

FHWA 1391 REPORTING GUIDE AND INSTRUCTIONS FOR 2022

1. FHWA 1391 is an annual EEO Report filed each year by contractors who work federal-aid projects during the month of July. **If a contractor performs work at any time during the month of July they are required to provide an FHWA 1391.**
2. **In 2022, the LCPtracker online payroll program will automatically generate and file 1391 forms for all projects bid after October 1, 2017.**
3. **If a contractor was not required to file certified payroll using LCPtracker but must file a 1391 form*, please use FHWA 1391 Additional Data Entry function on LCPtracker to enter the required data. Any questions contact Daniel Weaver (701) 328-2605 or dweaver@nd.gov.**
4. The reporting period is the **last full week in the month of July each year.**
5. Truck owner-operators, haulers of petroleum products, brokers, vendors, suppliers, regular dealers, and manufacturers are not considered contractors and are not required to file this report.
6. The staffing figures which LCPtracker will report will be limited to the last full pay period in the month of July. A full pay period is **seven calendar days**. For example:

If, for the year 2022, a contractor's pay period normally ends on a:

Monday	-	the report will cover the period ending July 25
Tuesday	-	the report will cover the period ending July 26
Wednesday	-	the report will cover the period ending July 27
Thursday	-	the report will cover the period ending July 28
Friday	-	the report will cover the period ending July 29
Saturday	-	the report will cover the period ending July 30
Sunday	-	the report will cover the period ending July 31

7. Log into your contractor account on LCPtracker, after your payroll for the week described in #6 above has been certified, approved and accepted. From there, please do Additional Data Entry for 1391 for any employees that worked on the project but did not appear on payroll (typically management, professional and technical workers). You may do this by going to the "1. Payroll Records" tab and hitting the "FHWA 1391 Additional Data Entry" button. Once you have entered this additional data, you will be asked to certify the data, with your Title and ESignature, just as when you certify weekly payroll. The system will accept this data – other portions of the 1391 will be populated automatically.
8. The system will automatically generate your 1391 data and report it to the NDDOT. The NDDOT recommends that all contractors review and verify the data after payrolls have been certified, approved, and accepted. Do not print, sign, and mail it to the NDDOT as it has been electronically filed.
9. If you have concerns after verifying data, please contact Daniel Weaver at (701) 328-2605 or dweaver@nd.gov.
10. All contractors should complete Additional Data Entry and Certification of the 1391 Report by September 01, 2022. If you must file a paper FHWA 1391, please provide an electronic copy (i.e. email a pdf copy) to dweaver@nd.gov by September 01, 2022.

*This situation will arise when the contractors have only bona fide owners or truck drivers onsite a de minimus amount working on the project.