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# AFFIRMATIVE ACTION PLAN

**JANUARY 2, 2014**

Revised 01/02/14

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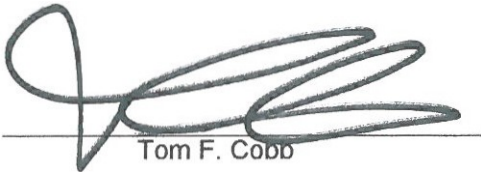
## COBB MECHANICAL CONTRACTORS EQUAL EMPLOYMENT OPPORTUNITY STATEMENT AND AFFIRMATIVE ACTION PROGRAM

### Statement of Policy

Cobb Mechanical Contractors will not discriminate against any employee or applicant for employment because of that person's race, color, creed, ancestry, religion, age, disability, medical condition, sex, sexual orientation, transgender, marital status, national origin, citizenship, based on genetic information or any other class protected by state or federal law and will treat all such employees or applicants equally as required by federal, state, and local law. Moreover, to the extent required under the relevant federal law pertaining to federal contractors, the Company will take affirmative action in an effort to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, age, sex, disability, national origin based on genetic information. Such action shall include, but not limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination, rates or pay or other forms of compensation; and selection for training, including apprenticeship.

A reference copy of the Affirmative Action Plan is maintained in the main and project offices. It is available for inspection upon request during usual business hours. Employees and applicants are encouraged to familiarize themselves with the Plan which contains a complaint procedure wherein employees and applicants are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an administrative investigation.

We do and will continue to make every effort to meet the letter and spirit of compliance regulations.



Tom F. Cobb

\_\_\_\_\_  
President

\_\_\_\_\_  
January 2, 2014  
Date



## **Affirmative Action Program**

### **1. EEO Director Responsibilities**

Jerry Bitner, Executive Vice President, will be the officer responsible for overall application of the program and will appoint Paula McKinney, as the Corporate Equal Employment Opportunity Director (hereinafter referred to as the EEO Director), along with Michelle Mitchell, Administrative Assistant to Jerry Bitner and Paula McKinney, to carry out the program. In addition, Divisional Director will be Jay Layton. The EEO Directors are hereby given full authority to carry out the following program:

- A. Develop policy statements and internal and external communication procedures.
- B. Assist line management to identify problem areas.
- C. Report to Jerry Bitner on progress of each unit in relation to company goals.
- D. Serve as liaison between company, government regulatory agencies, minority and women's organizations and other community groups.
- E. Disseminate current legal information affecting affirmative action regulations to responsible officials.
- F. Compile and submit, as necessary, all records, reports, files and lists that are required under the relevant federal laws, regulations, orders, and guidelines pertaining to federal contractors

### **2. Internal Dissemination of Policy**

Cobb Mechanical Contractors will strive to maintain a working environment that is free from harassment, intimidation and coercion at all sites and in all facilities at which Company employees are assigned to work. The Company shall take appropriate steps in an effort to ensure that all foremen, superintendents and other on-site supervisory personnel are aware of and carry out the Company's commitment to maintain such a working environment, with specific attention being given to minority or female individuals working at such sites or in such facilities. In connection with this effort, the Company will do the following:

- A. The Company will review its EEO policy and its affirmative action commitments with all of its management personnel and all of its employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions. The EEO Director, or some other knowledgeable Company official selected by the EEO Director, will conduct this review.
- B. The Company will review its EEO policy and its affirmative action commitments with its on-site supervisory personnel prior to the initiation of construction work at any job site.



- C. The Company's EEO policy will be explained to newly hired and current employees through nominated employees and bulletin board notices.

### 3. **External Dissemination of Policy**

In order to make the Company's Equal Employment Opportunity Policy known to all prospective employees and potential sources of employees, i.e., school employment agencies, college placement offices, etc. the Company will take the following action:

- A. The Company will post its EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.
- B. The Company will state in all solicitations or advertisements for employees that all qualified applicants will receive consideration for employment without regard to race, color, religion, age, sex, disability or national origin, as required by federal, state and local law.

The Company will list its EEO policy in publications that it may produce. The Company will also notify training programs of its EEO policy and will request their cooperation in assisting the Company to meet those obligations.

### 4. **Utilization of Minorities and Females**

The Company will make a good faith effort to meet the goals established by the Office of Federal Contract Compliance Programs for the utilization of minorities and females in the various crafts on all of its construction projects.

For the purpose of this plan, our commitment to specific goals as to minority and/or female work force utilization is to meet our affirmative action obligations under the equal opportunity clause of the contract. This commitment is not intended and shall not be used to discriminate against any qualified applicant or employee.

### 5. **Recruitment**

- A. The Company will advertise job openings in electronic media, newspapers, or other publications, having a circulation among minority and female groups in the area from which the Company's workforce would normally be derived.
- B. The Company will include the phrase "Equal Opportunity/Affirmative Action Employer" in all employment advertisement.
- C. The Company will conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority group applicants.
- D. The Company will encourage its present employees to refer minorities and female group applicants for employment.

- E. The Company will request employment agencies to refer qualified minorities and women.



## 6. Training and Promotion

- A. To the extent that its manpower requirements will permit, the Company will participate in training programs for the area (including upgrading programs and technical trade education and trainee programs relevant to the Company's employment needs), which expressly include minorities and females.
- B. The Company will evaluate its minority and female personnel for promotional opportunities.
- C. The Company will notify various minority and female recruitment sources in writing of available openings in training programs, to the extent that the Company is aware of these openings. Such notification, to the extent possible, will describe the openings, screening procedures and the tests to be used in the selection process and will be given at least one month prior to the date for the acceptance of applications for the program.

## 7. Contractor and Subcontractor Compliance

The Company will strive to obtain the compliance of subcontractors with its EEO policy, as well as with any pertinent rules, regulations or orders of the Secretary of the United States Department of Labor. In connection with this, the Company will include in its subcontracts and purchase orders those provisions required under Executive Order 11246.

When required by federal contract, the Company will make a good faith effort to utilize minority group subcontractors, suppliers and vendors. The Company reserves the right to determine if the firm is a bona fide Minority Business Enterprise and qualified to perform required work.

## 8. Other Work

The Company agrees that it will be bound by the equal opportunity clause required by the Executive Order 11246 with respect to its own employment practices when it participates in non-federal construction work during which time it also has a direct federal or federally assisted contract.

## 9. Non-Segregated Facilities

All employee facilities provided by the Company shall be non-segregated. These include but are not limited to such items as rest areas, parking lots, drinking fountains, and all other such common facilities. Toilets and necessary changing facilities will be such that privacy is offered to both males and females.



#### 10. **Disabled**

In accordance with federal and state law, the Company shall not discriminate against any employee or applicant for employment because of a physical or mental impairment in regard to any position for which the employee or applicant for employment is qualified. Moreover, to the extent required under the federal law pertaining to federal contractors, the Company will take affirmative action to employ, advance in employment and otherwise treat qualified individuals with a disability without discrimination based upon their physical or mental impairment in all employment practices.

#### 11. **Disabled Veterans and Veterans of the Vietnam Era**

In accordance with federal law, the Company shall not discriminate against any employee or applicant for employment because he or she is a disabled veteran or a veteran of the Vietnam Era in regard to any position for which the employee or applicant for employment is qualified. Moreover, to the extent required under the federal law pertaining to federal contractors, the Company shall take affirmative action to employ, advance in employment and otherwise treat qualified disabled veterans and veterans of the Vietnam Era without discrimination based on their disability or veteran status.

#### 12. **Refusal to Deal with Debarred or Ineligible Contractor or Subcontractors**

The Company agrees that it will refrain from entering into any contract or contract modifications subject to Executive Order 11246 with a contractor or subcontractor debarred from or who has not demonstrated eligibility for direct federal or federally assisted construction contracts pursuant to the Executive Order.

#### 13. **Personnel Actions**

In an effort to ensure that the Company's personnel practices, including its seniority practices, job classifications, and work assignments, do not have a discriminatory impact, the Company will continually monitor its personnel and employment related activities. In connection with this effort, the Company will do the following:

- A. The Company will review the adherence of its supervisors to the Company's EEO policy and its affirmative action obligations.
- B. The Company will impose such sanctions and penalties for violations of the Company's EEO policy and its affirmative action program as may be required under the relevant federal law.

#### 14. **Record Keeping**

The Company will maintain and, if necessary, submit those records, reports, files and lists that are required under the relevant federal laws, regulations, orders and guidelines pertaining to federal contractors.



**15. Limitation on the Company's Affirmative Action Commitments**

Cobb Mechanical Contractors is undertaking the affirmative action obligations set forth above solely in an effort to comply with the relevant federal laws, rules, regulations, orders and guidelines pertaining to federal contractors. By undertaking those obligations, Cobb Mechanical Contractors does not intend to assume any affirmative action obligations beyond that which is required under the relevant law. Accordingly, by undertaking those obligations, Cobb Mechanical Contractors does not intend to create any contractual obligations on its part toward any individual or groups of individuals. Any deviation from those affirmative action obligations therefore shall not give rise to any private cause of action based on contract.