

## **Notice to Subcontractors, Suppliers, Vendors, and Labor Organizations**

**Subject: Nondiscrimination**

To: \_\_\_\_\_  
(Contractor is to Specify name of the specific subcontractors, suppliers, vendors, and labor organizations)

As a bidder and/or recipient of a contract for Project \_\_\_\_\_ with the State System of Higher Education, (Prime Contractor): \_\_\_\_\_ hereby provides the following notice that we will comply with the nondiscrimination clause of a contract for the work as stated below:

### **Nondiscrimination Clause**

- (1) The contractor shall not discriminate against any employee, applicant for employment, independent contractor, or any other person because of race, color, religious creed, ancestry, national origin, age, or sex.

The contractor shall take affirmative action to ensure that applicants are employed, and that employees or agents are treated during employment, without regard to their race, color, religious creed, ancestry, national origin, age, or sex. Such affirmative action shall include, but is not 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.

The contractor shall post in conspicuous places, available to employees, agents, applicants for employment, and other persons, a notice to be provided by the contracting agency setting forth the provisions of this nondiscrimination clause.

- (2) The contractor shall, in advertisements or requests for employment placed by it or on its behalf, state all qualified applicants will receive consideration for employment without regard to race, color, religious creed, ancestry, national origin, age, or sex.
- (3) The contractor shall send a labor union or workers representative with which it has a collective bargaining agreement or other contract or understanding, a notice advising said labor union or workers representative of its commitment to this nondiscrimination clause. Similar notice shall be sent to every other source of recruitment regularly used by the contractor.
- (4) It shall be no defense to a finding of noncompliance with the Contract Compliance Regulations or this nondiscrimination clause that the contractor had delegated some of its employment practices to any union, training program, or other source of recruitment.
- (5) Where the practices of a union or of any training program or other source of recruitment will result in the exclusion of minority group persons, so that the contractor is unable to meet its obligations under the Contract Compliance Regulations, or this nondiscrimination clause, the contractor shall then employ and fill vacancies through other nondiscriminatory employment procedures.

- (6) The contractor shall comply with the Contract Compliance Regulations 22 Pennsylvania Code, Chapter 509, and with all laws prohibiting discrimination in hiring or employment opportunities. In the event of the contractor's noncompliance with the nondiscrimination clause of this contract or with any such laws, this contract may be terminated or suspended, in whole or in part, and the contractor may be declared temporarily ineligible for further System contracts, and such other sanctions may be imposed and remedies invoked as provided by the Contract Compliance Regulations.
- (7) The contractor shall furnish all necessary employment documents and records to, and permit access to its books, records and accounts by, the contracting agency for purposes of investigation to ascertain compliance with the provisions of the Contract Compliance Requirements.
- (8) The contractor shall actively recruit minority subcontractors and subcontractors/suppliers with substantial minority representation among their employees.
- (9) The contractor shall include the provisions of this nondiscrimination clause in every subcontract or agreement with each supplier so that such provisions will be binding upon each subcontractor/supplier.
- (10) The contractor's obligations under this clause are limited to the contractors facilities within Pennsylvania or, where the contract is for purchase of goods manufactured outside of Pennsylvania, the facilities at which such goods are actually produced.

Dated at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
(Name of Prime Contractor)                      ..... (Signature & Title of Person Signing)

**Acknowledgement:**

As a subcontractor, supplier, vendor, or labor organization supplying labor, materials, or services for the references project, on behalf of our firm, I hereby acknowledge receipt of and will require compliance by our firm with the non-discrimination provisions for any contracts or agreements awarded to our firm for the project as listed above.

\_\_\_\_\_  
(Name of Subcontractor, Supplier, Vendor, or Labor Organization)                      ..... (Signature & Title of Person Signing)