

City of Urbana
2018 Full Depth Concrete Patching Project
City Section 18-00603-00-PV

CITY OF URBANA HUMAN RELATIONS DIVISION 400 SOUTH VINE ST. URBANA, ILLINOIS 61801 (217) 384-2455 (phone); 328-8288 (fax) hro@urbanaininois.us	Office Use Only (08/15)	
	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: <i>Beniach Construction</i>		
d/b/a:		
Address: <i>307 S. Main St P.O. Box 20</i>		
City/State/Zip: <i>Tuscola IL 61953</i>		
Telephone Number(s) include area code: <i>217-253-6100</i>		
Check one of the following		
Corporation	<input checked="" type="checkbox"/> Partnership	Individual Proprietorship
		Limited Liability Corp.
FEI Number: <i>37-1321233</i>		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): <i>Road construction</i>		
4. Project on which your company is bidding: <i>Urbana Pavement Patching</i>		
5. City of Urbana contact staff assigned to contract: <i>Craig Shortwider</i>		

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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>Jerry Schmidt</u> Title: <u>V. P.</u> Telephone: <u>217-255-6100</u> Email: <u>jerry@Beniach Construction.com</u>		
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) 384-2455 or hro@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.	If you answered yes to Question "I", 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	

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SECTION III. Employment Information

IMPORTANT: Please complete the company workforce 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 under-represented 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	1											
Professionals												
Technicians												
Sales Workers												
Office & Clerical												
Craft Workers (Skilled)	4											
Operatives (Semi-Skilled)	3	1										
Laborers (Unskilled)	4	1	1		1							
Service Workers												
TOTAL	12	2	1		1							
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>4/20/2018</u>												

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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	1							
Professionals								
Technicians								
Sales Workers								
Office & Clerical								
Craft Workers (Skilled)	4							
Operatives (Semi-Skilled)	2	1						
Laborers (Unskilled)	4	1	1		1			
Service Workers								
TOTAL	11	2	1		1			

*Totals included in 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								
Craft Workers (Skilled)								
Operatives (Semi-Skilled)								
Laborers (Unskilled)	1				1		1	
Service Workers								
TOTAL	1				1		1	

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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 2-118).

Jerry Schmidt
Signature

Jerry Schmidt Vice President
Printed Name and Title

Jerry@BeniachConstruction.com
E-mail Address

5/7/2018
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 _____

BENIACH CONSTRUCTION SAFETY MANUAL

HANDED OUT TO EVERY EMPLOYEE

SECTION I- COMPANY POLICIES

Equal Employment Opportunity Policy

To further the provision of equal opportunity to all persons and businesses without regard to their race, creed, color, religion, age, sex or national origin, and to promote the full realization of equal opportunity through a positive continuing program, it is the policy of the Beniach Construction Co., Inc. (BCCI) to assure that applicants are employed or treated during their employment without regard to their race, creed, color, religion, age, sex or national origin. Such treatment shall include the following actions: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship and/or on-the-job-training.

It is the policy of the Beniach Construction Co., Inc. to ensure that all Disadvantaged Business Enterprises have been afforded full opportunity to submit bids and to not be discriminated against on the grounds of race, creed, color, religion, age, sex or national origin in consideration for an award.

Employee Harassment Policy

Beniach Construction Co., Inc.'s (BCCI) strongly opposes to all forms of personal harassment including discrimination based upon race, creed, color, religion, sex, national origin, age, handicap or veteran status. The procedure for an employee to file a complaint will be identified herein. BCCI will investigate each complaint to determine the extent of a discriminatory effect. Disciplinary procedures up to and including discharge will be imposed upon offenders.

Sexual Harassment Policy

To comply with local and state laws and to further our goal of a professional and dignified work environment, BCCI prohibits all sexual harassment in the workplace and all discrimination that interferes with an individual's work performance.

Definition of Sexual Harassment

Sexual harassment is a form of sexual discrimination expressly prohibited by law. It includes any unwelcome conduct based on gender that affects a condition of employment to the extent that it creates an intimidating, offensive, or hostile work environment.

Prohibited Conduct

- Intentional physical conduct that is sexual in nature, such as touching, pinching, etc.
- Unwanted sexual advances, propositions or flirtations.
- Repeated verbal abuse of a sexual nature, including sexual comments, sexual gestures or jokes made in the presence of any employee who has indicated that such conduct is unwelcome.
- Posting or displaying pictures, posters, calendars, graffiti, objects, or other materials that are sexual suggestive.

Penalties

All workers, including supervisors, will be subject to discipline up to and including discharge, for any acts of harassment, including sexual harassment.

Filing a Complaint

- An employee who is victimized by any harassment, including sexual harassment, is encouraged to report said harassment to his or her job superintendent. If the worker's superintendent is the source of the alleged harassment, or if he or she does not know who the superintendent is, the employee should then report the problem to the President of Beniach Construction Co., Inc., Jerry Schmidt, at 217-253-6100. All other employees should report the harassment to the supervisor. All superintendents and supervisors will report any harassment complaints to the President within twenty-four (24) hours of the complaint.

- Superintendents or supervisors, who receive a harassment complaint, including a sexual harassment complaint, should take a short statement from the accuser and then contact Jerry Schmidt, the Equal Employment Opportunity Officer (EEO), at 217-253-6100, who will then direct the investigation. The EEO will carefully investigate the matter, questioning all employees who may have knowledge of either the incident in question or a similar problem. Both the complaint and the investigative steps and findings will be documented as thoroughly as possible. Confidentiality will be maintained with respect to a sexual harassment complaint and only those who need to know about such a complaint shall be advised of its existence.
- Employees, who are dissatisfied with the investigating superintendent or supervisor's resolution of any harassment complaint, may file a complaint with the President of Beniach Construction Co., Inc., Michael "Joe" Beniach, at 217-253-6100.

All allegations will be fully investigated to determine the merits of the complaint. BCCI's investigation will be based on a review of the facts and circumstances of each situation. Conduct or actions that arise out of a personal or social relationship that do not have a discriminatory employment effect may not be viewed as harassment. No employee will be subject to any form of retaliation for pursuing a harassment complaint.

All employees will be held responsible for awareness of the BCCI policy and for reporting any violations.

Drug and Alcohol Free Workplace Policy

In order to provide a safe working environment and to protect our employees and the general public it is the policy of Beniach Construction Co., Inc. (BCCI) that all of our worksites be drug and alcohol free.

Therefore, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, including cannabis, is prohibited at any of our worksites.

As a condition of employment with BCCI each employee must abide by the terms of this statement and must notify BCCI of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days after conviction. Employees who violate any part of this prohibition shall be subject to discharge.

In addition, BCCI has established a drug free awareness program that informs all employees of the dangers of drug abuse in the workplace, and the availability of counseling, rehabilitation, and employee assistance programs as needed.

A copy of this statement is posted in a prominent place at all worksites and each employee is given a copy.

By this statement, BCCI certifies that it has made, and will continue to make, a good faith effort to maintain a drug free workplace.

Drug and Alcohol Testing Policy

Drug and alcohol testing shall consist of, but not limited to, pre-employment reasonable cause/suspicion, post accident, injury or unsafe act. Employees refusing to consent to such test shall be deemed to have voluntarily quit. (See complete Drug and Alcohol Program for more information.)

Drug and Alcohol-Free Workplace Rules

BCCI has established the following Drug and Alcohol-Free Workplace Rules applicable to all employees, including union employees, management and administrative personnel:

1. Possession, sale or use of alcohol or nonprescription drugs on BCCI jobsites shall be grounds for termination. No employee will report to work under the influence of alcohol or nonprescription drugs. Any employee involved in a workplace accident, injury and/or incident that tests positive for alcohol or nonprescription drugs shall forfeit any claim to Worker's Compensation benefits.
2. Conviction of a violation of any criminal drug statute for a crime occurring in the workplace will result in appropriate disciplinary action, up to and including discharge.
3. Before an employee who has been convicted of a violation of any criminal drug statute for a crime occurring in the workplace returns to work for BCCI he or she will undergo the following regimen:

- Suspension without pay up to thirty (30) days.
 - Rehabilitation in a certified rehabilitation program at the employee's expense.
Be required to show proof of successful completion of said certified rehabilitation program.
 - Periodic follow-up drug testing for up to two years following successful completion of the rehabilitation program.
4. A second conviction or a refusal to participate in a certified rehabilitation program after the first conviction will result in discharge.
 5. Employees who are taking prescription medication, under a doctor's orders, which could cause them mental or physical impairment on the jobsite, must report the medication to the site supervisor. Employees who report their use of prescription medication, as described above, shall thus avoid disciplinary action. However, employees taking prescription medication in excess of the prescribed dosage shall be subjected to the same rules as for nonprescription drug use on BCCI jobsites.

SECTION II-THE SAFETY PROGRAM

Statement of Policy

It is the policy of Beniach Construction Co., Inc. to provide a safe and healthful place of employment for all employees and to protect the public from the effects of BCCI operations. It is therefore the purpose of this stated policy to so as follows:

- Abide by all federal, state and local regulations as they pertain to the construction industry.
- Apply good sense and safe practices as dictated by locations, conditions and circumstances to all jobs.
- Exercise good judgment in the application of this policy.

BCCI is dedicated to accident-free operations on all of our company projects. For safety sake any interruptions of planned procedures must be eliminated. Each level of management, including those at the home office and all other existing line supervision at the project sites, is responsible to his or her supervisor for activities that result in loss control.

- Each level of management has authority to correct, instruct and determine a course of action.
- Each level of management has accountability for the corrections made.
- Each level of management will be reviewed to ensure compliance with the safety policy.

BCCI safety director's assigned function is to assist project supervisors in achieving their safety goals. However, the existence of the company safety director does not relieve the responsibility for safety from any level of management.

The human aspect of safety is sufficient reason itself for establishing this policy. In addition, an effective loss control program reduces overhead. Each dollar of savings contributes directly to the company's profit. Thus, the objective of this safety policy is no different than that of estimating, engineering, or production; all are profit centers.

Roles and Responsibilities

● Management

Management is obligated to establish rules and programs designed to promote safety; educate and train supervisory personnel of safety regulation, rules and programs; provide field copies of appropriate regulations, rules and programs to supervisory personnel; inform all employees of the established safety rules; and supply personal protective equipment to employees when elimination of known hazards are not possible.

Management will hold all employees responsible and accountable for a safe jobsite and discipline any employee who willfully disregards the Safety Program and its rules.

Management must allow for material and time for the implementation of safety regulations, rules and programs when estimating a potential project and

Management will require all subcontractors and material suppliers to follow safety regulations, rules and programs by contractual obligation.

- **Safety Director**

The safety director will write all safety policies and program within the company, coordinate safety activities and implement new safety procedures, perform periodic review and update safety program and conduct/coordinate safety education.

The safety director will manage insurance claims including worker's compensation, investigate accidents and near misses and report results to Management.

The safety director will inspect and monitor operations to assure compliance with all applicable requirements, perform periodic jobsite inspections, record all instances of safety violations and inform management of the violations.

- **Project Manager**

The project manager will schedule a Job Hazard Analysis before the start of any job in order to plan loss control measures with the safety director and the superintendent, assist the superintendent in the implementation of the Job Hazard Analysis in the field and help the superintendent make necessary field changes to the Job Hazard Analysis.

The project manager will inform union representatives of the safety regulations, rules and programs when engaging in a pre-job meeting.

The project manager will reaffirm the safety regulations, rules, and programs with subcontractors before they work on our jobsite.

The project manager will include a safety inspection when conducting business at the jobsite, guide the superintendent in correcting any safety violations during the safety inspection, give verbal or written warnings to superintendents and employees, if necessary, and inform the safety director of any repeat offense or imminent danger offense by an employee. The project manager has the authority to shut down a project to make corrections if necessary.

The project manager will coordinate with the superintendent the reporting of injuries, accidents and near misses to the safety director and assist in the investigation.

The project manager will have an OSHA 10-Hour Card and a valid First-Aid/CPR card; attend other safety training when specified by the company and will be held accountable for the jobsite safety record along with the superintendent.

- **Superintendents**

The superintendent will attend a Job Hazard Analysis before starting a project, execute the Job Hazard Analysis in the field, make field changes to the Job Hazard Analysis if necessary, discuss field changes with either his or her project manager or the safety director; and bring job related safety deficiencies to the attention of upper management.

The superintendent, with assistance from the project manager, is to manage production so that all work will be performed in compliance with established regulations, rules and programs. He is to ensure that proper safety materials and protection devices are available, used and in safe working order; to maintain a clean and orderly jobsite; and to protect the public from jobsite operations.

The superintendent will communicate safety requirements to the foreman and make certain the foreman provides proper instructions to the crew. The superintendent will oversee the correction of unsafe practices, supervise a weekly Tool Box Talk, conduct a weekly Safety Audit, issue written notices to employees for safety

violations following the BCCI Disciplinary Program and cultivate a safety culture by displaying a good example and by making the foreman accountable for safety.

The superintendent must promptly report to the project manager or the safety director all accidents, injuries and property damage; must help with the investigation of all accidents, injuries and property damage; must help BCCI develop policies/solutions to stop reoccurring accidents, injuries and property damage from happening; and must submit reports for accidents, injuries and property damage within forty-eight (48) hours of occurrence.

The superintendent is required to have an OSHA 10-Hour Card and a valid First-Aid/CPR card. The superintendent is also required to take advantage of additional safety training when it is offered. The superintendent and the project manager will be held accountable for the jobsite safety record.

- **Foremen**

The foreman to be aware of all safety regulation, rules and programs; to assist the superintendent with the planning of work activities with adherence to safety regulation, rules and programs; and to carry out the Safety Program at the work level.

The foreman is to be knowledgeable of safety work practices; is to instruct new employees and existing employees performing new tasks in safe working practices; is to provide his or her crew with continuing instruction on safety requirements; is to confirm that personal protective equipment is available and used; is to install and maintain devices to protect the public from jobsite operations; is to verify that that all work is performed in a safe manner and that no unsafe conditions and or equipment are present; and is to act swiftly to correct all hazards.

The foreman must secure prompt medical attention for an injured employee and must promptly report all accidents, injuries, property damage and near misses to the superintendent.

The foreman gives verbal warnings following the BCCI Disciplinary Program; reports verbal warnings to the superintendent; cultivates a safety culture by displaying a good example; and takes advantage of BCCI and industry sponsored safety programs.

- **Craft Employees**

The craft employee is to report for work in good mental and physical condition to safely carry out assigned duties; is to be aware of safety regulations, rules, and programs; is to follow safety regulation, rules, and programs; is to work safely to insure his or her own safety, the safety of co-workers and the safety of the general public; is to provide help to fellow employees in conforming with safety regulations, rules, and programs.

The craft employee must request help from the foreman when he/she is unsure of how to perform any task safely; must correct unsafe acts or conditions within the scope of his or her immediate work; must report any uncorrected safety violations or unsafe conditions to his or her foreman or superintendent; must maintain and properly use all tools under his or her control; and must use and maintain all personal protective equipment.

The craft employee is to attend the weekly Tool Box Talk; is to help cultivate a safety culture by displaying a good example; and is to take advantage of BCCI and industry sponsored safety programs.

Job Hazard Analysis

A Job Hazard Analysis (JHA) is conducted before beginning each new project. The CEO or the president of BCCI, the safety director, the project manager, the project superintendent; the estimator of the project, if necessary, and other key employees meet together for the JHA.

Topics of discussion are as follows: description of work, hazards, hazard control/abatement, public hazard controls, competent persons, silica hazards, lead hazards, equipment needs and equipment safety, personal protective equipment needed, accident and injury reporting and investigation of accident or injury, tool box

talks and safety audits, The Hazard Communication Program, The Safety Program, The Safety Incentive Program, Disciplinary Program, necessary training and documentation, attitude, housekeeping, OSHA regulations.

Safety Audits

Superintendents are to conduct an official Safety Audit weekly. The safety director addresses all remarks and informs the Superintendent of action taken if necessary.

Project managers are to conduct a Safety Audit when at the jobsite. This Safety Audit does not follow a specific form but a report of the Safety Audit must be submitted to the safety director for evaluation and recommendation. The safety director informs the project manager and superintendent of any recommendations and action taken.

Safety Committee

The BCCI Safety Committee, which includes the CEO or the president, the safety director, designated representatives from the project managers, and designated representatives from superintendents and foremen, has the goal of meeting monthly. BCCI's Safety Committee's mission is to aid in accident, injury and property damage investigation and to assist in holding employees responsible for safety regulations and rules.

Safety Training

Management, project managers, superintendents, BCCI foremen, and key BCCI employees are required to have an OSHA 10-Hour card. BCCI provides this training at no cost to the employee. BCCI holds an annual seminar to address accident, injuries, property damage and near misses; to give additional safety training; to develop company and leadership skills.

All new employees are given a copy of the BCCI Safety Rules and BCCI Disciplinary Program. Employees are given an explanation of roles and responsibility in the BCCI Safety Program. They are told about any hazardous materials and the location of MSDS book. They are made aware of any job specific safety hazards such as fall protection, lead, silica, trenches, etc. New employees are issued a hard hat, safety glasses, hearing protection and any other job-specific personal protection equipment. New employees are also given instruction on use of and the limitations of, personal protection equipment.

Safety Rules

General Work Rules

1. Employees are expected to report to work rested and physically fit to perform their jobs.
2. No horseplay, roughhousing or practical jokes are allowed.
3. Any unsafe conditions, practices or equipment should be reported to a supervisor for corrective action.
4. If an employee lacks proper training, to perform a job task, he or she should consult his or her supervisor for training.
5. No employee is to leave the jobsite without notifying his or her supervisor in advance.
6. No unauthorized cellular phone use by employees while engaging in work on the jobsite is allowed, except in the event of an emergency. This also applies to operators, truck drivers and flagmen.
7. No walkman-type portable radio device is to be used while working. This applies to operators, truck drivers and flagmen.
8. Alcoholic beverages and controlled substances are strictly prohibited on all jobsites. This is cause for termination.
9. Reporting to work under the influence of alcohol or a controlled substance is strictly prohibited, as is the abuse of a prescription drug or an over the counter drug. This is cause for termination.
10. Weapons and firearms are not permitted on the jobsite. This is cause for termination.
11. Any workplace violence, such as threatening a co-worker, will not be tolerated. This is cause for termination.
12. Stealing, destruction or willful abuse of BCCI property and/or private property will result in disciplinary and/or legal action.