

Final Guidance & Implementation Timeline

Affirmative Action Plan & Data Targets

February 1, 2022

We greatly appreciate all of the feedback that our community provided to us regarding the proposed changes to the Affirmative Action Plan and compliance data targets. We heard you! We received 26 comments on aspects of the AA Plan that were not up for review, but we are working to evaluate those comments and integrate them into our continuous improvement efforts. As a reminder, we were seeking public comment on:

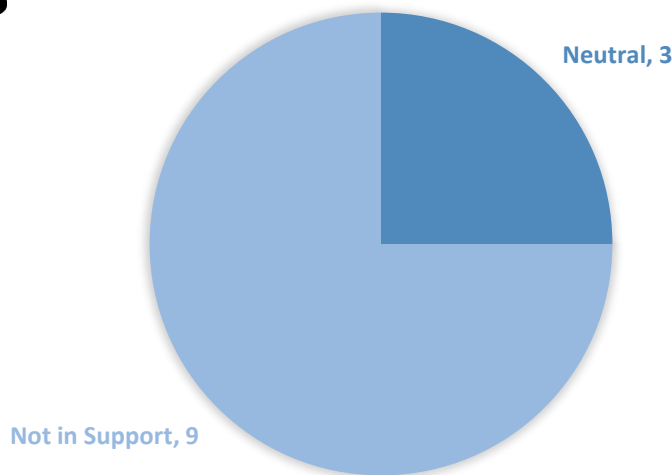
<p>AA Plan Data Targets</p> 	<p>Best Practices (Formerly known as good faith efforts)</p> 	<p>Construction Project Data Targets</p> 
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Comment Summary

Here is a brief summary of the comments we received in the three areas that were open to public comment:



AA PLAN DATA TARGETS - 12 COMMENTS



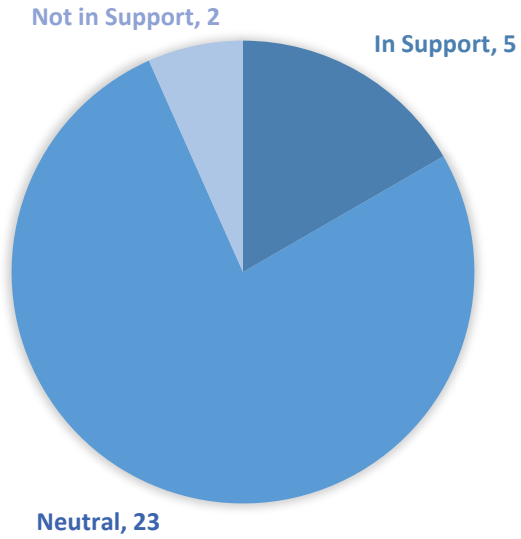
12 Comments on the AA Plan Data Target Increase

3 Neutral Comments/Questions

9 Not in Support



AA PLAN BEST PRACTICES - 30 COMMENTS



30 Comments on the new Best Practices

5 In Support

23 Neutral Comments/Questions

2 Not in Support



PROJECT DATA TARGETS - 3 COMMENTS



3 Comments on the Project Data; **3** Not in Support

Most Common Comments & Questions

Category	#	Comment	Response
Best Practices	9	Please provide more examples including how to document the best practices.	We will absolutely do this, and as a first step, we will add 3 new Best Practices with clear documentation so as to not overwhelm folks with implementation.
Best Practices	5	Broaden the Best Practice #6 for the RaISE Program to include hires from Community Based Organizations.	We will do this, on a temporary basis, until the RaISE program produces more referrals.
Various	5	General concerns about being a union contractor successful AA Planning.	Companies that are signatory to unions still have employees that are not – such as office staff including HR, finance, payroll, etc., that goals and Best Practices can apply to. We understand that union contractors may not have full control about who is sent to work in construction trades. These companies should focus most where they have control, or on their direct hires.
AA Plan Data Targets	4	Can we have industry-specific goals for Vendors and Suppliers?	This is a wonderful question and we will spend the next year researching how to best do this for both Vendors and Suppliers and Community Based Organizations. We will not raise the AA Plan data targets for Vendors & Suppliers and CBOs at this time.
Best Practices	4	The increased number of Best Practices is appreciated.	We are glad to hear that an increase in options works for our partners.
Best Practices	4	Could the trainee program include apprenticeship or interns?	At this time, we are going to pause and implement the in-house trainee program after we can provide more specific guidance on how to implement this type of program. When it is implemented, we do not believe interns nor apprentices will count.
Best Practices	3	How many Best Practices will we need to document?	Even though we are working up to 9 options, companies will still only be required to document 3 best practices.
AA Plan Data Targets	3	This is too big of an increase.	We heard you loud and clear on this, particularly for vendors and suppliers and CBOs. However, we are seeing construction companies hit these targets. We have decided to proceed with the change for construction AA Plans, and regroup for the vendors and suppliers and CBOs.

Other questions that were not as common but really got us thinking included:

How can a small business in particular work to implement these new best practices on a short timeline?	We really took this question to heart, and as a result we are going to have a phased implementation for the new Best Practices. We will start by adding 3, and by January 2023 we will completely shift.
What is the specific lookback period for the Best Practices?	We have specified a look back period in each.

Next Steps and Implementation

Based on the comments received, the Department of Civil Rights has determined we will phase implementation in the following way:



AA Plan Best Practices

We will slowly begin phasing in the new Best Practices.

February 15, 2022

The best practices options will include the current five, and we will add three more to begin. We will publish Resource Guides with tips on how to be successful in submitting these best practices.

The choices will be:

78a: Copies of TWO (2) new targeted AA outreach correspondences from the last 12 months (e.g., letters, emails, feature advertisements, documentation of in-person meetings), specifically requesting referral of minority and/or female applicants who are underutilized in your workforce, and directed to related diversity organizations. Also, include any organizations' responses, if received.

78b: Copies of documentation from the past 6 months or upcoming 6 months demonstrating your participation in, or registration for, a diversity- focused job fair with a plan for active outreach to under-utilized Affirmative Action group members.

78c: Copies of documentation from the past 6 months or upcoming 6 months showing your active participation in diversity-focused apprenticeship or internship programs.

78d: Copies of documentation or description of increased inclusion of under-utilized Affirmative Action group members into your hiring process that will occur in the following 6 months.

78e: Workforce Analysis and Goals table documenting net increase(s) in the overall employment percentage of your under-utilized Affirmative Action group(s), demonstrating Affirmative Action hiring progress from the prior year or your last submission.

78f: Copies of documentation of the existence of Employee Resource Group(s) focused on underutilized/target group(s).

78g: Copies of documentation from the last 24 months that the company has hired from the RaISE program or from an employment readiness training offered by a Community Based Organization.

78h: Copies of documentation from the last 12 months of one or two other strategies identified with the Department of Civil Rights customized to your business.

February – December 2022

Remaining new best practices and their accompanying resources guides and documentation will be added as they become available.

January 1, 2023

All new 9 best practices will be implemented and the previous good faith efforts will be removed. All resource guides and documentation standards will be shared.



AA Plan Target Data

We will have a phased implementation.

July 1, 2022

Any plan submitted on or after this date for Construction (Public Works) AA Plans will have the new data targets.

	Current	July 1, 2022
Public Works/Construction		
Racial Ethnic Group Members	6%	8%
Women	7%	15%

*Using US Census 2015-2019 PUMS File Industry Hours Worked for Dane County

January 1, 2023

Any plan submitted on or after this date for Vendors & Suppliers as well as Community Based Organizations will have new data targets. We are going to attempt industry-specific data.

Vendors and Suppliers		
Racial Ethnic Group Members	7%	TBD
Women	41.52%	TBD

Community Based Organizations		
Racial Ethnic Group Members	7%	TBD
Women	41.52%	TBD



Construction Project Target Data

We will move forward with implementation this summer. When considering the feedback, we looked at our current construction contracts. We are happy to report that contractors are already largely meeting the 3% target for Women and 13% for Racial Ethnic Group Members.

July 1, 2022

Any project that begins construction on or after this date will use the new construction target data on all construction projects. This is for public works and non-public works projects.

	Current	July 1, 2022
Racial Ethnic Group Members	6%	13%
Women	7%	3%

*Using US Census 2015-2019 ACS, PUMS File Construction Occupations Hours worked for Dane County