

## Pennsylvania law prohibits discrimination:

1. By Commonwealth agencies in the award of contracts and grants;
2. By those awarded Commonwealth contracts and grants in their award of subcontracts and supply contracts; and
3. By those awarded Commonwealth contracts and grants in the hiring and treatment of their employees

*Executive Order No. 2006-02, 4 Pa. Code Section 1.511 (1)-(3).*

**Everyone has a responsibility to ensure that discrimination does not occur.**

When discrimination occurs, individuals, organizations and/or business firms are treated differently based solely on their race, gender, creed or color. Discrimination is wrong, it is unfair, it is illegal and discrimination by state agencies will result in adverse consequences for the Commonwealth.

Contractors and Grantees are responsible for compliance with the nondiscrimination clause in their state contracts. Discrimination will result in adverse consequences for the contractor/grantee.

The Commonwealth of Pennsylvania's Contract Compliance Program was established to ensure that discrimination, and its negative effects do not occur in the three areas identified above.

## Resources

*Available on the DGS website:*

- Laws and Regulations
- Nondiscrimination clause
- Contract Compliance (CC) forms
- Contract Compliance posters

[www.dgs.state.pa.us](http://www.dgs.state.pa.us)

Click "Doing Business with the Commonwealth"

Click "Contract Compliance"

New contractors, grantees and new state agency initiators or CC Staff should contact DGS to get a profile adjustment to access their respective areas of the DGS website

## For Assistance, Contact:

State agency CC Staff, or

PA Human Relations Commission  
301 Chestnut Street, Suite 300  
Harrisburg, PA 17105-3145  
717-787-4410 or 717-787-4087 (TT)  
[www.phrc.state.pa.us](http://www.phrc.state.pa.us), or

Department of General Services (DGS)  
Bureau of Minority and Women  
Business Opportunities  
Contract Compliance  
717-783-5034 or 717-783-3119  
[gs-bmwbo@state.pa.us](mailto:gs-bmwbo@state.pa.us)



# Commonwealth of Pennsylvania Contract Compliance Program

## Understanding and Achieving Nondiscrimination Compliance in State Awarded Contracts and Grants

## **The Contract Compliance**

**Program** is administered through the Department of General Services (DGS) by agencies under the Governor's jurisdiction.

### **The Contract Compliance Program:**

- Includes standards for a uniform statewide program that ensures nondiscrimination by Commonwealth contractors and grantees
- Requires agencies to develop agency contract compliance programs, plans, reports, and procedures that are consistent with the DGS contract compliance policies
- Includes monitoring and reporting systems to measure the effectiveness of agency contract compliance programs
- Offers leadership, training and assistance to agencies in conducting contract compliance program audits including periodic on-site audits
- Involves investigations and the preparation of reports relating to the administration of contracting programs and operations
- Requires contractors and grantees to agree, as a condition in their contracts or agreements with the Commonwealth, not to discriminate in the award of subcontract or supply contracts or in hiring, promotion, or other labor matters on the basis of race, gender, creed, or color

### **Submission and Audit of STD-21:**

1. Agencies send the STD-21 form, Initial Contract Compliance Data (STD-21), to contractors and grantees
2. Contractors and Grantees, with five or more employees, submit the completed STD-21 form to the issuing agency if the awardee has not been the subject of a contract compliance (CC) audit during the past year
3. CC Staff analyzes initial data and informs awardees of CC status
4. CC Staff conducts CC audits as needed and provides technical assistance to ensure compliance
5. Agencies provide annual CC Plan, CC Policy Statement and reports to DGS
6. Agencies and DGS resolve CC disputes with contractors and grantees and impose sanctions as necessary to ensure compliance

### **Automated Compliance System:**

1. Agency procurement and grant administration enter preliminary data, which emails the STD-21 to the Contractor or Grantee
2. Contractor or Grantee emails request for exemption or completes and submits the online form, which emails data to state agency CC Staff
3. CC Staff uses computer analysis of awardees' workforce diversity and analyzes STD-21 data to determine if there are compliance issues to address

### **Full Document and Onsite Audits:**

Agency CC Staff conducts periodic audits of contract and grant awardees' employment practices to ensure nondiscrimination.

1. Contractors and Grantees that have received state awards are obligated by the contract's nondiscrimination clause to provide access to their records
2. Contractors and Grantees provide documentation of their written sexual harassment policy and how employees are informed of it
3. Contractors and Grantees verify the non-discrimination clause is in their sub-contracts and provide other requested data on their employment practices
4. Employees may be interviewed by state agency CC Staff regarding their work experience
5. Agency CC Staff provides written feedback and assistance regarding deficiencies and, when corrected, provides a two-year Compliance notice

