								
Office & Clerical		2		2								
Craft Workers (Skilled)	8		7								1	
Operatives (Semi-Skilled)	10		10									
Laborers (Unskilled)	15		12				1				2	
Service Workers	1		1									
TOTAL	40	2	36	2			1				3	
M = MALE. Column B is sum of Rows D, F, H, J and L.												
F = FEMALE. Column C is sum of Rows E, G, I, K and M.												
Date of above Data: <u>8-11-15</u>												

TABLE B* - EMPLOYEES TO BE ASSIGNED TO CITY OF URBANA CONTRACT

Job Categories	TOTAL EMPLOYEES		BLACK EMPLOYEES		HISPANIC EMPLOYEES		OTHER MINORITY EMPLOYEES	
	M	F	M	F	M	F	M	F
Officials & Mgrs								
Professionals								
Technicians								
Sales Workers								
Office & Clerical		1						
Craft Workers (Skilled)	1							
Operatives (Semi-Skilled)	2							
Laborers (Unskilled)	3						1	
Service Workers								
TOTAL	6	1					1	

*Totals included under Table B should be a projection of numbers of persons to be employed in the performance of the City contract.

For Contractors:

Data provided in Table B will be verified by worksite inspections.

TABLE C WORKFORCE TURNOVER SINCE PREVIOUS EEO REPORT**

Job Categories	TOTAL EMPLOYEES SEPARATED		MINORITY EMPLOYEES SEPARATED		TOTAL EMPLOYEES HIRED		MINORITY EMPLOYEES HIRED	
	M	F	M	F	M	F	M	F
Officials & Mgrs								
Professionals								
Technicians								
Sales Workers								
Office & Clerical	1							
Craft Workers (Skilled)								
Operatives (Semi-Skilled)	1				1			
Laborers (Unskilled)	2		1		3			
Service Workers								
TOTAL	4		1		4			

SECTION IV. Certification

By signing below, the company certifies that it has answered all of the foregoing questions truthfully to the best of its knowledge and belief and agrees that it/he/she will comply and abide by the City of Urbana's Code of Ordinances (Section 2-119).

Robert J. Kilbride
Signature

Robert J. Kilbride
Vice President
Typed Name and Title

8-17-15
Date

SECTION V. Verification

Prior to submitting this form, please check the answers to the following questions to verify your completion of this form:

1. Did you fill in all of the appropriate boxes in the table in Section III, including the "TOTAL" row?

YES X NO _____

2. Have you enclosed your company's EEO statement?

YES X NO _____

3. Have you enclosed your company's Sexual Harassment policy?

YES X NO _____

TO: Whom It May Concern

FROM: Max P. Hoerr, II

SUBJECT: Notification of Appointment of EEO Officer

DATE: January 3, 1994

In compliance with Executive Order 11246 as amended, and other pertinent acts, amendments, and governmental regulations, a part of my duties as Equal Opportunity Officer, the memorandum on this subject, non-discrimination in employment, is now company policy. As Equal Opportunity Officer, I will handle all complaints, which allege discrimination in employment relative to hiring, promotion, or termination because of race, creed, color, religion, age, sex or national origin.

Hoerr Construction, Inc. supports the Civil Rights Act of 1964, the Equal Pay Act of 1963, the Age Discrimination Act of 1967, and all pertinent Executive Orders as issued, revised, or amended, and appropriate State and local laws.

Written complaint should be directed to me at corporate headquarters:

P.O. Box 10195
1601-D West Luthy Dr.
Peoria, IL 61612

Sincerely,
Hoerr Construction Inc.

Max P. Hoerr II
President

AFFIRMATIVE ACTION COMPLIANCE PROGRAM
EQUAL EMPLOYMENT OPPORTUNITY

Hoerr Construction Inc. has an established policy of Equal Employment with respect to race, color, religion, sex or national origin. All management officials and employees are expected to respect and carry out the aforesaid policy. We expect each management official, department head, and supervisor to review annually the Company's existing personnel policies and practices to assure that Equal Employment Opportunity is being implemented actively and that no employee or applicant for employment or promotion shall suffer any form of discrimination because of race, color, religion, sex or national origin. This affirmative action program also includes disabled veterans, veterans of the Vietnam War and the physically and mentally handicapped. In order to effectively communicate and implement this policy to all levels of management and supervision and to all other employees, recruiting sources, community agencies and the public generally, the following action is being undertaken.

I. DISSEMINATION OF POLICY

A. Internally: Employees are reminded of the Company's written statement of policy by:

1. Re-distribution of policy statement to all management personnel with responsibility for implementation and administration of policy.
2. Distribution of policy by re-publication or reference by posting the policy statement on the employee bulletin boards.
3. Detailed discussions at management conferences.
4. The Union certified to represent production and maintenance employees will be reminded to the Company's non-discriminatory policies and non-discrimination clause is included in our Union Contract.
5. No segregated facilities will be permitted at the company office, yard, or at any site it is doing business.

- B. Externally: Prospective applicants and interested community groups are advised of the Company's Equal Employment Opportunity policy by:

1. Employment advertisements, when utilized, contain an assurance to Equal Employment Opportunity by insertion of the phrase "An Equal Opportunity Employer."
2. Whenever utilized, all employment and recruiting sources where jobs are listed by the Company are reminded of the Company Policy, either verbally or in writing.
3. Appropriate notices are posted on bulletin boards, and when possible, where applicants are interviewed. These notices will inform employees and applicants of their rights in this regard.

II. RESPONSIBILITY OF IMPLEMENTATION OF THE EEO POLICY

- A. Responsibility, as stated in the policy, is assigned to Max P. Hoerr, II who will render full assistance and support to those seeking help and assistance in taking affirmative action.
- B. Periodic reports will be made to the Corporate Officers for implementation of this policy of Equal Employment Opportunity in order to assure that the policy is observed, and results are obtained.

III. RECRUITING

- A. For many years, applicants for positions with Hoerr Construction Inc. have far outnumbered vacancies. However, in an effort to recruit minority employees, Hoerr Construction Inc. will actively seek out minority candidates by contact with Union Officials and request their assistance in encouraging qualified personnel to file application with the Company.

IV. TRAINING

- A. All training programs supported or sponsored by the Company are equally open to minority group employees on the basis of qualifications. Such employees who appear to have management potential are encouraged to seek advancement into management position as vacancies occur.
- B. The Company includes minority group members in any apprenticeships or training programs in which it participates.

V. HIRING, PLACEMENT, TRANSFER, PROMOTION, LAY-OFFS & RECALL

- A. The Company recognizes that to accomplish the long range objectives of its Equal Employment Opportunity policy, continued affirmative action must be taken to assure that job opportunities of all kinds are called to the attention of minority groups and that members of minority groups shall be offered position on the same basis as all other applicants or current employees. To ensure achievement of the stated goal, the Company has reviewed and, in the future, will periodically review its hiring practices.
- B. In this connection, all management officials will take the following action:
 - 1. Advise their staffs of the Company's increased interest in utilizing qualified members of minority groups on job assignments where they had not previously been employed.
 - 2. Provide qualified group employees equal consideration whenever promotional opportunities occur.

VI. COMPENSATION

- A. All employees, including minority group employees specifically, will continue to receive compensation in accordance with the same standards for their respective groups. Opportunities for performing over-

time work or otherwise earning increased compensation will continue to be offered to all qualified employees without discrimination based on race, religion, sex, or national origin.

VII. GENERAL

- A. Not only in the above matters, but also in other areas of the employer-employee relationship, the Company will continue to cooperate with minority groups because being fair is the Company's best assurance that it is not discriminating or creating even the appearance of discrimination.
- B. A copy of this statement will be distributed to all Company officials responsible for interviewing and recommending people for hire and/or promotion.
- C. Hoerr Construction Inc. will consider qualified minority group applicants for any vacancies occurring in clerical, professional, and technical positions.

VIII. GOALS

An analysis of all major job categories, including minority representations, along with hiring and promotion projections will be discussed with all management officials. Our goal is to exceed the minimum Equal Employment requirements.

If you have any questions concerning this policy or employment opportunities, please feel free to contact the E.E.O. officer, Max P. Hoerr, II at 309-691-6653.

Dated: January 3, 1994

Max P. Hoerr II, President

EQUAL EMPLOYMENT POLICY

It is the policy of this company to assure that applicants are employed, and that employees are treated during employment without regard to their race, religion, sex, color, or national origin. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; lay-off or selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.

Our Equal Employment Officer is Max P. Hoerr II

TO: All Supervisors and Foreman

FROM: EEO Officer

SUBJECT: Equal Opportunity

DATE: January 1, 1994

Hoerr Construction Inc. is committed to non-discrimination in employment. Any person who applies for a job with our Company will not be discriminated against because of race, age, creed, color, religion, sex or national origin.

On many occasions you are solely responsible for filling job vacancies within our company.

Attention should be given to the distribution of minority personnel and females based on demonstrated skills, promotion potential, education and experience.

When contacting unions, request minority and female referrals; ask business agents to do a vigorous job of recruiting for minorities and females and always explain the company's reason for so doing.

It is the duty of each supervisor and foreman to exert care in being fair in the administration of our policy.

Should the occasion arise that you must advertise for personnel, make certain that the phrase, "Equal Employment Opportunity Employer M/F" is added at the end of the

advertisement.

Applications must conform to certain EEO guidelines; hence no space for racial designation appears on our application forms. We do have requirements to furnish statistical information on ethnic groups in our employ. It is perfectly legal for you to denote by racial and sexual designation those employees within your scope of supervision, provided that it does not serve as the basis for discriminatory selection.

Hoerr Construction Inc. is obligated and committed to provide a working environment free of harassment, intimidation, and coercion with specific attention to minorities and females.

POLICY REGARDING SEXUAL HARASSMENT IN EMPLOYMENT
HOERR CONSTRUCTION, INC.

I. STATEMENT OF COMPANY POLICY

This company is committed to providing a workplace that is free from all forms of discrimination, including sexual harassment. Any employee's behavior that fits the definition of sexual harassment is a form of misconduct which may result in disciplinary action up to and including dismissal. Sexual harassment could also subject this company and, in some cases, an individual to substantial civil penalties.

The company's policy on sexual harassment is part of its overall affirmative action efforts pursuant to state and federal laws prohibiting discrimination based on age, race, color, religion, national origin, citizenship status, unfavorable discharge from the military, marital status, disability, and gender. Specifically, sexual harassment is prohibited by the Civil Rights Act of 1964, as amended in 1991, and the Illinois Human Rights Act.

Each employee of this company bears the responsibility to refrain from sexual harassment in the workplace. No employee, male or female, should be subjected to unsolicited or unwelcome sexual overtures or conduct in the workplace. Furthermore, it is the responsibility of all supervisors to make sure that the work environment is free from sexual harassment. All forms of discrimination and conduct which can be considered harassing, coercive or disruptive, or which create a hostile or offensive environment must be eliminated. Instances of sexual harassment must be investigated.

II. DEFINITION OF SEXUAL HARASSMENT

According to the Illinois Rights Act, sexual harassment is defined as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when

(1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.

(2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

(3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The courts have determined that sexual harassment is a form of discrimination under Title VII of the Civil Rights Act of 1964, as amended in 1991.

One example of sexual harassment is where a qualified individual is denied employment opportunities and benefits that are, instead, awarded to an individual who submits (voluntarily or under coercion) to sexual advances or sexual favors. Another example is where an individual must submit to unwelcome sexual conduct in order to receive an employment opportunity.

Other conduct commonly considered to be sexual harassment includes:

- * Verbal: sexual innuendos, suggestive comments, insults, humor and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside their presence, of a sexual nature.

- * Non-verbal: Suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking", or "kissing" noises.

- * Visual: posters, signs, pin-ups or slogans of a sexual nature.

* Physical: Touching, unwelcome hugging or kissing, pinching, brushing the body, coerced sexual intercourse, or actual assault.

Sexual harassment most frequently involves a man harassing a woman. However, it can also involve a woman harassing a man or harassment between members of the same gender.

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends to some extent on individual perception and interpretation. The trend in the courts is to assess sexual harassment by a standard of what would offend a "reasonable woman" or "reasonable man", depending on the gender of the alleged victim.

An example of the most subtle form of sexual harassment is the use of endearments. The use of terms such as "honey", "darling", and "sweetheart" is objectionable to many women who believe that these terms undermine their authority and their ability to deal with men on an equal and professional level.

Another example is the use of a compliment that could potentially be interpreted as sexual in nature. Below are three statements that might be made about the appearance of a woman in the workplace:

"That's an attractive dress you have on."

"That's an attractive dress. It really looks good on you."

"That's an attractive dress. You really fill it out well."

The first statement appears to be simply a compliment. The last is the most likely to be perceived as sexual harassment depending on the perceptions and values of the person to whom it is directed. To avoid the possibility of offending an employee, it is best to follow a course of conduct above reproach, or to err on the side of caution.

III. RESPONSIBILITY OF INDIVIDUAL EMPLOYEES

Each individual employee has the responsibility to refrain from sexual harassment in the workplace.

An individual employee who sexually harasses a fellow worker is, of course, liable for his or her individual conduct.

The harassing employee will be subject to disciplinary action up to and including discharge in accord with the company's disciplinary policy and the terms of any applicable collective bargaining agreement.

The company has designated Max P. Hoerr II, President to coordinate the company's sexual harassment policy compliance. Mr. Hoerr can be reached at 1601 Luthy Drive, Peoria, Illinois and at (309)691-6653.

IV. RESPONSIBILITY OF SUPERVISORY EMPLOYEES

Each supervisor is responsible for maintaining the workplace free from sexual harassment. This is accomplished by prompting a professional environment and by dealing with sexual harassment as with all other forms of employee misconduct.

The courts have found that organizations as well as supervisors can be held liable for damages related to sexual harassment by a manager, supervisor, employee, or third party (an individual who is not an employee but does business with an organization, such as a customer, contractor, sales representative, or repair person).

Liability is either based on an organization's responsibility to maintain a certain level of order and discipline, or on the supervisor acting an agent of the organization. As such, supervisors must act quickly and responsibly not only to minimize their own liability but also that of the company.

Specifically, a supervisor must address an observed incident of sexual harassment or a complaint, with seriousness, take prompt action to investigate it, report it, and end it, implement appropriate disciplinary action, and observe strict confidentiality. This also applies to cases where an employee tells the supervisor about behavior that constitutes sexual harassment but does not want to make a formal complaint.

In addition, supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.

Supervisors in need of information regarding their obligations under this policy or procedures to follow upon receipt of a complaint of sexual harassment should contact Max P. Hoerr II, President at 1601 Luthy Drive, Peoria, Illinois and (309)691-6653.

V. PROCEDURES FOR FILING A COMPLAINT OF SEXUAL HARASSMENT

A. INTERNAL

An employee who either observes or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the supervisor, EEO Officer*, and to the offending employee. It is not necessary for the sexual harassment to be directed at the person making the complaint.

Each incident of sexual harassment should be documented or recorded. A note should be made of the date, time, place, what was said or done, and by whom. The documentation may be augmented by written records such as letters, notes, memos, and telephone messages.

No one making a complaint of sexual harassment will be retaliated against even if a complaint made in good faith is not substantiated. Any witness to an incident of sexual harassment is also protected from retaliation.

The process for making a complaint about sexual harassment is also protected from retaliation.

The process for making a complaint about sexual harassment falls into several stages.

1. DIRECT COMMUNICATION. If there is sexually harassing behavior in the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be reported to the next level of supervision or the EEO Officer.
2. CONTACT SUPERVISORY PERSONNEL. At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor or the EEO Officer.
3. FORMAL WRITTEN COMPLAINT. An employee may also report incidents of sexual harassment directly to the EEO Officer. The EEO Officer will counsel the reporting employee and be available to assist with filing a formal complaint. The Company will fully investigate the complaint, and will advise the complainant and the alleged harasser of the results of the investigation.

B. EXTERNAL

The Company hopes that any incident of sexual harassment can be resolved through the internal process outlined above. All employees, however, have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC). A charge with IDHR must be filed within 180 days of the incident of sexual harassment. A charge with EEOC must be filed within 300 days of the incident.

The Illinois Department of Human Rights may be contacted as follows:

CHICAGO	312-814-6200
CHICAGO TDD	312-263-1579

SPRINGFIELD	217-785-5100
SPRINGFIELD TDD	217-785-5125

The United States Equal Employment Opportunity Commission can be contacted as follows:

CHICAGO	312-353-2713
	800-669-3362
TDD	800-800-3302

An employee who is suddenly transferred to a lower paying job or passed over for promotion after filing a complaint with IDHR or EEOC may file a retaliation charge with either of these agencies. The charges must be filed within 180 (IDHR) or 300 (EEOC) days for the retaliation.

An employee who has been physically harassed or threatened while on the job may also have grounds for criminal charges of assault and battery.

VI. FALSE AND FRIVOLOUS COMPLAINTS

False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can itself result in disciplinary action.