

***EQUAL EMPLOYMENT OPPORTUNITY POLICY***  
***J. L. MALONE & ASSOCIATES, INC.***

(Revised 07/07/2004)

It shall be the policy of J. L. MALONE & ASSOCIATES, INC. that equal employment opportunity shall be afforded to all qualified persons with no regard to creed, race, national origin, sex, color, religion, disability or handicap, veteran's status or age. This shall apply to hiring, training, promotion, transfer, or termination of our employees. It is our intent to cooperate with Executive Order 11246, Equal Employment Opportunity.

It is also the policy of the Company that all employees shall work in an environment free from harassment of any type, including any of the above reasons. This policy specifically prohibits sexual harassment, including unwelcome advances or inappropriate touching. Harassment also can take the form of offensive jokes, language or slurs as well as the display of offensive materials.

This policy extends to every phase of employee recruitment. Supervisors and job personnel, including but not limited to each job superintendent, will take positive measures to insure that this policy is enforced in recruitment, hiring, upgrading, demotion, and selection for training and apprenticeship programs.

The Company will actively investigate any allegation of harassment and should harassment be determined to have occurred, the Company will take appropriate disciplinary action up to and including discharge of the offending employee.

**Equal Employment Opportunity Affirmative Action Program**

We propose the following Affirmative Action Program in order to provide Equal Employment Opportunity and to meet the requirements of Executive Order 11246 on Federally assisted projects.

1. Our existing Equal Employment Opportunity Policy is hereby reaffirmed.
2. Equal Employment Opportunity responsibilities are assigned to William Arthur Shipley, who is the designated EEO Representative our the home office..
3. Prior to the bidding of each project, the provisions of the specifications concerning Equal Employment Opportunity will be reviewed by the Estimating Department to insure that this requirement receives proper attention during the preparation of bids and the subsequent awarding of subcontracts and Purchase orders.
4. Project Managers shall review and discuss composition of on site employment with

Superintendents and Foremen to indicate that it is the desire of management to carry out its policy and program. This subject will also be a topic for discussion in job meetings of supervisory personnel.

5. Whenever practicable, this policy will be made known publicly that applications for employment are desired regardless of race, creed, color or national origin.
6. All notices in newspapers, etc. for prospective employees will contain the phrase "Equal Opportunity Employer" tag line.
7. The employment of apprentices whenever practicable is to be stressed.
8. Capable unskilled or semi-skilled workmen are to be upgraded to semi-skilled or skilled positions without regard to race, creed, color, national origin, sex or age.
9. Subcontractors from minority groups will be encouraged and assisted whenever practicable to compete on an equal basis.
10. Interviews with prospective employees, subcontractors and suppliers will be made without regard to race, creed, color, national origin, sex or age.
11. When work is begun on each new project the following affirmative action will be taken.

The Job Superintendent will be informed on Equal Employment Opportunity matters concerning the particular project.

Steps will be taken to insure that necessary provisions are incorporated in applicable subcontracts and purchase orders that we issue.

Each subcontractor and each supplier will be furnished a copy of both this Affirmative Action Program and our Equal Employment Policy. They will be requested to advise us in writing that they understand both and that they will take affirmative action to assist the company in the implementation of the program.

The Superintendent, all supervisory personnel who employ or may employ others, and field office personnel will be asked to endorse a copy of the Policy and the Program stating that they understand the contents of each and that they will implement them.

An EEO poster, with references to the Civil Rights Act of 1964 - Executive Order Number 11246 Poster will be posted on each job bulletin board or at some other conspicuous location on the job site. The executive order, in its entirety, is readily available for the employee or subcontractor's inspection at [www.dod.gov/esa](http://www.dod.gov/esa).

At time of hire, each employee shall be required to read and sign a handout, which informs the employee of our EEO policy and the general provisions therein. A complete copy of both the Policy and this Program will be available for review at each job where they can be reviewed upon request by all employees and applicants for employment.

In addition to the Equal Opportunity Policy of J. L. Malone & Associates, Inc., as stated above, the following Affirmative Actions are also hereby incorporated.

- A. Ensure and maintain a working environment free of harassment, intimidations, and coercion at all sites, and in all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible will assign two or more women to each construction project. The Contractor shall specifically ensure that all foremen, superintendents, and other on site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.
- B. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the Contractor has employment opportunities available, and maintain a record of the organizations' responses.
- C. Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority or female referral from a recruitment source or community organization and of what action was taken with respect to each such individual.
- D. Develop on-the-job training opportunities and/or participate in training program for the area which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the Contractor's employment needs, specially those programs funded or approved by the Department of Labor. The Contractor shall provide notice of these programs to the sources complied under (B) above.
- E. Disseminate the Contractor's EEO policy by providing notice of the policy to training programs and requesting their cooperation in assisting the Contractor in meeting its EEO obligations; by including it in any policy manual, by publicizing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and female employees at least once a year; and by posting the company EEO policy on bulletin boards accessible to all employees at each location where work is performed.
- F. Review, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions including specific review of these items with on site supervisory personnel such as Superintendents, General Foremen, etc, prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.
- G. Disseminate the contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, providing written notification to and discussing the Contractor's EEO policy with other Contractors and subcontractors with whom the Contractor does or anticipates doing business.

- H. Direct its recruitment efforts, both oral and written, to minority, female and community organizations, to schools with minority and female recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, the Contractor shall send written notification to organizations such as the above, describing the openings, screening procedures, and tests to be used in the selection process.
- I. Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and on other areas of a Contractor's workforce.
- J. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.
- L. Conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.
- K. Ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligations under these specifications are being carried out.
- L. Ensure that all facilities and company activities are no segregated except that separate or single- user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.
- M. Document and maintain a record of all solicitation of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.
- N. Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's EEO policies and affirmative action obligations .

*Wm. A. Shipley*

Wm. A. Shipley  
E.E.O. / S.D.B. / M.B.E. Representative

**I hereby certify that I have read the above policy and I agree to adhere to the policy as stated above:**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Company: \_\_\_\_\_ Position: \_\_\_\_\_