Affirmative Action Compliance

Goods & Services

Montclair State University must obtain certification of compliance with Equal Opportunity and Affirmative Action requirements for the State of New Jersey. For any single purchase over $33,000 or for multiple purchases with a single supplier in the same fiscal year that reach this threshold, the supplier must provide the following:


If the supplier does not have either of the above, they must provide Montclair State University with a copy of:

- A completed AA302 Employee Information Report form along with a copy of the check that was submitted to the NJ Department of Treasury, Division of Purchase and Property. Once the Certificate is obtained by the supplier, it should be faxed to the Montclair State University Procurement Services Department at 973-655-5468, or to the buyer working on the procurement. A copy of the AA302 form is attached.

In addition, please find the Affirmative Action language for review.
EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: 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. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.
EXHIBIT A (Cont)

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division’s website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.
STATE OF NEW JERSEY  
Division of Purchase & Property  
Contract Compliance Audit Unit  
EEO Monitoring Program  

EMPLOYEE INFORMATION REPORT

IMPORTANT: READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED $150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. FOR INSTRUCTIONS ON COMPLETING THE FORM, GO TO:  

SECTION A - COMPANY IDENTIFICATION

1. FID. NO. OR SOCIAL SECURITY
   1. MPG  2. SERVICE  3. WHOLESALE  
   4. RETAIL  5. OTHER  3. TOTAL NO. EMPLOYEES IN THE ENTERING COMPANY

4. COMPANY NAME

5. STREET  
   CITY  COUNTY  STATE  ZIP CODE

6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)  
   CITY  STATE  ZIP CODE

7. CHECK ONE: IS THE COMPANY:  
   □ SINGLE-ESTABLISHMENT EMPLOYER  □ MULTI-ESTABLISHMENT EMPLOYER

8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ

9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THIS CONTRACT
   CITY  COUNTY  STATE  ZIP CODE

Official Use Only

DATE RECEIVED  NAILED DATE  ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, 3. DO NOT SUBMIT AN EEO-1 REPORT.

<table>
<thead>
<tr>
<th>JOB CATEGORIES</th>
<th>ALL EMPLOYEES</th>
<th>PERMANENT MINORITY/ (NON-MINORITY EMPLOYEE BREAKDOWN)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>COL. 1</td>
<td>COL. 2</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>MALE</td>
</tr>
<tr>
<td>Officials/ Managers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professionals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technicians</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales Workers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office &amp; Clerical</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Craftworkers (Skilled)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operators (Semi-skilled)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laborers (Unskilled)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service Workers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total employment
From previous Report (if any)
Temporary & Part-Time Employees

The data below shall NOT be included in the figures for the appropriate categories above.

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED
   □ 1. Visual Survey  □ 2. Employment Record  □ 3. Other (Specify)

13. DATES OF PAYROLL PERIOD USED
   From:  To:

14. IS THIS THE FIRST Employee Information Report Submitted?  
   □ YES  □ NO

15. IF NO, DATE LAST REPORT SUBMITTED
   MO. DAY YEAR

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type)  
   SIGNATURE  TITLE  DATE
   MO. DAY YEAR

17. ADDRESS NO. & STREET  
   CITY  COUNTY  STATE  ZIP CODE  PHONE (AREA CODE, NO.,EXTENSION)
INSTRUCTIONS FOR COMPLETING THE
EMPLOYEE INFORMATION REPORT (FORM AA302)

IMPORTANT: READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM.
PRINT OR TYPE ALL INFORMATION. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO
SUBMIT THE REQUIRED $150.00 NON-REFUNDABLE FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. IF
YOU HAVE A CURRENT CERTIFICATE OF EMPLOYEE INFORMATION REPORT, DO NOT COMPLETE THIS
FORM UNLESS YOUR ARE RENEWING A CERTIFICATE THAT IS DUE FOR EXPIRATION. DO NOT COMPLETE
THIS FORM FOR CONSTRUCTION CONTRACT AWARDS.

ITEM 1 - Enter the Federal Identification Number assigned by
the Internal Revenue Service, or if a Federal Employer
Identification Number has been applied for, or if your
business is such that you have not or will not receive a
Federal Employer Identification Number, enter the Social
Security Number of the owner or of one partner, in the case
of a partnership.

ITEM 2 - Check the box appropriate to your TYPE OF
BUSINESS. If you are engaged in more than one type of
business check the predominate one. If you are a
manufacturer deriving more than 50% of your receipts from
your own retail outlets, check "Retail".

ITEM 3 - Enter the total "number" of employees in the entire
company, including part-time employees. This number shall
include all facilities in the entire firm or corporation.

ITEM 4 - Enter the name by which the company is identified.
If there is more than one company name, enter the
predominate one.

ITEM 5 - Enter the physical location of the company. Include
City, County, State and Zip Code.

ITEM 6 - Enter the name of any parent or affiliated company
including the City, County, State and Zip Code. If there is
none, so indicate by entering "None" or N/A.

ITEM 7 - Check the box appropriate to your type of company
establishment. "Single-establishment Employer" shall include
an employer whose business is conducted at only one
physical location. "Multi-establishment Employer" shall
include an employer whose business is conducted at more
than one location.

ITEM 8 - If "Multi-establishment" was entered in item 8, enter
the number of establishments within the State of New Jersey.

ITEM 9 - Enter the total number of employees at the
establishment being awarded the contract.

ITEM 10 - Enter the name of the Public Agency awarding the
contract. Include City, County, State and Zip Code. This is
not applicable if you are renewing a current Certificate.

ITEM 11 - Enter the appropriate figures on all lines and in all
columns. THIS SHALL ONLY INCLUDE EMPLOYMENT
DATA FROM THE FACILITY THAT IS BEING AWARDED
THE CONTRACT. DO NOT list the same employee in more
than one job category. DO NOT attach an EEO-1 Report.

Racial/Ethnic Groups will be defined:
Black: Not of Hispanic origin. Persons having origin in any of
the Black racial groups of Africa.
Hispanic: Persons of Mexican, Puerto Rican, Cuban, or
Central or South American or other Spanish culture or origin,
regardless of race.
American Indian or Alaskan Native: Persons having origins
in any of the original peoples of North America, and who
maintain cultural identification through tribal affiliation or
community recognition.
Asian or Pacific Islander: Persons having origin in any of
the original peoples of the Far East, Southeast Asia, the
Indian Sub-continent or the Pacific Islands. This area
includes for example, China, Japan, Korea, the Phillipine
Islands and Samoa.
Non-Minority: Any Persons not identified in any of the
aforementioned Racial/Ethnic Groups.

ITEM 12 - Check the appropriate box. If the race or ethnic
group information was not obtained by 1 or 2, specify by what
other means this was done in 3.

ITEM 13 - Enter the dates of the payroll period used to
prepare the employment data presented in Item 12.

ITEM 14 - If this is the first time an Employee Information
Report has been submitted for this company, check block
"Yes".

ITEM 15 - If the answer to Item 15 is "No", enter the date
when the last Employee Information Report was submitted by
this company.

ITEM 16 - Print or type the name of the person completing
the form. Include the signature, title and date.

ITEM 17 - Enter the physical location where the form is being
completed. Include City, State, Zip Code and Phone Number.

TYPE OR PRINT IN SHARP BALL POINT PEN
THE VENDOR IS TO COMPLETE THE EMPLOYEE INFORMATION REPORT FORM (AA302) AND RETAIN A COPY FOR THE
VENDOR'S OWN FILES. THE VENDOR SHOULD ALSO SUBMIT A COPY TO THE PUBLIC AGENCY AWARDING THE CONTRACT
IF THIS IS YOUR FIRST REPORT, AND FORWARD ONE COPY WITH A CHECK IN THE AMOUNT OF $150.00 PAYABLE TO
THE TREASURER, STATE OF NEW JERSEY (FEE IS NON-REFUNDABLE) TO:
NJ Department of the Treasury
Division of Purchase & Property
Contract Compliance Audit Unit
EEO Monitoring Program
P.O. Box 206
Trenton, New Jersey 08625-0206
Telephone No. (609) 292-5473