

STATEMENT REQUIRED TO BE SIGNED BY PROPOSED SUBCONTRACTOR PURSUANT TO
REQUIREMENT BY THE EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS OF THE
SECRETARY OF LABOR (41 CFR 60-1.7(b) (1))

I hereby certify that _____
(Name of Proposed Subcontractor)

(has) (has not) participated in a previous contract or subcontract subject to the Equal Opportunity clause, as required by Executive Orders 10925, 11114, or 11246.

Signed: _____

Title: _____

If the proposed subcontractor **has** heretofore participated in contracts or subcontracts subject to the Equal Opportunity clause, the following statement must be executed:

I hereby certify that _____
(Name of Proposed Subcontractor)

(has) (has not) filed with the Joint Reporting Committee, the Director of OFCC, any Federal Agency or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements of those organizations. All reports due are considered to be those requested by one of these committees or agencies. (Indicate appropriate word above (See Page 2)).

Date: _____ Signed: _____

Title: _____
(Individual Signing Proposed Subcontract)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U. S. Department of Labor.

Please see the excerpt below regarding the filing of the EEO-1. If a subcontractor indicates “has” on the top section and then indicates “has not” on the bottom section, they must provide a letter explaining why they are exempt from filing. More information can be found by visiting the following web page:

[EEO-1: Who must file](#)

Standard Form 100 (EEO-1) must be filed by --

A. All private employers who are:

1. subject to Title VII of the Civil Rights Act of 1964 (as amended by the Equal Employment Opportunity Act of 1972) with 100 or more employees EXCLUDING State and local governments, primary and secondary school systems, institutions of higher education, Indian tribes and tax-exempt private membership clubs other than labor organizations;

OR

2. subject to Title VII who have fewer than 100 employees if the company is owned or affiliated with another company, or there is centralized ownership, control or management (such as central control of personnel policies and labor relations) so that the group legally constitutes a single enterprise, and the entire enterprise employs a total of 100 or more employees.

B. All federal contractors (private employers), who:

1. are not exempt as provided for by 41 CFR 60-1.5,
2. have 50 or more employees, and
 - a. are prime contractors or first-tier subcontractors, and have a contract, subcontract, or purchase order amounting to \$50,000 or more; or
 - b. serve as a depository of Government funds in any amount, or
 - c. is a financial institution which is an issuing and paying agent for U.S. Savings Bonds and Notes.

Only those establishments located in the District of Columbia and the 50 states are required to submit Standard Form 100. No reports should be filed for establishments in Puerto Rico, the Virgin Islands or other American Protectorates.