

# Table of Contents

AEPA 023-G Part D Questionnaire - Athletics - FINAL-CNDFICCA21	2
AEPA 023-G Part E - Signature Forms - Athletics - FINAL	16
Exhibit A - FlagHouse Marketing Plan	24
ExhibitB - Flaghouse Proposal with Shipping terms 023-G Athletic Supplies	26
NJVendor Contact Form 1	27
Tabulation By Vendor_IFB#023-G_orgId_709728	28
AAP 2021	29
***Minorities & Women AAP***	29
Minorities & Women Narrative	30
Workforce Analysis	46
Job Group Analysis	60
Availability Analysis	69
Placement Goals	84
Progress Toward Goals	86
Disparity Analysis Cover Page	88
Disparity Analysis - Hires	89
Disparity Analysis - Terminations	92
***Protected Veterans AAP***	96
Protected Veterans Narrative	97
Protected Veterans Assessment of External Outreach	113
Protected Veterans Data Collection Analysis	114
Protected Veterans Three Year Data Collection	115
Protected Veterans Benchmarks for Hiring	116
***Individuals with Disabilities AAP***	118
Individuals with Disabilities Narrative	119
IWD Assessment of External Outreach	134
IWD Data Collection Analysis	135
IWD Three Year Data Collection	136
IWD Utilization Analysis	137

## Part D - Questionnaire

AEPA 023-G

Athletic Equipment and Supplies

### **Instructions**

This questionnaire contains forms and requests for information required by AEPA for vendor evaluation for responsiveness and responsibility.

To submit the required forms, follow these steps:

1. Read the documents in their entirety.
2. Respondents must use Part D – Questionnaire to its capacity. Attached exhibits and/or supplemental information should be included only when requested.
3. Complete all questions.
4. Save all pages in the correct order to a single PDF format titled “***Part D – Questionnaire – Name of Company***”.
5. Submit Part D, along with other required documents in Public Purchase.

**The following sections will need to be completed prior to submission and submitted as one single PDF titled “Part D – Questionnaire – Name of Company”:**

[Company Information](#)

[Service Questionnaire](#)

[Exceptions](#)

[Deviations](#)

## Company Information

<b>Name of Company:</b>	Flaghouse Inc
<b>Company Address:</b>	601 Rt 46 West
<b>City, State, zip code:</b>	Hasbrouck Heights, NJ 07604
<b>Website:</b>	www.flaghouse.com
<b>Contact Person:</b>	Daniel Ficca
<b>Title:</b>	Contracts Manager
<b>Phone:</b>	201-288-7600
<b>Email:</b>	dficca@flaghouse.com

## Background

**Note:** Generally, AEPA will not accept an offer from a business that is less than five (5) years old or which fails to demonstrate and/or establish a proven record of business. If the respondent has recently purchased an established business or has proof of prior success in either this business or a closely related business, provide written documentation and verification in response to the questions below. AEPA reserves the right to accept or reject newly formed companies based on information provided in this response and from its investigation of the company.

This business is a: \_\_\_\_\_ public company                      X \_\_\_\_\_ privately owned company

In what year was this business started under its present name?                      1954

Under what additional, or, former name(s) has your business operated?

Is this business a corporation?	<u>      No      </u>	<u>      X      </u>	Yes. If yes, complete the following:
Date of Incorporation:	<u>January 18, 1954</u>		
State of Incorporation:	<u>New York</u>		
Name of President:	<u>George Carmel</u>		
Name(s) of Vice President(s):	<u>Doug Carmel</u>		
Name of Treasurer:	<u>Doug Carmel</u>		
Name of Secretary:	<u>Doug Carmel</u>		

Is this business a partnership?   X   No            Yes. If yes, complete the following:

Date of Partnership: \_\_\_\_\_

State Founded: \_\_\_\_\_

Type of Partnership, if applicable: \_\_\_\_\_

Name(s) of General Partner(s): \_\_\_\_\_

**Is this business individually owned?**        X        **No**                      **Yes. If yes, complete the following:**

**Date of Purchase:**      \_\_\_\_\_

**State Founded:**      \_\_\_\_\_

**Name of Owner/Operator:**      \_\_\_\_\_

Is this business different from those identified above?	X	No	Yes
---	---	----	-----

If yes, describe the company's format, year and state of origin and names and titles of the principles below.

Is this business women-owned?   X   No        Yes

Is this business minority-owned?   X   No        Yes

Does this business have an Affirmative Action plan/statement?        No   X   Yes

### Business Headquarter Location

Business Address 601 RT 46 WEST

City, State, zip code HASBROUCK HEIGHTS NJ 07604

Phone 800-793-7900

How long at this address? 26 YEARS

### Business Branch Location(s)

Branch Address 50 E WILMOT ST

City, State, zip code RICHMOND HILL ON L4B 3Z3 CANADA

Branch Address

City, State, zip code

Branch Address

City, State, zip code

Branch Address

City, State, zip code

*\*If more branch locations exist, insert information here or add another sheet with the above information.*

### Sales History

Provide your business's annual sales for in the United States by the various public segments.

	2020	2021	2022 YTD
K-12 (public & private), Educational Service Agencies	3,795,000	6,321,229	4,066,382
Higher Education Institutions	190,000	224,525	177,909
Counties, Cities, Townships, Villages	311,000	745,400	222,339
States	(in # above)	(in # above)	(in # above)
Other Public Sector & Non-profits	3,206,000	2,816,753	3,054,990
Private Sector	3,752,000	5,305,071	2,833,081
<b>Total</b>	11,254,000	15,412,978	10,354,701

Provide your business's annual sales for **products and services that meet this solicitation's scope of work** in the United States by the various public segments.

	2020	2021	2022 YTD
K-12 (public & private), Educational Service Agencies	2,197,847	4,135,683	2,263,823
Higher Education Institutions	76,760	108,742	<u>58,121</u>
Counties, Cities, Townships, Villages	398,617	569,446	116,639
States	(in # above)	(in # above)	(in # above)
Other Public Sector & Non-profits	761,276	1,815,353	1,092,989
Private Sector	1,652,611	2,133,386	1,927,135
<b>Total</b>	4,997,111	8,762,610	5,458,707

**Work Force**

**Key Contacts and Providers:** Provide a list of the individuals, titles, and contact information for the individuals who will provide the following services on a national and/or local basis:

Function	Name	Title	Phone	Email
Contract Manager	Donna Luongo	CFO	201-329-7619	dluongo@flaghouse.com
Sales Manager	Daniel Ficca	Sales Manager	800-265-6900	<a href="mailto:dficca@flaghouse.com">dficca@flaghouse.com</a>
Customer & Support Manager	Michael Hollaway	Contract Manager	800-793-7900	mholllaway@flaghouse.com
Distributors, Dealers, Installers, Sales Reps				
Consultants & Trainers				
Technical, Maintenance & Support Services	KIRK SMITH	OPERATIONS MANAGER	800-793-7900	ksmith@flaghouse.com
Quotes, Invoicing & Payments	MICHAEL HOLLAWAY	CONTRACT MANAGER	800-793-7900	mholllaway@flaghouse.com
Warranty & After the Sale	KIRK SMITH	OPERATIONS MANAGER	800-793-7900	ksmith@flaghouse.com
Financial Manager	TONI FERRANTE	FINANCE	800-793-7900	tferrante@flaghouse.com

**Sales Force:** Provide total number and location of salespersons employed by your business in the United States by completing the following: *(To insert more rows, hit the tab key from the last field in the State column.)*

Number of Sales Reps	City	State
6	HASBROUCK HEIGHTS	NJ
5	RICHMOND HILL (supporting US business)	ONTARIO, CANADA

**Describe** how your company will implement training and knowledge of the contract with your respective sales force. Furthermore, describe how your company plans to support and train your sales force on a national, regional, or local level and generally assist with the education of sales personnel about the resulting contract.

FlagHouse Sales Team will be trained to inform prospects, customers, show attendees and/or outbound phonecontacts about our AEPA contract and how Agency Members can access our contracted pricing and shopping portal. In fact, several of our territory sales representatives have experience in working with AEPA contracts from prior positions. FlagHouse contracts are reviewed by sales team at bi-monthly sales meetings, and collateral/marketing needs are reviewed quarterly. Further, AEPA logo with link to contract information will be added to state representative collateral and email signatures, and new promotion strategies will be reviewed and discussed at sales trainings

**What is** your company's plan, if your company were awarded the contract, to service up to 29 states. Describe if your company has a national sales force, dealer network, or distributor(s) with the ability to call on eligible agencies in the participating states in AEPA.

FlagHouse has a national sales force of 11 representatives with specific state sales territories. Sales representatives will make outbound calls to eligible agencies to promote the AEPA contract. Outbound calls will also correspond with scheduled marketing efforts such as eblasts. AEPA Contract Manager will also be assigned to liaison with 29 state agency leads to maximize promotion opportunities

## Products, Services & Solutions

Provide a description of the Products, Services & Solutions to be provided by the product category set forth in Part B - Specifications. The primary objective is for each Supplier to provide its complete product, service, and solutions offerings that fall within the scope of this solicitation so that participating agencies may order a range of products as appropriate for their needs.

FlagHouse will be submitting thousands of its products in the following categories as noted in Part B-Specifications: Archery, Baseball/Softball, Basketball, Field/Ice Hockey, Fitness Products, Physical Education, Tennis, Volleyball and Other categories

## Distribution

**Describe** how your company proposes to distribute the products and services nationwide, regionally, or at the local level.

Products are delivered direct from our warehouse in NJ, or direct from drop ship vendor partners as applicable

**Service/Support and Distribution Centers:** Provide the type (service/support or distribution) and location of centers that support the United States by completing the following: *(To insert more rows, hit the tab key from the last field in the State column.)*

Center Type	City	State
CUSTOMER SERVICE & SALES	RICHMOND HILL	ONTARIO, CANADA
SALES	HASBROUCK HEIGHTS	NJ
DISTRIBUTION CENTER	HASBROUCK HEIGHTS	NJ

**Describe** the criteria and process by which your company selects and approves subcontractors, distributors, installers, and other independent services.

NA

**Provide** a list of current subcontractors, distributors, installers, and other independent service providers who are contracted to perform the type of work outlined in this solicitation in the member agency states. Include, if applicable, contractor license or certificate information and the state(s) wherein they are eligible to provide services on behalf of the business.

NA

**If applicable**, describe your company's ability to do business with manufacturer/dealer/distribution organizations that are either small or MWBE businesses as defined by the Small Business Administration.

NA

**If applicable**, describe other ways your company can be sensitive to a participating agencies desire to utilize local and/or MWBE companies, such as the number of local employees and offices with a geographic region, companies your firm uses that may be local (i.e. delivery company), your own company's diversity of owner employees, etc.

NA

**If applicable**, provide details on any products or services being offered by your company where the manufacturer or service provider is either a small or MWBE business as defined by the Small Business Administration. Provide product/service name, company name and small/MWBE designation.

## Marketing

**Key Marketing Contact(s):** List the name(s), title(s) and contact information of the business's key national and regional marketing office(s). *To insert more rows, hit the tab key from the last field in the Email column.*

Name	Title	Phone	Email
DARA HERSKOVITZ	MARKETING MANAGER		dherkovits@flaghouse.com
BARBARA POLUHOVICH	MARKETING MANAGER		bpoluhovich@flaghouse.com
MONICA BENITEZ	WEB MANAGER		mbenitez@flaghouse.com

**Describe** how this business marketed its products and services to schools, nonprofit organizations, and other public sector audiences in Fiscal Year 2021– 2022 (July 1 – June 30). List all conventions, conferences, and other events at which this company exhibited.

Throughout its 65-year history, FlagHouse has met the needs of AEPA Members, as we service thousands of institutional customers every year across the US and Canada. Our customers work primarily in education, government, healthcare, and recreation sectors, including preschools, universities, community and fitness centers, summer camps, hospitals, clinics, correctional facilities, military bases, and religious and charitable organizations. In addition to mailing approximately 1,200,000 catalogs to US schools, nonprofit organizations and other public sector audiences annually, FlagHouse has robust campaigns for internet search engines, paid internet advertising, email newsletters and social media that direct prospects and customers to new products and services on the FlagHouse.com website. Social media generated over 29,000 leads and our outbound blasts reached over 95,600 new contacts. In addition, FlagHouse attended over 6 industry trade shows and conferences including; National SHAPE America, National Camping Association, National Recreation and Parks Association, American Association International Education, American Occupational Therapy Association, Florida SHAPE, California SHAPE, Texas SHAPE, Resort and Commercial Recreation Association, American School Health Association, American Public Health Association, JCCA of North America, NJ Park and Recreation Association, New York State Park and Recreation, Boys and Girls Clubs of American, National YMCA Conference, US Gymnastics Show.

**Describe** how your company will market the resulting contract to eligible Member Agencies. Describe how your company differentiates the new agreement from existing contracts that your company may hold today. Please be specific and detailed in your response.

See attached Exhibit B – Marketing Plan

**Cooperative Marketing.** Describe ways in which your company will collaborate with AEPA Member Agencies in marketing the resulting contract. Submit any supplemental materials as PDFs and title it Exhibit A – Marketing Plan.

- Process on how the contract will be launched to current and potential agencies.
- The ability to produce and maintain in full color print advertisements in camera-ready electronic format, or electronic advertisements, including company logos and contact information.
- Anticipated contract announcements, planned advertisements, industry periodicals, other direct or indirect marketing activities promoting the AEPA awarded contract.
- How the contract award will be displayed/linked on the Respondent's website.

See attached Exhibit B – Marketing Plan

## Environmental Initiatives

**Describe** how your products and/or services support environmental goals.

N/A

**Indicate** if your company has any products in your offering that have any third-party environmental certifications.

NA

**Describe** the business's "green" objectives (i.e. LEED, reducing footprint, etc.).

Our company is dedicated to making the Earth safer, healthier and more beautiful for our children so we support the GREEN initiative. We use recyclable paper for all our catalogue printing and have initiatives within the company to print all paper two-sided, refrain from printing wherever possible and recycle all garbage appropriately. We use energy efficient lighting in our warehouse. Our offices and distribution center recycle all paper products, use only recycled printing paper and our catalogs are 100% recyclable. We ship products in recycled corrugated boxes and stuffing material. Our office heating system uses a modern modular boiler system that is 90% efficient. Our distribution center heating system uses fuel efficient heaters, which are controlled individually by thermostats. We have skylights in the distribution center and naturalized lighting throughout the office. Our distribution center lighting system uses energy efficient T5/T8 fluorescent bulbs, which are controlled by motion sensors. Our office cooling system has updated controls that make the system more energy efficient. We only use green disinfectants and cleaning products. We partner with green conscious companies such as Funding Factory and continue to strive for green solutions in our future endeavors.

**Describe** what percentage of your offering is environmentally preferable and what are your company's plans to improve this offering.

Less than 5%

## Additional Information

**Describe** any/all features, advantages and benefits of your organization that you feel will provide additional value and benefit to a participating AEPA agency.

FlagHouse is a premier global source of quality equipment and programs serving physical education, recreation, special needs therapies and education. We provide resources that enable physical activity, learning and play—to make the world more accessible and rewarding for everyone, regardless of age or ability. For over 65 years, this local, family owned company and its employees have been dedicated to enriching the quality of life for all people with a wide range of equipment and programs to be active, play, learn, and enjoy life fully. When customers order from us, they are not just getting "stuff", they are getting our commitment; to provide quality products and a team of dedicated employees empowered to satisfy our customers' needs. AEPA member agencies have our commitment to providing not only the products specified, but to a seamless and high-quality experience. With FlagHouse owners on site in Hasbrouck Heights, NJ, and Executive level corporate support, we have compiled a dedicated AEPA team that will prioritize details from start to completion.

**If applicable**, describe your company's ability to integrate into other ecommerce sites:

Include details about your company's ability to create punch out sites and accept orders electronically (cXML, OCI, etc.).

Provide detail on where your company has integrated with a public agency's ERP (Oracle, Infor Lawson, SAP, etc.) system in the past and include some details about the resources you have in place to support these integrations. List, by ERP provider, the following information: name of public agency, ERP system



used, “go live” date, net sales per calendar year since “go live”, and percentage of agency sales being processed through this connection.

Click or tap here to enter text.

## Disclosures

**Legal: Does this business have actions currently filed against it?** X No Yes

If **Yes**, **AN ATTACHMENT IS REQUIRED**: List and explain current actions, such as, Federal Debarment (on US General Services Administration’s “Excluded Parties List”), appearance on any state or federal delinquent taxpayer list, or claims filed against the retainage and/or payment bond for projects.

## References

Provide contact information of your business’s five largest public agency customers.

Agency	Name	Title	Phone Number	Email
1. Univ California, Davis	Paul Tabarez	CalFresh Physical Activity Coordinator	530-752-0711	pjtabarez@ucdavis.edu
2. Santa Clara County Health Dept	Celeste Cordeiro	Health Planning Specialist	408-793-2785	Celeste.Cordeiro@phd.sccgov.org
3. GSA	Cindy Brice	Contract Manager 7QSBKB	817-850-8383	Cindy.brice@gsa.gov
4. Maricopa County Cooperative Ext	Brittany Hobe	Program Coordinator	602-827-8244	BrittanyM@email.arizona.edu
5. San Bernadino County Schools	Farrah Northcott	Manager	909-386-2917	Farrah.northcott@sbcss.net

## Service Questionnaire

The following chart indicates which AEPA Member States intend to participate in this solicitation category. Respond to Yes/No and choice questions by using an (X). **Note: A Respondent must be willing and able to deliver the proposed products and/or services to 90% of the participating AEPA Member States.**

AEPA Member States	Participating in this category.	In which states has this company sold products/services in the past 3 years? (Place an X where applicable)	If awarded, which states does this company propose to sell in? (Place an X where applicable)	Indicate which states this company has sales reps, distributors or dealers in. (Place an X where applicable)
California	Yes	X	X	
Colorado	Yes	X	X	
Connecticut	Yes	X	X	
Florida	Yes	X	X	
Georgia	Yes	X	X	
Illinois	No	X	X	
Indiana	Yes	X	X	
Iowa	Yes	X	X	
Kansas	Yes	X	X	

Kentucky	Yes	<u>X</u>	<u>X</u>	
Massachusetts	Yes	<u>X</u>	<u>X</u>	
Michigan	Yes	<u>X</u>	<u>X</u>	
Minnesota	Yes	<u>X</u>	<u>X</u>	
Missouri	Yes	<u>X</u>	<u>X</u>	
Montana	Yes	<u>X</u>	<u>X</u>	
Nebraska	Yes	<u>X</u>	<u>X</u>	
New Jersey	Yes	<u>X</u>	<u>X</u>	<u>X – NJ based/Cover USA</u>
New Mexico	Yes	<u>X</u>	<u>X</u>	
North Dakota	Yes	<u>X</u>	<u>X</u>	
Ohio	Yes	<u>X</u>	<u>X</u>	
Oregon	Yes	<u>X</u>	<u>X</u>	
Pennsylvania	Yes	<u>X</u>	<u>X</u>	
South Carolina	Yes	<u>X</u>	<u>X</u>	
Texas	Yes	<u>X</u>	<u>X</u>	
Virginia	Undecided	<u>X</u>	<u>X</u>	
Washington	Yes	<u>X</u>	<u>X</u>	
West Virginia	Yes	<u>X</u>	<u>X</u>	
Wisconsin	Yes	<u>X</u>	<u>X</u>	
Wyoming	Yes	<u>X</u>	<u>X</u>	

**e-Commerce:** Does this business have an e-commerce website? \_\_\_\_\_ **No** X **Yes**

If YES, what is the website? www.flaghouse.com

**Customer and Support Service:** It is understood depending on the type, kind and level of products and/or services being proposed in response to this solicitation will impact and determine the type and level of services required and these are identified in Part B Specifications of this solicitation.

Does this business have online customer support options? \_\_\_\_\_ **No** X **Yes**

Does this business have a toll-free customers support phone option? \_\_\_\_\_ **No** X **Yes**

Does this business offer local customer and support service options? \_\_\_\_\_ **No** X **Yes**

**State** your normal delivery time (in days) and any options for expediting delivery.

Ship within 48 hours

**State** your backorder policy. Do you fill the order when available, or cancel the order and require participating agencies to reorder if items are backordered?

Fill when available

**Describe** your company's payment terms as well as any quick pay discounts.

Net 30

**State** your company's return policy and any applicable State restocking fees. A copy of the return policy must be included in the vendor's response. It may be uploaded as a PDF.

FlagHouse promises you will be satisfied, or we will refund 100% of your purchase for up to one full year. Our promise extends even further when you buy any FlagHouse-branded products – guaranteed for two years. If the product is returned because of a defect, or as a result of an error on FlagHouse's part, we will assume all freight costs and

arrange pickup. If the customer does not want the item that they ordered after receiving it, the customer is responsible for the cost of return freight. We do not charge a restocking fee.

**Describe** any special program that your company offers that will improve customers' ability to access products, on-time delivery, or other innovative strategies.

FlagHouse relationships with our vendors will allow for us to give AEPA agencies priority to product and delivery . In addition we have secured additional inventory of our core physical education items to reduce customer wait times due to pandemic supply chain delays.

## Pricing

Is your pricing methodology guaranteed for the term of the contract? \_\_\_\_\_ **No** X **Yes**

Will you offer customized price lists to participating entities as required per the pricing terms of Part A? X \_\_\_\_\_ **No** \_\_\_\_\_ **Yes**

Will you offer hot list pricing (optional) as described in the pricing terms of Part A? X \_\_\_\_\_ **No** \_\_\_\_\_ **Yes**

Will you offer volume price discounts as described in the pricing terms of Part A? X \_\_\_\_\_ **No** \_\_\_\_\_ **Yes**

Bidder does not have an established volume discount policy, but will be glad to negotiate volume discounts upon request.

**Competitiveness:** In order for your response to be considered, your company must offer AEPA prices that are equal to or lower than those normally offered to individual entities or cooperatives with equal or lower volume.

Is the pricing that is proposed to AEPA equal to or lower than pricing your company offers to individual entities or cooperatives with equal to or lower volume? \_\_\_\_\_ **No** X \_\_\_\_\_ **Yes**

Indicate which of the following apply and the **level of competitive range** you are offering in response to this solicitation.

\_\_\_\_\_ Pricing offered to AEPA is EQUAL TO pricing offered to individual customer and/or cooperatives.

X\_\_\_\_\_ Pricing is LESS THAN individual customer and/or cooperatives. Lower by 5-15% %

**Cooperative Contracts:** Does your business currently have contracts with other cooperatives (local, regional, state, national)? \_\_\_\_\_ **No** X \_\_\_\_\_ **Yes**

If YES, identify which cooperative and the respective expiration date(s).

AEPA -HVAC 21.75 2022

Sourcewell 2023

BuyBoard 2023

EdData 2022

NCPA 2022

Hunterdon County NJ 2022

If YES, and your business is awarded an AEPA contract, explain which contract your business will lead with in marketing and sales representative presentations (sales calls)?

FlagHouse Marketing promotions and Sales outreach efforts will feature the AEPA contract as our primary national contract for physical education products .

<b>Administrative Fee:</b> Which of the following best reflects how your pricing includes the individual AEPA Members' administrative fee. Mark with an "X".	
	The pricing for the products and/or services are the same for each AEPA Member Agency, shipping, handling, administrative fee and other specific state costs are added to arrive at total price offered to the Individual AEPA Member Agency.
X	The pricing for the products and/or services is inclusive of the administrative fee and therefore the pricing is the same for all AEPA Member Agencies. Shipping, handling and other state specific costs are added to the adjusted AEPA Member Agency's price.
	The pricing for the products and/or services includes <b>ALL</b> (shipping, handling, administrative fee, other) costs to arrive at a single price for all AEPA Member Agencies.

**Leasing:** Do your business offer leasing arrangements under this solicitation?   X   **No**            **Yes**

If Yes, please indicate how the rate factor is determined and other cost factors below.

[Click or tap here to enter text.](#)

**If an AEPA contract is approved and awarded by the Member Agencies, as a Vendor Partner, I agree to:**

<b>Responsibilities</b>	<b>Yes, indicate with an "X"</b>	<b>No, indicate with an "X"</b>
1. Designate and assign a dedicated senior-level contract manager (one authorized to make decisions) to each of the Member Agency accounts. This employee will have a complete copy and must have working knowledge of the AEPA contract.	X	
2. Train and educate sales staff on what the AEPA contract is: including pricing, who can order from the contract (by state), terms/conditions of the contract, and the respective ordering procedures for each state. It is expected that Vendor Partners will lead with AEPA contracts.	X	
3. Develop a marketing plan to support the AEPA contract in collaboration with respective AEPA Member Agencies. The marketing plan should include, but not be limited to, a website presence, electronic mailings, sales flyers, brochures, mailings, catalogs, etc.	X	
4. Create an AEPA-specific sell sheet with a space to add a Member Agency logo and contact information for use by the Member Agencies and the Vendor Partner's local sales representatives to market within each state.	X	
5. On a quarterly basis, complete the sales and administrative fee report (see attached PDF example) and submit to each Member Agency along with the respective administrative fees to be paid. If there are no sales, the Vendor Partner is required to submit a \$0 report to the AEPA Member Agency.	X	
6. Have ongoing communication with the Category Oversight Chairperson, AEPA Member Agencies and the Member Agencies Participating Entities.	X	
7. Attend two (2) AEPA meetings each year (see Part A)	X	
8. Participate in national and local conference trade shows to promote the AEPA contracts including, but not limited to the Association of School Business Officials (ASBO), the National Institute of Governmental Purchasing (NIGP), and the National Association of Educational Procurement (NAEP).	X	
9. Increase sales over the term of the contract with all participating AEPA Member Agencies.	X	

# Exceptions

## Instructions:

1. Mark "No" or "Yes" with an "X" below.
2. If "yes" is marked with an "X" below, insert answers into the form shown below, providing narrative explanations of exceptions. *(To insert more rows, hit the tab key from the last field in the last row and column.)*
3. If adding pages, the company name and identifying information as to which item the response refers must appear on each page.
4. Exceptions to local, state or federal laws cannot be accepted under this solicitation.

X	<b>No</b> , this respondent does not have exceptions to the Terms and Conditions incorporated in Parts A and B of this IFB.
	<b>Yes</b> , this respondent has the following exceptions to the Terms and Conditions incorporated in Parts A and/or B of this solicitation.

IFB Section and Page Number	Outline Number	Term and Condition	Exception

## Deviations

### Instructions:

1. Mark "No" or "Yes" with an "X" below.
2. If "yes" is marked with an "X" below, insert answers into the form shown below, providing narrative explanations of deviations. *(To insert more rows, hit the tab key from the last field in the last row and column.)*
3. If adding pages, the company name and identifying information as to which item the response refers must appear on each page.
4. Deviations to local, state, or federal laws cannot be accepted under this solicitation.

	<b>No</b> , this respondent does not have deviations (exceptions or alternates) to the specifications listed in Part B of this solicitation.
X	<b>Yes</b> , this respondent has the following deviations to the specifications listed in Part B of this solicitation.

Outline Number Part B	Specification (describe)	Details of Deviation
8.3.1	Orders that are \$150.00 or more shall include shipping in the cost, unless clearly noted otherwise in the bid response. Vendor shall add actual shipping costs only for all orders that are less than \$150.00.	Vendor does not require a minimum order. Shipping charges are not included in the cost. Vendor adds 16% of order for parcel ship items. Vendor adds 16% of order plus \$75 per order if order contains any items identified as shipping by Truck. If lift-gate, inside or residential delivery services are required, additional charges will be quoted. Minimum shipping charge is \$10.
8.3.2	For products greater than \$150.00 that do not include shipping due to size, weight or hazard costs, products will ship FOB Destination, freight prepaid, and added to invoice. Freight will be quoted and provided to the Participating Agency/Entity prior to purchase order (PO) approval. The products that do not include shipping in the cost must be clearly identified.	Vendor adds 16% of merchandise total, plus \$75 per order, for freight if order contains any items identified as shipping by "TRUCK." Upon request, Vendor will quote the freight prior to purchase order approval. If customer requires lift-gate, inside, residential delivery or other services, Vendor will quote any applicable charges. Vendor will quote freight prior to purchase order approval if order contains any items identified as "TRUCK FREIGHT QUOTE."

## Part E – Signature Forms

### AEPA 023-G

### Athletic Equipment and Supplies

#### **Instructions**

Contained herein are forms that **require a signature** from an authorized person at your company. All items found within this document are **mandatory**. Failure to sign the required areas, sections, or signature lines will allow AEPA to consider your company's proposal as **non-responsive**.

To submit the required signed forms, follow these steps:

1. Read the documents in their entirety.
2. Complete all forms and sign when required.
3. Return the forms and pages **in their correct order and scan one (1) single PDF format titled “Part E – Signature Forms – Name of Bidding Company”** (i.e. one PDF document for all signature forms).
4. Submit Part E, along with other required documents in Public Purchase.

\*Note, a bid checklist has been provided to review with your submission.

The following sections will need to be completed prior to submission as **one (1), single PDF** titled “Part E – Signature Forms – Name of Bidding Company”.

**Uniform Guidance “EDGAR” Certification Form** – \*signature required

**Bid Affidavit** – \*signature required

**Acceptance of Bid & Contract Award** – \*signature required



## Uniform Guidance “EDGAR” Certification Form

### 2 CFR Part 200

When a purchasing agency seeks to procure goods and services using funds under a federal grant or contract, specific federal laws, regulations, and requirements may apply in addition to those under state law. This includes, but is not limited to, the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 CFR 200, referred to as the “Uniform Guidance” or new “EDGAR”. All Respondents submitting proposals must complete this EDGAR Certification form regarding the Respondent’s willingness and ability to comply with certain requirements, which may apply to specific agency purchases using federal grant funds.

For each of the items below, the Respondent will certify its agreement and ability to comply, where applicable, by having the Respondent’s authorized representative check, initial the applicable boxes, and sign the acknowledgment at the end of this form. If a Respondent fails to complete any item of this form, AEPA will consider and may list the response, as the Respondents are unable to comply. A “No” response to any of the items below may influence the ability of a purchasing agency to purchase from the Respondent using federal funds.

#### 1. Violation of Contract Terms and Conditions

Provisions regarding Respondent default are included in AEPA’s terms and conditions. Any contract award will be subject to such terms and conditions, as well as any additional terms and conditions in any purchase order, ancillary agency contract, or construction contract agreed upon by the Respondent and the purchasing agency, which must be consistent with and protect the purchasing agency at least to the same extent as AEPA’s terms and conditions. The remedies under the contract are in addition to any other remedies that may be available under law or in equity.

#### 2. Termination for Cause of Convenience

For a participating agency purchase or contract in excess of \$10,000 made using federal funds, you agree that the following term and condition shall apply:

The participating agency may terminate or cancel any purchase order under this contract at any time, with or without cause, by providing seven (7) business days in advance written notice to the Respondent. If this agreement is terminated in accordance with this paragraph, the participating agency shall only be required to pay Respondent for goods and services delivered to the participating agency prior to the termination and not otherwise returned in accordance with the Respondent’s return policy. If the participating agency has paid the Respondent for goods and services provided as the date of termination, Respondent shall immediately refund such payment(s).

If an alternate provision for termination of a participating agency’s purchase for cause and convenience, including how it will be affected and the basis for settlement, is in the participating agency’s purchase order, ancillary agreement or construction contract agreed to by the Respondent, the participating agency’s provision shall control.

#### 3. Equal Employment Opportunity

Except as otherwise provided under 41 CFR Part 60, all participating agency purchases or contract that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 shall be deemed to include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR Part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

The equal opportunity clause provided under 41 CFR 60-1.4(b) is hereby incorporated by reference. Respondent agrees that such provision applies to any participating agency purchase or contract that meets the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 and Respondent agrees that it shall comply with such provision.

#### 4. Davis Bacon Act

When required by Federal program legislation, Respondent agrees that, for all participating agency contracts for the construction, alteration, or repair (including painting and decorating) of public buildings or public works, in excess of \$2,000, Respondent shall comply with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, Respondent is required to pay wages

to laborers and mechanics at a rate not less than the prevailing wages specific in a wage determination made by the Secretary of Labor. Also, Respondent shall pay wages not less than once a week.

Current prevailing wage determinations issued by the Department of Labor are available at [www.wdol.gov](http://www.wdol.gov). Respondent agrees that, for any purchase to which this requirement applies, the award of the purchase to the Respondent is conditioned upon Respondent's acceptance of wage determination.

Respondent further agrees that it shall also comply with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each construction completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled under his contract of employment, shall be defined under this title or imprisoned not more than five (5) years, or both.

#### **5. Contract Work Hours and Safety Standards Act**

Where applicable, for all participating agency purchases in excess of \$100,000 that involve the employment of mechanics or laborers, Respondent agrees to comply with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, Respondent is required to compute the wages of every mechanic and laborer based on a standard workweek of 40 hours. Work in excess of the standard workweek is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the workweek. The requirements of the 40 U.S.C. 3704 applies to construction work and provides that no laborer or mechanic must be required to work in surroundings or under working conditions that are unsanitary, hazardous, or dangerous. These requirements do not apply to the purchase of supplies, materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

#### **6. Right to Inventions Made Under a Contract or Agreement**

If the participating agency's federal award meets the definition of "funding agreement" under 37 CFR 401.2(a) and the recipient or sub-recipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance or experiments, developmental or research work under the "funding agreement," the recipient or sub-recipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

#### **7. Clean Air Act and Federal Water Pollution Control Act**

Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended, contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). When required, Respondent agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act and the Federal Water Pollution Control Act.

#### **8. Debarment and Suspension**

Debarment and Suspension (Executive Orders 12549 and 12689), a contract award (see 2 CFR 180.222) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1966 Comp. p. 189) and 12689 (3 CFR Part 1989 Comp. p. 235), "Debarment and Suspension." SAM exclusions contain the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Respondent certifies that the Respondent is not currently listed and further agrees to immediately notify AEPA and all participating agencies with pending purchases or seeking to purchase from the Respondent if Respondent is later listed on the government-wide exclusions in SAM, or is debarred, suspended, or otherwise excluded by agencies or declared ineligible under state statutory or regulatory authority other than Executive Order 12549.

## **9. Byrd Anti-Lobbying Amendment**

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352), Respondents that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that take place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

## **10. Procurement of Recovered Materials**

For participating agency purchases utilizing Federal funds, Respondent agrees to comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act where applicable and provide such information and certifications as a participating agency may require to confirm estimates and otherwise comply. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery, and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

## **11. Profit as a Separate Element of Price**

For purchases using federal funds in excess of \$150,000, a participating agency may be required to negotiate profit as a separate element of the price. See 2 CFR 200.323(b). When required by a participating agency, Respondent agrees to provide information and negotiate with the participating agency regarding profit as a separate element of the price for a particular purchase. However, Respondent agrees that the total price, including profit, charged by the Respondent to the participating agency shall not exceed the awarded pricing, including any applicable discount, under the Respondent's contract with AEPA.

## **12. General Compliance with Participating Agencies**

In addition to the foregoing specific requirements, Respondent agrees, in accepting any purchase order from a participating agency, it shall make a good faith effort to work with a participating agency to provide such information and to satisfy requirements as may apply to a particular purchase or purchases including, but not limited to, applicable record keeping and record retention requirements as noted in the Federal Acquisition Regulation, FAR 4.703(a).

## **13. Governing Law; Forum Selection.**

Respondent acknowledges and agrees that any legal action or proceeding in which the Association of Educational Purchasing Agencies, Inc. ("AEPA"), is a party, that in any way relates to this solicitation, any contract award or the services provided thereunder, any other document executed in connection herewith, or for recognition and enforcement of any judgment in respect hereof brought by Respondent, a participating agency, or other party hereto, or its successors or assigns, will be governed by, construed and interpreted by the laws of the Commonwealth of Kentucky, and must be brought and determined in the state courts of the Commonwealth of Kentucky in Warren County, Kentucky, or the United States Western District of Kentucky (and may not be brought or determined in any other forum or jurisdiction), and each party hereto submits with regard to any action or proceeding for itself and in respect of its property, generally and unconditionally, to the sole and exclusive jurisdiction of the aforesaid courts and waives any further objection.

Respondent further acknowledges and agrees that any legal action or proceeding in which a party includes a participating agency, but does not include AEPA as a party, that in any way relates to this solicitation, any contract award or the services provided thereunder, any other document executed in connection herewith, or for recognition and enforcement of any judgment in respect hereof brought by Respondent, a participating agency, or other party hereto, or its successors or assigns, will be governed by, construed and interpreted by the laws of the state in which the participating agency is domiciled, and must be brought and determined in the state in which the participating agency is domiciled (and may not be brought or determined in any other forum or jurisdiction), and each party hereto submits with regard to any action or proceeding for itself and in respect of its property, generally and unconditionally, to the sole and exclusive jurisdiction of the aforesaid courts and waives any further objection.

By initialing the table (1-13) and signing below, I certify that the information in this form is true, complete and accurate and I am authorized by my business to make this certification and all consents and agreements contained herein.

Respondent Certification (By Item)	Respondent Certification: YES, I agree or NO, I do NOT agree	Initial
1. Violation of Contract Terms and Conditions	YES	DF
2. Termination for Cause of Convenience	YES	DF
3. Equal Employment Opportunity	YES	DF
4. Davis-Bacon Act	YES	DF
5. Contract Work Hours and Safety Standards Act	YES	DF
6. Right to Inventions Made Under a Contract or Agreement	YES	DF
7. Clean Air Act and Federal Water Pollution Control Act	YES	DF
8. Debarment and Suspension	YES	DF
9. Byrd Anti-Lobbying Amendment	YES	DF
10. Procurement of Recovered Materials	YES	DF
11. Profit as a Separate Element of Price	YES	DF
12. General Compliance with Participating Agencies	YES	DF
13. Governing Law; Forum Selection.	YES	DF

Flaghouse Inc

Name of Business

*Daniel Ficca*

Signature of Authorized Representative

Daniel Ficca

Printed Name

08/12/2022

Date

## Solicitation Affidavit

**Instructions:** This form must be signed by the business's authorized representative and notarized below. If awarded, the Respondent is required to produce a copy of this document for each Member Agency with which it contracts.

1. The undersigned, is duly authorized to represent the persons, business and corporations joining and participating in the submission of the foregoing bid (such persons, business and corporations hereinafter being referred to as the Respondent), being duly sworn, on his/her oath, states that to the best of his/her belief and knowledge no person, business or corporation, nor any person duly representing the same joining and participating in the submission of the foregoing bid, has directly or indirectly entered into any agreement or arrangement with any other Respondents, or with any official of the **Member Agency**, or any employee thereof, or any person, business or corporation under contract with the **Member Agency** whereby the Respondent, in order to induce the acceptance of the foregoing bid by the **Member Agency**, has paid, or is to pay to any other Respondent, or to any of the aforementioned persons, anything of value whatever, and that the Respondent has not, directly nor indirectly entered into any arrangement, or agreement, with any other Respondent or Respondents which tends to or does lessen or destroy free competition in the letting of the contract sought for by the foregoing bid.
2. This is to certify that the Respondent, or any person on his/her behalf, has not agreed, connived, or colluded to produce a deceptive show of competition in the manner of the bidding, or award of the referenced contract.
3. This is to certify that neither I, nor to the best of my knowledge, information and belief, the Respondent, nor any officer, director, partner, member or associate of the Respondent, nor any of its employees directly involved in obtaining contracts with the **Member Agency**, or any subdivision of the state has been convicted of false pretenses, attempted false pretenses, or conspiracy to commit false pretenses, bribery, attempted bribery or conspiracy to bribe under the laws of any state or federal government for acts or omissions after January 1, 1985.
4. This is to certify that the Respondent or any person on his behalf has examined and understands the terms, conditions, the scope of work and specifications, and other documents of this solicitation and that any and all exceptions have been noted in writing and have been included with the bid submittal.
5. This is to certify that if awarded a contract, the Respondent will provide the equipment, commodities, and/or services to members and affiliate members of the Agency in accordance with the terms, conditions, the scope of work and specifications and other documents of this solicitation in the following pages of this bid.
6. This is to certify that the Respondent is authorized by the manufacturer(s) to sell all proposed products on a national basis.
7. This is to certify that we have completed, reviewed, approved, and have included all information that is required of these bid forms.

Daniel Ficca

Authorized Representative (Please print or type)

601 Rt 46 West

Mailing Address

Daniel Ficca

Title (Please print or type)

Hasbrouck Heights NJ 07604

City, State, Zip

*Daniel Ficca*

Signature of Authorized Representative

08/12/2022

Date



Association of Educational  
PURCHASING AGENCIES

## Acceptance of Solicitation & Contract

**Instructions:** PART I of this form is to be completed by the Respondent and signed by its Authorized Representative. PART II will be completed by the AEPA Member Agency only upon the occasion of the bid award. If approved by AEPA, the Respondent is required to produce a copy of the document for each of the AEPA Member Agency with which it contracts.

### PART I: RESPONDENT

In compliance with the Published Solicitation (IFB OR RFP), the undersigned warrants that I/we have examined all Instructions to Respondents, associated documents, and being familiar with all of the conditions of the solicitation, hereby offer and agree to furnish all labor, materials, supplies, and equipment incurred in compliance with all terms, conditions, specifications, and amendments associated with this IFB OR RFP and any written exceptions to the bid. The signature also certifies understanding and compliance with the certification requirements of the AEPA Member Agency's Terms and Conditions and/or Special Terms and Conditions. The undersigned understands that their competence, ability, capacity and obligations to offer and provide the proposed tangible personal property, professional services, construction services, and other services on behalf of the Vendor Partner as well as other factors of interest to the AEPA Member Agency as stated in the evaluation section, will be a consideration in making the award.

Business Name	<u>Flaghouse Inc</u>	Date	<u>08/12/2022</u>
Address	<u>601 Rt 46 West</u>	City, State Zip	<u>Hasbrouck Heights NJ 07604</u>
Contact Person	<u>Daniel Ficca</u>	Title	<u>Contract Manager</u>
Authorized Signature	<u><i>Daniel Ficca</i></u>	Title	<u>Contract Manager</u>
Email	<u>dficca@flaghouse.com</u>	Phone	<u>800-265-6900 ext 4765</u>

### PART II: AWARDING MEMBER AGENCY

Your bid response for the above-identified bid is hereby accepted. As a Vendor Partner, you are now bound to offer and provide the products and services identified within this solicitation, your response, and approved by AEPA, including all terms, conditions, specifications, exceptions, and amendments. As a Vendor Partner, you are hereby not to commence any billable work or provide any products or services under this contract until an executed purchase order is received from the AEPA Member Agency or Participating Entities. This contract intends to constitute the final and complete agreement between the AEPA Member Agency and Vendor Partner, and no other agreements, oral or otherwise, regarding the subject matter of this contract, shall bind any of the parties hereto. No change or modification of this contract shall be valid unless in writing and signed by both parties to this contract. If any provision of this contract is deemed invalid or illegal by any appropriate court of law, the remainder of this contract shall not be affected thereby. The initial term of this contract shall be for up to fifteen (15) months and will commence on the date indicated below and continue until February 28, 2024 unless terminated, canceled, or extended. By mutual written agreement the contract may be extended for three (3) additional 12-month periods after this initial contract term. In the event the AEPA Board does not recommend renewal of the contract, or the contract expires, it may be extended for up to six (6) months by an AEPA state.

Awarding Agency \_\_\_\_\_

Authorized Representative \_\_\_\_\_

Awarded this	day of	Contract Number
Contract to commence (Member Agency to select)	3/1/2023	Or



## Solicitation Checklist

**Instructions:** Utilize the checklist below, reviewing to confirm that all the required documents have been uploaded to Public Purchase, in their **specified/required format**, by the due date and time listed for this solicitation. **Submissions not following the specified/required format may result in being marked non-responsive and may not be considered for evaluation.** Respondents are reminded that failure to follow, comply with, and adhere to the enclosed instructions of this solicitation may result in their response being deemed non-responsive. AEPA, its Member Agencies, affiliate agencies, and authorized representatives are not responsible for bid proposals that are incomplete, unreadable, or received after the solicitation deadline submission date.

"X"	Document Title, Uploaded to Public Purchase (Respondent must submit documents in the required title/format)	Format of Uploaded Document	Notes
	<b>Bid Bond – if Required, see Part B if applicable.</b>	Upload PDF copy. The original must be received by Lakes Country Service Cooperative by due date and time.	Send to Lakes Country Service Cooperative.
	<b>Part C – State-Specific Forms – Name of Responding Company</b>	Single, Scanned PDF	<b>New Jersey Only Requirement.</b> Signatures Required.
	<b>Part D - Questionnaire – Name of Responding Company</b> Includes: <ul style="list-style-type: none"> <li>• Company Information</li> <li>• Service Questionnaire</li> <li>• Exceptions</li> <li>• Deviations</li> </ul>	Single, Scanned PDF	<b>Required.</b>
	<b>Part E – Signature Forms – Name of Responding Company</b> Includes: <ul style="list-style-type: none"> <li>• Uniform Guidance “EDGAR” Certification</li> <li>• Bid Affidavit</li> <li>• Acceptance of Bid &amp; Contract Award</li> </ul>	Single, Scanned PDF	<b>Required.</b> Signatures required.
	<b>Part F – Pricing Schedule – Name of Responding Company</b>	Excel Workbook	<b>Required.</b>
	<b>Price List and/or Catalog – Name of Responding Company</b>	Upload PDF	<b>Required.</b>
	<b>Exhibit A – Marketing Plan – Name of Responding Company</b>	Scanned PDF	<b>Optional.</b> Form not provided by AEPA, Respondent Created
	<b>Company Return Policy</b>	Upload PDF	<b>Required.</b> Form not provided by AEPA. Respondent created.

## EXHIBIT A – Marketing Plan

### FlagHouse - Part D Questionnaire

**Cooperative Marketing.** Describe ways in which your company will collaborate with AEPA Member Agencies in marketing the resulting contract. Submit any supplemental materials as PDFs and title it Exhibit B – Marketing Plan.

- Process on how the contract will be launched to current and potential agencies.
- The ability to produce and maintain in full color print advertisements in camera-ready electronic format, or electronic advertisements, including company logos and contact information.
- Anticipated contract announcements, planned advertisements, industry periodicals, other direct or indirect marketing activities promoting the AEPA awarded contract.

How the contract award will be displayed/linked on the Respondent's website

#### **1. How will contract will be launched to current and potential agencies**

FlagHouse will collaborate with the Member Agencies to jointly plan and implement multi-channel sales and marketing strategies to maximize awareness of our Awarded Vendor status with AEPA and engage directly with AEPA members. Our plans to promote the AEPA contract include:

- Targeted messaging campaigns via email, internet search advertising and/or direct mail to public entities among our current customers and to prospects.
- Messaging on FlagHouse catalogs and social media channels to drive inquiries to our sales team and the [www.Flaghouse.com](http://www.Flaghouse.com) website.
- Develop an AEPA-specific sell sheet with each Member Agency's logo and contact information for use by the Member Agencies and our sales representatives to market within each state. FlagHouse will designate and assign
- Our website will feature the AEPA information, product specifications, and the contract discount pricing.
- Promotion of the AEPA contract in virtual trade show conferences we sponsor, and at in-person conferences when we can exhibit again.
- Provide FlagHouse company description and navigation link for AEPA Member Agencies to feature on their websites, to take public entities to the shopping portal where they will receive the bid pricing, including additional volume discounts.

**2. Explain ability to produce and maintain in full color print advertisements in camera-ready electronic format, including company logos and contact information, anticipated contract announcements, planned advertisements, industry periodicals, other direct or indirect marketing activities promoting the AEPA awarded contract.**

FlagHouse has a 7-person in-house marketing team, plus external marketing support and consultants, to manage print and digital catalog and other advertising production, graphic design, web design, e-



commerce, internet advertising, search engine optimization, social media content and presence, trade show marketing, videography, and analytics.

**3. How will the contract award be displayed/linked on the Bidder's website**

- We will have a dedicated, co-branded landing page and shopping portal on our website.
- We will include the AEPA logo and link to the landing page on a contracts page within our website.

## AEPA 023-G

### Athletic Aids and Supplies

### FLAGHOUSE Proposal Overview

#### Proposal Details:

- For category items bid on AEPA 023-G there is a *FlagHouse PE and Rec* catalog discount of 5-15% as noted on Part F Pricing Workbook.
- For orders of items that ship by parcel carrier, Vendor adds 16% of the merchandise total to invoice.
- Vendor adds 16% of merchandise total, plus \$75 per order, for freight if order contains any items identified as shipping by “TRUCK.” Upon request, Vendor will quote the freight prior to purchase order approval. If customer requires lift-gate, inside, residential delivery or other services, Vendor will quote any applicable charges.
- Vendor will quote freight prior to purchase order approval if order contains any items identified as “TRUCK FREIGHT QUOTE.”
- Vendor’s proposal cannot be combined with any other promotional offer or special pricing, except with Vendor’s approval.

#### Discount Exceptions:

Discounts are not applicable to CATCH®, Project Adventure®, AAASP®, Snoezelen®, Fit & Fun™ and AngelSense® branded products.

Discounts do not apply to the following product categories – playground and park/site amenities, lockers, free weights and weight equipment, sex education kits, air purifiers, Covid/PPE items and Exergame/interactive technology products.

Standard shipping and handling charges apply to items that are excluded from the catalog discount proposal.

**This page should be included in your electronic file in Word format**

so that we can copy and paste into our website.

Please do not handwrite the information; type it in.

If you are awarded a contract with the ESCNJ, we will post this contact sheet on our website for members to contact. Please complete and include with your bid package. List the individual(s) who will be best equipped to handle calls from our 1,300+ members and have knowledge of your award.

**ATHLETIC EQUIPMENT AND SUPPLIES**

**Bid AEPA 023-G**

**Vendor  
FLAGHOUSE**

**Representative**

**DANIEL FICCA**

**Address**

**601 RT 46 WEST,  
HASBROUCK HTS NJ  
07604**

**Telephone #**

**8007937900**

**Fax #**

**800 793 7922**

**Email**

**info@flaghouse.com**

**Website**

**www.flaghouse.com**

**Association of Educational Purchasing Agencies**  
**Tabulation Report IFB #023-G - Athletic Equipment &**  
**Supplies**  
**Vendor: FlagHouse, Inc**

**General Comments:** I have put the catalog-pricing as a .pdf and xls. The xls has hidden columns that will help out.

**General Attachments:** AAP 2021.pdf  
AEPA 023-G Part C Completed.pdf  
AEPA 023-G Part D Questionnaire - Athletics - FINAL-CNDFICCA21.pdf  
AEPA 023-G Part E - Signature Forms - Athletics - FINAL.pdf  
AEPA 023-G Part F - Discount Pricing Workbook - FINAL.xlsx  
AEPA 023-G Part F Pricing List Spreadsheet.pdf  
AEPA 2023.xlsx  
Exhibit A - FlagHouse Marketing Plan.pdf  
ExhibitB - Flaghouse Proposal with Shipping terms 023-G Athletic Supplies.pdf  
NJVendor Contact Form 1.docx

**Affirmative Action Program for  
Minorities and Women**

**FlagHouse Inc.**  
**Hasbrouck Heights, NJ**

**Affirmative Action Program  
for  
Minorities and Women**

**June 1, 2020 through May 31, 2021  
Plan Year**

CONFIDENTIAL, TRADE SECRET, and PRIVATE MATERIAL
--

This Affirmative Action Plan contains confidential, trade secret, commercial, and private information of FlagHouse which is protected from disclosure by the Office of Federal Contract Compliance Programs pursuant to the Trade Secrets Act, 18 U.S.C. § 1905. The release of this information could cause substantial harm to FlagHouse or its employees within the meaning of the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552 (b)(3), (4), (6), and (7) and the Trade Secrets Act. FOIA protects information in this document from mandatory disclosure to FOIA requestors. See, e.g., *Chrysler v. Brown*, 441 U.S. 281 (1979). Furthermore, release of any trade secret, confidential statistical, or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act. See, e.g., *CNA Financial Corp. v. Donovan*, 830 F.2d 1132, 1144 (D.C. Cir.), cert. denied, 485 U.S. 977 (1988).

**FlagHouse Inc.**  
**Hasbrouck Heights, NJ**

**AFFIRMATIVE ACTION PROGRAM  
FOR  
MINORITIES AND WOMEN**

**June 1, 2020 through May 31, 2021  
Plan Year**

**TABLE OF CONTENTS**

<b>INTRODUCTION</b>	<b>1</b>
<b>REAFFIRMING COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY</b>	<b>1</b>
<b>INTERNAL DISSEMINATION OF EEO POLICY</b>	<b>2</b>
<b>EXTERNAL DISSEMINATION OF EEO POLICY</b>	<b>2</b>
<b>ESTABLISHMENT OF RESPONSIBILITY FOR IMPLEMENTATION OF THE AAP</b>	<b>4</b>
<b>IDENTIFICATION OF AREAS FOR DISCUSSION</b>	<b>6</b>
<b>NARRATIVE DISCUSSION OF GOALS</b>	<b>7</b>
<b>DEVELOPMENT AND EXECUTION OF ACTION-ORIENTED PROGRAMS</b>	<b>8</b>
<b>INTERNAL AUDIT AND REPORTING SYSTEM</b>	<b>9</b>
<b>GUIDELINES FOR PREVENTION OF SEX DISCRIMINATION</b>	<b>10</b>



## **Introduction**

FlagHouse Inc. (FlagHouse) has prepared this Affirmative Action Program (AAP) for the period of June 1, 2020 through May 31, 2021, reaffirming its commitment to the letter and spirit of affirmative action law, including those administered by the U. S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP). Through the implementation of this AAP, FlagHouse continues its efforts to comply with appropriate government regulations and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this AAP FlagHouse recognizes its duty to ensure equal employment opportunity. The following statement of policy reinforces that belief.

## **Reaffirming Commitment to Equal Employment Opportunity**

In setting forth this AAP FlagHouse reaffirms its belief in equal employment opportunity for all employees and applicants for employment in all terms and conditions of employment.

George Carmel, President of FlagHouse, designated Donna Luongo as the Equal Employment Opportunity Administrator (EEO Administrator). Donna Luongo oversees the AAP development, modification, implementation, and reporting requirements and conducts management updates. The EEO Administrator also analyzes FlagHouse's selection process to further the principles of equal employment opportunity.

As part of FlagHouse's commitment to this overall process, it will seek to ensure affirmative action to provide equality of opportunity in all aspects of employment, and that all personnel activities, such as the recruitment, selection, training, compensation, benefits, discipline, promotion, transfer, layoff, and termination processes remain free of illegal discrimination and harassment based upon race, color, religion, sex, sexual orientation, gender identity, and national origin. Regular review by FlagHouse, as described in this AAP, helps ensure compliance with this policy.

## **Internal Dissemination of EEO Policy**

### **41 C.F.R. § 60-1.42**

FlagHouse posts copies of the equal employment opportunity notices that comply with 41 C.F.R. § 60-1.42(a) in conspicuous places (including, where applicable, electronic websites) available to employees, applicants for employment, and (if applicable) representatives of each labor union or other organization representing its employees with which FlagHouse has a collective-bargaining agreement or other contract or understanding. The following exemplify the methods and locations FlagHouse may use in its ongoing efforts to ensure continuing dissemination of its policy and AAP, although FlagHouse may not always use each or any of the below methods, and it may use other methods not listed below:

1. Internal employee manuals contain the policy statement.
2. The policy statement is posted on bulletin boards accessible to employees.
3. FlagHouse references the policy and progress in its annual report, newspaper, magazine, and other publications.
4. Orientation meetings for new employees and in-house employment-related training include references to FlagHouse's policy.
5. FlagHouse publications, if any, including those with photographs, generally feature individuals of diverse gender, race, color, and national origin, where feasible.
6. Pertinent portions of FlagHouse's Affirmative Action Program are available during regular business hours for inspection by employees and applicants for employment.

## **External Dissemination of EEO Policy**

### **41 C.F.R. § 60-1.41; 41 C.F.R. § 60-1.5**

1. In solicitations or advertisements for employees placed by or on its behalf, FlagHouse complies with at least one of the following methods regarding the dissemination of its equal employment opportunity clause:
  - a. FlagHouse states expressly in the solicitations or advertising that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin. 41 C.F.R. § 1.41(a).
  - b. FlagHouse uses a single advertisement, and the advertisement is grouped with other advertisements under a caption which clearly states that all employers in the group assure all qualified applicants equal consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin. 41 C.F.R. § 1.41(c).

- c. FlagHouse uses a single advertisement in which appears in clearly-distinguishable type the phrase “an equal employment opportunity employer.” 41 C.F.R. § 1.41(d). When pictures are included in these media, where feasible, efforts will be made to include pictures of individuals of diverse gender, race, and national origin.
- 2. The following exemplify the methods and locations FlagHouse may use in its ongoing efforts to ensure continuing dissemination of its policy and AAP, although FlagHouse may not always use all of the below methods, and it may use other methods not listed below:
  - a. FlagHouse notifies subcontractors, suppliers, and vendors of the policy about both its obligations to equal employment opportunity and about FlagHouse’s AAP.
  - b. FlagHouse advises recruitment sources, minority and female organizations, community agencies, and colleges of its commitment to this policy and AAP. FlagHouse informs these sources that job applicants will be treated fairly without regard to their race, color, religion, sex, sexual orientation, gender identity, and national origin.
  - c. FlagHouse communicates with the state employment security office regarding its commitment to the policy.
- 3. In addition, FlagHouse incorporates by reference the equal employment opportunity and affirmative action clauses into each of its covered federal contracts and subcontracts, including federal agency bills of lading, transportation requests, and such other covered contracts and covered subcontracts as required by law, purchase orders, lease agreements, Government contracts, and other covered contracts (and modifications thereof if not included in the original contract) in accordance with 41 C.F.R. § 60-1.4 (a) – (c) (unless exempted under 41 C.F.R. § 60-1.5).

## **Establishment of Responsibility for Implementation of the AAP**

### **41 C.F.R. § 60-2.17(a)**

#### **A. Identification and Responsibilities of EEO Administrator**

Overall responsibility for FlagHouse's AAP rests with the EEO Administrator, Donna Luongo. Donna Luongo ensures the AAP complies with all applicable laws, orders, and regulations, including but not limited to Executive Orders 11246, 13496, and their progeny. Specifically, Donna Luongo or the designated representative's duties include:

1. Developing, maintaining, and modifying, where appropriate, FlagHouse's AAP to ensure compliance with the EEO/AA law.
2. Developing and modifying, where appropriate procedures for effectively communicating the AAP and its elements both internally and externally.
3. Advising management on EEO/AA progress, reporting potential EEO/AA problem areas, and assisting management in finding equitable solutions, where feasible, to any identifiable EEO/AA problem areas.
4. Evaluating the effectiveness of FlagHouse's AAP on a regular basis and reporting to management.
5. Designing, implementing, and overseeing audit and reporting systems that periodically measure the effectiveness of the total affirmative action program. 41 C.F.R. § 2.17 (d)(1)-(4), identifying need for remedial action, and determining the degree to which objectives have been achieved.
6. Acting as Company representative and liaison with any government agencies regarding this AAP.
7. Monitoring Company policies and procedures with regard to terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.
8. Auditing the content of FlagHouse's bulletin board and electronic policies, as appropriate, to ensure compliance information is posted and up to date.
9. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.
10. Serving as a liaison between FlagHouse and organizations, such as minority organizations and women's organizations.
11. When necessary, developing sales and management training programs to increase protected-group participation.
12. Assisting in the investigation, handling, and disposition of employee harassment and discrimination complaints.

13. Discussing EEO/AA policies with all personnel, including management, to ensure FlagHouse's policies and the need for their support are understood at all levels.
14. Reviewing FlagHouse's AAP for qualified women and minorities with all managers and supervisors to ensure the policy is understood and followed in all personnel actions.
15. Conducting periodic reviews of offices to ensure compliance in the areas of proper display of posters and notices, comparable facilities for both sexes, and opportunity for participation in Company-sponsored recreational, educational, and social activities.
16. Auditing training programs, hiring, and promotion patterns.

**B. Management Responsibilities**

Line and upper management share responsibility for the AAP, including but not limited to the following:

1. Assisting in auditing AAP progress, including identifying problem areas, formulating solutions, establishing appropriate goals, and developing necessary training programs.
2. Reviewing the qualifications of applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner in hiring, promotion, transfers, and termination actions.
3. Making available career counseling, when appropriate.
4. Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee and his or her duties.
5. Reviewing position descriptions of the jobs in the manager's area or department to see that they adequately reflect the job to be performed.
6. Assisting subordinates and upper management in the prevention of harassment.

## **Identification of Areas for Discussion**

### **41 C.F.R. § 60-2.17(b)**

FlagHouse's commitment to fully implement this policy and AAP include periodic reviews of its total employment process to determine whether and where impediments to equal employment opportunity exist. These reviews include:

1. The workforce by organizational unit and job group of minority or female utilization and distribution;
2. Personnel activity to determine whether there are selection disparities;
3. Compensation systems to determine if there are gender-, race-, or ethnicity-based disparities;
4. Selection, recruitment, referral, and other personnel procedures to determine whether they result in employment or placement disparities of minorities or women; and,
5. Any other areas that might impact the success of the affirmative action program. 41 C.F.R. § 2.17 (b)(1)-(5), including, for example, FlagHouse's review of:
  - a. The workforce composition by race and sex to compare it to the availability of these groups;
  - b. FlagHouse's applicant flow compared to the availability for the protected groups;
  - c. A comparison of hires to applicants pertaining to minorities and women;
  - d. Selection forms, such as applications for employment, to ensure they comply with federal and state employment laws;
  - e. Processes to ensure there are no artificially-created barriers or restrictive seniority provisions; and,
  - f. Training opportunities to ensure they are available to minorities and women.

Identification of problem areas are discussed in the next section titled Narrative Discussion of Goals.

## **Narrative Discussion of Goals**

The Hasbrouck Heights, NJ plan has 55 employees, including 30 minorities and 35 females. There were no goals for minorities and/or women in this plan.

- 1.1 - Executives/Sr Level Mgmt - This group consists of 2 employees, of whom none are minorities and none are females. There is no need to set a placement goal at this time for minorities or females.
- 1.2 - First/Mid-Level Mgmt - This group consists of 3 employees, of whom none are minorities and 1 is a female. There is no need to set a placement goal at this time for minorities or females.
- 2 - Professionals - This group consists of 7 employees, of whom 3 are minorities and 5 are females. There is no need to set a placement goal at this time for minorities or females.
- 4 - Sales Workers - This group consists of 8 employees, of whom 2 are minorities and 5 are females. There is no need to set a placement goal at this time for minorities or females.
- 5 - Administrative Support - This group consists of 17 employees, of whom 9 are minorities and 16 are females. There is no need to set a placement goal at this time for minorities or females.
- 8 - Laborers and Helpers - This group consists of 18 employees, of whom 16 are minorities and 8 are females. There is no need to set a placement goal at this time for minorities or females.

FlagHouse will use alternate recruitment sources, when necessary, to attract more qualified external applicants. In those instances where statistical disparities are indicated, FlagHouse will take action as outlined in the Action-Oriented Programs Section to monitor and eliminate any problem areas, as well as other similar actions.

## **Development and Execution of Action-Oriented Programs**

### **41 C.F.R. § 60-2.17(c)**

FlagHouse has instituted action-oriented programs designed to eliminate any problem areas, should they exist, in accordance with § 60-2.17(b), and to help achieve specific affirmative action goals. FlagHouse will make good-faith efforts to remove identified barriers, expand employment opportunities, and produce measurable results. These programs may include items such as:

1. Conducting periodic reviews of job descriptions attempting to ensure they accurately reflect job-related duties and responsibilities.
2. Reviewing job qualifications by department and job title for job-relatedness, and using job performance criteria.
3. Making job descriptions and qualifications available to recruiting sources and to all members of management involved in the recruiting, screening, selection, and promotion processes.
4. Making good-faith efforts to select the most qualified candidates. Accordingly, FlagHouse evaluates its total selection process to ensure selections are made in a nondiscriminatory manner through:
  - a. Annual reviews of job applications and other pre-employment forms to ensure information requested is job-related;
  - b. Annual evaluations of selection methods that may result in statistical disparities to ensure they are non-discriminatory;
  - c. Annual provisions of assistance, such as training and guidance on proper interviewing techniques and EEO training, to employees, management, and supervisory staff, including, but not limited to, those who are involved in the recruitment, selection, discipline, and other related processes, so that personnel actions are made in a nondiscriminatory manner; and
  - d. Annual review of selection techniques and employment standards.
5. FlagHouse employs appropriate methods to attempt to improve recruitment and increase the flow of qualified minorities and women applicants in its recruiting process, including a number of the following actions:
  - a. Disseminating information on job opportunities to organizations representing minorities, women, and employment development agencies when job opportunities occur;
  - b. Encouraging all employees to refer qualified applicants;
  - c. Actively recruiting in colleges and universities with predominantly minority or female enrollments where underutilization exists in such areas, and



- d. Requesting employment agencies to refer qualified minorities and women.
  - e. Whenever feasible and appropriate, FlagHouse participates in job fairs, career days, youth-motivation programs, and other programs that foster exposure for qualified minorities and women.
  - f. FlagHouse encourages all employees to participate in Company-sponsored activities and programs.
  - g. FlagHouse utilizes various community organizations and schools as referral sources.
6. FlagHouse reviews promotion criteria and procedures so that job qualifications form the basis for the promotional decisions. FlagHouse monitors promotion rates for minorities and women and, when necessary, may employ one or more of the following procedures:
- a. Providing job training, job-related courses, or certificate programs.
  - b. Reviewing work specifications and job qualifications to ensure job-relatedness.
  - c. Conducting career counseling, where appropriate, during performance evaluations.
  - d. Informing employees about educational programs and other opportunities available to improve their employment prospects.
  - e. Reviewing Company-sponsored social and recreational activities to ensure non-discriminatory participation and availability.
  - f. Ensuring that all employees are given equal opportunity for promotion. This is achieved by:
    - 1. Generally posting or otherwise announcing promotional opportunities.
    - 2. Offering counseling to assist employees in identifying promotional opportunities, training and educational programs to enhance promotions and opportunities for job rotation or transfer; and
    - 3. Evaluating job requirements for promotion.

## **Internal Audit and Reporting System**

### **41 C.F.R. § 60-2.17(d)**

- 1. Donna Luongo, FlagHouse's EEO Administrator, maintains an internal audit system to attempt to oversee FlagHouse's Affirmative Action Program and assess progress. The EEO Administrator is responsible for ensuring that the formal AAP documents are developed and prepared and for

the effective AAP implementation; however, responsibility is likewise vested with each department manager and supervisor, depending upon the specific responsibility. The audit system is designed and implemented to measure the effectiveness of the total affirmative action program [41 C.F.R. § 2.17 (d)(1)-(4)], including:

- a. Monitoring records of all personnel activity, including referrals, placements, transfers, promotions, terminations, and compensation at all levels, to ensure the nondiscriminatory policy is carried out,
  - b. Requiring internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained,
  - c. Reviewing reports at all levels of management; and
  - d. Advising top management of the program's effectiveness and submitting recommendations to improve unsatisfactory performance. 41 C.F.R. § 2.17 (d)(1)-(4).
2. FlagHouse reviews various employment decisions, such as job referrals, hiring decisions, transfers, promotions, and terminations. FlagHouse maintains summary data where necessary and feasible, and conducts regular reviews at least annually.
  3. There is no "de facto" (in practice without being officially established) segregation. Further, FlagHouse ensures that facilities, as broadly defined in 41 C.F.R. § 60-1.8, provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin cannot result, provided that separate or single-user restrooms and necessary dressing or sleeping areas shall be provided to ensure privacy between the sexes.
  4. FlagHouse complies with required records retention provisions set forth in 41 C.F.R. § 60-1.12 and elsewhere in the applicable OFCCP regulations, and maintains a) employment applications (generally for two years); b) summary data of applicant flow by identifying, at least, total applicants, total minority applicants, and total female applicants, where necessary and feasible, and conducts regular reviews at least annually; c) applicant flow showing the name, race, sex, date of application, job title, interview status, and the action taken for all individuals applying for job opportunities, and the relevant applicant/hire decisions; d) summary data of external job offers and hires, promotions, resignations, terminations, and layoffs by job group and by sex and minority group identification; and e) records pertaining to its compensation system.
  5. Provide needed reports to managers and supervisors regarding the results of the audit as well as FlagHouse's overall progress in the area of EEO/AA. Any recommended actions should be made as well. Reports shall be made to senior management on at least an annual basis.

## **Guidelines for Prevention of Sex Discrimination**

### **41 C.F.R. § 60-20.1 et seq.**

FlagHouse supports the promotion and ensuring of equal employment opportunity of its employees and applicants without regard to sex, and endorses and complies with the following policy statements:

1. FlagHouse does not discriminate against any employee or applicant for employment because of sex. The term sex includes, but is not limited to, pregnancy, childbirth, or related medical conditions; gender identity; transgender status; and sex stereotyping. 41 C.F.R. §60-20.2(a).
2. FlagHouse maintains gender-neutral personnel policies that expressly indicate that there shall be no unlawful discrimination against employees based on sex. Unless sex is a bona fide occupational qualification reasonably necessary to the normal operation of business, FlagHouse will not make any distinction based on sex in recruitment, hiring, firing, promotion, compensation, hours, job assignments, training, benefits, or other terms, conditions, or privileges of employment. The terms and conditions of any written collective bargaining agreements shall not be inconsistent with these guidelines. 41 C.F.R. §60-20.2(b).
3. FlagHouse will not make any distinction between married and unmarried persons of one sex that is not made between married and unmarried persons of the opposite sex; or deny employment to women with children unless it has the same exclusionary policies for men; or steer women into lower-paying or less desirable jobs on the basis of sex; or impose any differences in retirement age or other terms, conditions, or privileges of retirement on the basis of sex. 41 C.F.R. § 60.20.2(b).
4. FlagHouse does not maintain seniority lines and lists on the basis of sex. 41 C.F.R. § 60-20.2(b).
5. FlagHouse's employment advertisements do not express a sex preference nor does FlagHouse place advertisements in columns designated "males" or "females", unless sex is a bona fide occupational qualification reasonably necessary to the normal operation of business. 41 C.F.R. §60-20.2(b).
6. All employees at FlagHouse shall have an equal opportunity to any available job that he or she is qualified to perform, unless sex is a bona fide occupational qualification. 41 C.F.R. §60-20.2(b).
7. FlagHouse will not deny transgender employees access to the restrooms or similar facilities designated for use by the gender with which they identify. 41 C.F.R. §60-20.2(b).
8. FlagHouse will not treat employees or applicants adversely because they have received or are planning to receive transition-related medical services designed to facilitate the adoption of a sex or gender other than the individual's designated sex at birth. 41 C.F.R. §60-20.2(b).
9. FlagHouse does not hire or employ employees on the basis of sex unless sex is a bona fide occupational qualification reasonably necessary to the normal operation of business. 41 C.F.R. §60-20.3.
10. FlagHouse does not engage in any employment practice that discriminates in wages, benefits, or any other forms of compensation, or denies access to earnings opportunities, because of sex. 41 C.F.R §60-20.4.

11. All employees of FlagHouse have equal opportunity to obtain regular and/or overtime hours, commissions, pay increases, incentive compensation, or any other additions to regular earnings. 41 C.F.R §60-20.4.
12. FlagHouse's wage schedules are not related to or based on sex, but rather are based on job relatedness and are consistent with business necessity. 41 C.F.R §60-20.4.
13. FlagHouse does not discriminate on the basis of pregnancy, childbirth, or related medical conditions, including childbearing capacity. 41 C.F.R. § 60-20.5.
14. Any fringe benefits, which include but are not limited to medical, hospital, accident, life insurance and retirement benefits; profit-sharing and bonus plans; leave, etc. that are offered by FlagHouse, are not based on sex. 41 C.F.R. § 60-20.6.
15. FlagHouse does not make employment decisions on the basis of sex-based stereotypes, such as stereotypes about how males and/or females are expected to look, speak, or act. 41 C.F.R. § 60-20.7.
16. FlagHouse has a no tolerance policy regarding harassment and hostile work environments. Harassment on the basis of sex includes unwelcome sexual advances, requests for sexual favors, offensive remarks about a person's sex, and other verbal or physical conduct of a sexual nature. Harassment because of sex includes sexual harassment (including sexual harassment based on gender identity or transgender status); harassment based on pregnancy, childbirth, or related medical conditions; and harassment that is not sexual in nature but that is because of sex or sex-based stereotypes. 41 C.F.R. § 60-20.8.
17. When appropriate, FlagHouse makes affirmative efforts to increase the number and percentage of women in the workforce, including, but not limited to the following:
  - a. FlagHouse recruits women and encourages existing women employees to apply for positions historically labeled by society as "traditionally male".
  - b. FlagHouse guarantees equal, gender-neutral access to training and tuition reimbursement programs, including management training and other types of workplace training programs.
  - c. FlagHouse informs management of its affirmative action responsibilities.

## **Policy with Respect to Religion/National Origin**

### **41 C.F.R. § 60-50.1 et seq.**

Pursuant to the guidelines prohibiting discrimination on the basis of religion and/or national origin, 41 C.F.R. § 60-50.1, et seq., FlagHouse hereby reaffirms that it does not discriminate against employees, or applicants for employment, because of religion or national origin. FlagHouse takes affirmative action to seek to ensure that employees or applicants for employment are treated without regard to their religion or national origin in all aspects of the terms and conditions of employment, such as upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay (or other forms of compensation), and selection for training.

FlagHouse has reviewed its employment practices and determined that its employees, including those who belong to religious or ethnic groups, have received fair consideration for job opportunities. Based upon its review, and depending upon the circumstances, FlagHouse will undertake appropriate actions, which may include one or more of the following activities:

1. Issuing a policy directive to employees reaffirming FlagHouse's obligation to provide equal employment opportunity without regard to religion or national origin. This policy will be communicated in such a manner as to foster understanding, acceptance, and support among executives, managers, supervisors, and other employees, and to encourage such persons to take the necessary action to aid FlagHouse in meeting its obligations.
2. Developing internal procedures to ensure FlagHouse's obligation to provide equal employment opportunity, without regard to religion or national origin, is fully implemented. Specifically, employment activities are reviewed by the EEO Administrator.
3. Informing management annually of its commitment to equal employment opportunity, without regard to religion or national origin.
4. Enlisting the assistance and support of recruitment sources for this commitment.

FlagHouse acknowledges its responsibility to make reasonable accommodations for the religious observances and practices of its existing or prospective employees under the terms of Title VII of the Civil Rights Act of 1964. An accommodation for religious purposes will be denied should FlagHouse determine that the company would have to suffer undue hardship. During this accommodation evaluation, the following factors will continue to be considered by FlagHouse:

1. Business necessity;
2. Financial costs and expenses; and
3. Resulting personnel problems.

## **Organizational Profile**

Contractors and subcontractors are required to include in their AAPs an organizational profile of their workforce using either a “workforce analysis” or “organizational display” that provides detailed data reflecting staffing patterns within the establishment. 41 C.F.R. § 60-2.11. An organizational profile shows the staffing pattern within a contractor’s establishment. This profile assists an employer in identifying where, in the workforce of its site which is the subject of this AAP, women or minorities are underrepresented or concentrated. A workforce analysis is used in this AAP, which lists each job title from the lowest paid to the highest paid within each department or similar organizational unit.

## Workforce Analysis

**FlagHouse Inc.**

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

**051100**

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
COO	1.1	07	1	1	1	0	0	0	0	0	0	0
				0	0	0	0	0	0	0	0	
President	1.1	07	1	1	1	0	0	0	0	0	0	0
				0	0	0	0	0	0	0	0	
<b>Summary of 051100</b>			2	2	2	0	0	0	0	0	0	0
				0	0	0	0	0	0	0	0	

# Workforce Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

052120

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Marketing and Communications Associate	5	01	1	0	0	0	0	0	0	0	0	1
				1	0	1	0	0	0	0	0	
Marketing Assistant	5	02	2	0	0	0	0	0	0	0	0	1
				2	1	0	1	0	0	0	0	
Marketing Associate	5	02	1	0	0	0	0	0	0	0	0	1
				1	0	0	1	0	0	0	0	
Web Designer	2	02	1	0	0	0	0	0	0	0	0	1
				1	0	0	0	1	0	0	0	
Brand Manager	2	03	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Senior Brand Manager	2	04	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Summary of 052120			7	0	0	0	0	0	0	0	0	4
				7	3	1	2	1	0	0	0	



# Workforce Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

052310

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
sales helper	5	01	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Accounts Payable Specialist	5	01	1	0	0	0	0	0	0	0	0	1
				1	0	0	1	0	0	0	0	
Accounts Payable Specialist, Sr	5	03	1	0	0	0	0	0	0	0	0	1
				1	0	0	1	0	0	0	0	
Summary of 052310			3	0	0	0	0	0	0	0	0	2
				3	1	0	2	0	0	0	0	

# Workforce Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

052340

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Accounts Receivable Clerk	5	01	3	0	0	0	0	0	0	0	0	2
				3	1	1	1	0	0	0	0	
A/R Associate	5	02	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Summary of 052340			4	0	0	0	0	0	0	0	0	2
				4	2	1	1	0	0	0	0	

## Workforce Analysis

**FlagHouse Inc.**

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

**052361**

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Staff Accountant	5	01	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Assistant Controller	5	04	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Controller	1.2	06	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
<b>Summary of 052361</b>			3	0	0	0	0	0	0	0	0	0
				3	3	0	0	0	0	0	0	

# Workforce Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

052400

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Purchasing Assistant	5	01	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Purchasing	5	02	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Buyer / Purchaser	2	02	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Buyer	2	02	1	0	0	0	0	0	0	0	0	1
				1	0	0	0	1	0	0	0	
Purchasing Manager	1.2	05	1	1	1	0	0	0	0	0	0	0
				0	0	0	0	0	0	0	0	
Summary of 052400			5	1	1	0	0	0	0	0	0	1
				4	3	0	0	1	0	0	0	

## Workforce Analysis

**FlagHouse Inc.**

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

**052700**

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
IT Systems Administrator/Analyst	2	02	1	1	0	1	0	0	0	0	0	1
				0	0	0	0	0	0	0	0	
Information Technology Manager	1.2	04	1	1	1	0	0	0	0	0	0	0
				0	0	0	0	0	0	0	0	
<b>Summary of 052700</b>			2	2	1	1	0	0	0	0	0	1
				0	0	0	0	0	0	0	0	

# Workforce Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

052900

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Warehouse Clerk	8	01	1	1	0	0	1	0	0	0	0	1
				0	0	0	0	0	0	0	0	
Picker	8	01	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
DC Pick Pack	8	01	2	0	0	0	0	0	0	0	0	2
				2	0	0	2	0	0	0	0	
DC Warehouse Worker	8	01	9	6	1	2	3	0	0	0	0	8
				3	0	0	3	0	0	0	0	
Prep Team	8	01	1	1	0	0	1	0	0	0	0	1
				0	0	0	0	0	0	0	0	
Warehouse	8	01	2	2	0	1	1	0	0	0	0	2
				0	0	0	0	0	0	0	0	
Distribution Center Associate	8	02	1	0	0	0	0	0	0	0	0	1
				1	0	0	1	0	0	0	0	
DC Supervisor	8	02	1	0	0	0	0	0	0	0	0	1
				1	0	0	1	0	0	0	0	
Distribution Center Manager	2	04	1	1	1	0	0	0	0	0	0	0
				0	0	0	0	0	0	0	0	
Summary of 052900			19	11	2	3	6	0	0	0	0	16
				8	1	0	7	0	0	0	0	

# Workforce Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

053000

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Customer Service/Inbound Sales Representative	4	01	2	1	0	0	1	0	0	0	0	2
				1	0	1	0	0	0	0	0	
Summary of 053000			2	1	0	0	1	0	0	0	0	2
				1	0	1	0	0	0	0	0	

# Workforce Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

053200

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Inbound Customer Service Associate	5	02	1	0	0	0	0	0	0	0	0	1
				1	0	0	0	0	0	0	1	
CATCH Sales Supervisor	4	05	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Summary of 053200			2	0	0	0	0	0	0	0	0	1
				2	1	0	0	0	0	0	1	



## Workforce Analysis

**FlagHouse Inc.**

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

**053500**

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Customer Service/Sales Lead Person	5	01	1	1	0	1	0	0	0	0	0	1
				0	0	0	0	0	0	0	0	
Outbound Sales Representative	4	02	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
<b>Summary of 053500</b>			2	1	0	1	0	0	0	0	0	1
				1	1	0	0	0	0	0	0	

## Workforce Analysis

FlagHouse Inc.

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

053800

Lines of Progression: NO

Title	EEO	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Inside Sales Rep	4	02	1	1	1	0	0	0	0	0	0	0
				0	0	0	0	0	0	0		
Outbound Territory Sales Representative	4	03	2	1	1	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Outbound Territory Rep	4	03	1	0	0	0	0	0	0	0	0	0
				1	1	0	0	0	0	0	0	
Summary of 053800			4	2	2	0	0	0	0	0	0	0
				2	2	0	0	0	0	0	0	

# Workforce Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

Title	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Summary	55	20	8	5	7	0	0	0	0	30
		35	17	3	12	2	0	0	1	

## **Job Group Analysis**

Contractors and subcontractors are required to include in their AAPs a “job group analysis” by combining jobs at the establishment with similar content, wage rates, and opportunities to form job groups. 41 C.F.R. § 60-2.12. The job group analysis is a contractor’s first comparison of the representation of minorities and women in its workforce with the estimated availability of minorities and women to be employed. The job group is created by first sorting the various jobs at the establishment into job groups, which is a collection of jobs in an organization with similar job content (field of work and/or skill level), similar promotional opportunities, and similar compensation. The job groups then are developed to fit the unique characteristics of each organizational unit, taking into account the size, type, and complexity of the work performed. Contractors, after combining the job titles for the job group analysis, must then separately provide the percentage of minorities and the percentage of women they employ in each job group.

## Job Group Analysis

FlagHouse Inc.

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

### 1.1 - Executives/Sr Level Mgmt

**EEO: Executives/Senior Level Officials and Managers**

Title	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
COO	07	1	1	1	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	
President	07	1	1	1	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	
<b>Summary of 1.1 - Executives/Sr Level Mgmt</b>		2	2	2	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	

## Job Group Analysis

FlagHouse Inc.

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

## 1.2 - First/Mid-Level Mgmt

### EEO: First/Mid-Level Officials and Managers

Title	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Information Technology Manager	04	1	1	1	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	
Purchasing Manager	05	1	1	1	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	
Controller	06	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
<b>Summary of 1.2 - First/Mid-Level Mgmt</b>		3	2	2	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	

# Job Group Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

2 - Professionals			EEO: Professionals								
Title	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Buyer / Purchaser	02	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Web Designer	02	1	0	0	0	0	0	0	0	0	1
			1	0	0	0	1	0	0	0	
Buyer	02	1	0	0	0	0	0	0	0	0	1
			1	0	0	0	1	0	0	0	
IT Systems Administrator/Analyst	02	1	1	0	1	0	0	0	0	0	1
			0	0	0	0	0	0	0	0	
Brand Manager	03	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Distribution Center Manager	04	1	1	1	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	
Senior Brand Manager	04	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Summary of 2 - Professionals		7	2	1	1	0	0	0	0	0	3
			5	3	0	0	2	0	0	0	

# Job Group Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

4 - Sales Workers			EEO: Sales Workers								
Title	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Customer Service/Inbound Sales Representative	01	2	1	0	0	1	0	0	0	0	2
			1	0	1	0	0	0	0	0	
Outbound Sales Representative	02	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Inside Sales Rep	02	1	1	1	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	
Outbound Territory Sales Representative	03	2	1	1	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Outbound Territory Rep	03	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
CATCH Sales Supervisor	05	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Summary of 4 - Sales Workers		8	3	2	0	1	0	0	0	0	2
			5	4	1	0	0	0	0	0	



# Job Group Analysis

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

5 - Administrative Support			EEO: Administrative Support Workers								
Title	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
sales helper	01	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Purchasing Assistant	01	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Accounts Payable Specialist	01	1	0	0	0	0	0	0	0	0	1
			1	0	0	1	0	0	0	0	
Accounts Receivable Clerk	01	3	0	0	0	0	0	0	0	0	2
			3	1	1	1	0	0	0	0	
Staff Accountant	01	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Customer Service/Sales Lead Person	01	1	1	0	1	0	0	0	0	0	1
			0	0	0	0	0	0	0	0	
Marketing and Communications Associate	01	1	0	0	0	0	0	0	0	0	1
			1	0	1	0	0	0	0	0	
Marketing Assistant	02	2	0	0	0	0	0	0	0	0	1
			2	1	0	1	0	0	0	0	
Purchasing	02	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Inbound Customer Service Associate	02	1	0	0	0	0	0	0	0	0	1
			1	0	0	0	0	0	0	1	
A/R Associate	02	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Marketing Associate	02	1	0	0	0	0	0	0	0	0	1
			1	0	0	1	0	0	0	0	

# Job Group Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

5 - Administrative Support			EEO: Administrative Support Workers								
Title	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Accounts Payable Specialist, Sr	03	1	0	0	0	0	0	0	0	0	1
			1	0	0	1	0	0	0	0	
Assistant Controller	04	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
Summary of 5 - Administrative Support		17	1	0	1	0	0	0	0	0	9
			16	8	2	5	0	0	0	1	

# Job Group Analysis

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

8 - Laborers and Helpers			EEO: Laborers and Helpers								
Title	Salary	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Warehouse Clerk	01	1	1	0	0	1	0	0	0	0	1
			0	0	0	0	0	0	0	0	
Picker	01	1	0	0	0	0	0	0	0	0	0
			1	1	0	0	0	0	0	0	
DC Pick Pack	01	2	0	0	0	0	0	0	0	0	2
			2	0	0	2	0	0	0	0	
DC Warehouse Worker	01	9	6	1	2	3	0	0	0	0	8
			3	0	0	3	0	0	0	0	
Prep Team	01	1	1	0	0	1	0	0	0	0	1
			0	0	0	0	0	0	0	0	
Warehouse	01	2	2	0	1	1	0	0	0	0	2
			0	0	0	0	0	0	0	0	
Distribution Center Associate	02	1	0	0	0	0	0	0	0	0	1
			1	0	0	1	0	0	0	0	
DC Supervisor	02	1	0	0	0	0	0	0	0	0	1
			1	0	0	1	0	0	0	0	
Summary of 8 - Laborers and Helpers		18	10	1	3	6	0	0	0	0	16
			8	1	0	7	0	0	0	0	

# Job Group Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

Title	Total	Male Female	White	Black	Hispanic	Asian	Native Hawaiian	Indian	Two or More	Minority
Summary	55	20	8	5	7	0	0	0	0	30
		35	17	3	12	2	0	0	1	

## **Availability Analysis**

Contractors and covered Federal subcontractors, after aggregating individual jobs into job groups, are then required to determine the availability of women and minorities for those job groups. 41 C.F.R. § 60-2.14. “Availability” is a percentage estimate of the women and minorities who have the skills required to perform the jobs within the job groups. To determine the availability percentages, contractors are required to consider two factors: 1) factors reflecting the availability outside the contractor’s workforce (such as people in the immediate labor area or reasonable recruitment area); and, 2) factors affecting the availability inside the contractor’s own workforce (such as people who are qualified and available by transfer, promotion, or training). Contractors typically rely on the most current U.S. Census data to develop their external availability factors, and on their own workforce numbers to develop their internal availability factors. Both external and internal factors must be considered, but contractors may “weight” each of the two factors according to each factor’s relevance to the job group in question. Such weighting is included in the following availability statistics for each job group.

After a contractor has formulated job groups and determined the minority and female availability percentages for each job group, it must then compare the actual utilization of minorities and women in each job group with their estimated availability, and identify those job groups where the percentage of women and/or minorities employed is less than would reasonably be expected given their availability. 41 C.F.R. § 60-2.15.

# Availability Analysis

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

## 1.1 - Executives/Sr Level Mgmt

Factor	Description	<u>Raw Statistics</u>			<u>Weighted Factor</u>		Source of Statistics	Reason for Weighting
		Minority	Female	Weight	Minority	Female		
<b>1</b>	The percentage of minorities or women with requisite skills in the RRA. The RRA is defined as the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question.	0	0	0	0	0	2010 Census EEO Special File for appropriate Occupational Titles. See supporting documents.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>2</b>	The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. Trainable refers to those employees that, with reasonably provided training, become qualified during the AAP year.	0	17	100	0	17	Incumbent work force for those Job Groups that constitute "feeders" to this Job Group.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>Job Group Size: 2</b>		100						
		<b>Final Availability (%)</b>			0	17		

# Availability Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

1.1 - Executives/Sr Level Mgmt					
Factor 2: Internal Availability					
Source Description	Raw Statistics (%)				
	Minority	Female	Value		
1.1 - Executives/Sr Level Mgmt	0	0	1		
1.2 - First/Mid-Level Mgmt	0	33	1		
	Raw Statistics (%)			Weighted Factor (%)	
	Minority	Female	Value	Minority	Female
Final Statistics for Internal Availability	0	17	100	0	17

# Availability Analysis

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

## 1.2 - First/Mid-Level Mgmt

Factor	Description	<u>Raw Statistics</u>			<u>Weighted Factor</u>		Source of Statistics	Reason for Weighting
		Minority	Female	Weight	Minority	Female		
<b>1</b>	The percentage of minorities or women with requisite skills in the RRA. The RRA is defined as the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question.	<b>36</b>	<b>39</b>	<b>33</b>	<b>12</b>	<b>13</b>	2010 Census EEO Special File for appropriate Occupational Titles. See supporting documents.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>2</b>	The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. Trainable refers to those employees that, with reasonably provided training, become qualified during the AAP year.	<b>0</b>	<b>33</b>	<b>67</b>	<b>0</b>	<b>22</b>	Incumbent work force for those Job Groups that constitute "feeders" to this Job Group.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>Job Group Size: 3</b>		<b>100</b>						
		<b>Final Availability (%)</b>			<b>12</b>	<b>35</b>		



# Availability Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

1.2 - First/Mid-Level Mgmt					
Factor 1: External Availability					
External Availability from the RRA					
Census Areas for RRA			Value		
	New York-Northern New Jersey-Long Island NY-NJ-PA	1	Raw Statistics (%)		
	Census Codes used for RRA				
			Minority	Female	Value
0040 Advertising and promotions managers			22	59	2
0050 Marketing and sales managers			27	51	1
0110 Computer and information systems managers			37	27	1
0120 Financial managers			34	44	1
0136 Human resources managers			38	61	1
0150 Purchasing managers			32	52	1
0160 Transportation, storage, and distribution managers			40	17	2
1105 Network and computer systems administrators			48	19	1
9000 Supervisors of transportation and material moving workers			54	20	1
			Raw Statistics (%)		Weighted Factor (%)
			Minority	Female	Value
			Minority	Female	
Final Statistics for External Availability			36	39	33
			12		13
Factor 2: Internal Availability					
			Raw Statistics (%)		
Source Description			Minority	Female	Value

RRA = Reasonable Recruitment Area

## Availability Analysis

FlagHouse Inc.

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

<b>1.2 - First/Mid-Level Mgmt</b>					
1.2 - First/Mid-Level Mgmt	0	33	2		
<div> <div>Raw Statistics (%)</div> <div>Weighted Factor (%)</div> <div> <div>Minority</div> <div>Female</div> <div>Value</div> <div>Minority</div> <div>Female</div> </div> </div>					
<b>Final Statistics for Internal Availability</b>	0	33	67	0	22

# Availability Analysis

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

## 2 - Professionals

Factor	Description	<u>Raw Statistics</u>			<u>Weighted Factor</u>		Source of Statistics	Reason for Weighting
		Minority	Female	Weight	Minority	Female		
<b>1</b>	The percentage of minorities or women with requisite skills in the RRA. The RRA is defined as the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question.	<b>35</b>	<b>41</b>	<b>67</b>	<b>24</b>	<b>27</b>	2010 Census EEO Special File for appropriate Occupational Titles. See supporting documents.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>2</b>	The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. Trainable refers to those employees that, with reasonably provided training, become qualified during the AAP year.	<b>43</b>	<b>71</b>	<b>33</b>	<b>14</b>	<b>24</b>	Incumbent work force for those Job Groups that constitute "feeders" to this Job Group.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>Job Group Size: 7</b>		<b>100</b>						
		<b>Final Availability (%)</b>			<b>38</b>	<b>51</b>		

# Availability Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

2 - Professionals					
Factor 1: External Availability					
External Availability from the RRA					
Census Areas for RRA		Value			
	New York-Northern New Jersey-Long Island NY-NJ-PA	1			
	Census Codes used for RRA		Raw Statistics (%)		
			Minority	Female	Value
0050 Marketing and sales managers			27	51	1
0110 Computer and information systems managers			37	27	1
0800 Accountants and auditors			40	49	1
1030 Web developers			36	37	1
			Raw Statistics (%)		Weighted Factor (%)
			Minority	Female	Value
Final Statistics for External Availability			35	41	67
				24	27
Factor 2: Internal Availability					
Source Description		Raw Statistics (%)			
		Minority	Female	Value	
2 - Professionals		43	71	1	
		Raw Statistics (%)		Weighted Factor (%)	
		Minority	Female	Value	Minority
Final Statistics for Internal Availability		43	71	33	14
					24

# Availability Analysis

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

## 4 - Sales Workers

Factor	Description	<u>Raw Statistics</u>			<u>Weighted Factor</u>		Source of Statistics	Reason for Weighting
		Minority	Female	Weight	Minority	Female		
<b>1</b>	The percentage of minorities or women with requisite skills in the RRA. The RRA is defined as the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question.	<b>41</b>	<b>49</b>	<b>20</b>	<b>8</b>	<b>10</b>	2010 Census EEO Special File for appropriate Occupational Titles. See supporting documents.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>2</b>	The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. Trainable refers to those employees that, with reasonably provided training, become qualified during the AAP year.	<b>25</b>	<b>63</b>	<b>80</b>	<b>20</b>	<b>50</b>	Incumbent work force for those Job Groups that constitute "feeders" to this Job Group.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>Job Group Size: 8</b>		<b>100</b>						
		<b>Final Availability (%)</b>			<b>28</b>	<b>60</b>		

# Availability Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

4 - Sales Workers					
Factor 1: External Availability					
External Availability from the RRA					
Census Areas for RRA		Value			
	New York-Northern New Jersey-Long Island NY-NJ-PA	1	Raw Statistics (%)		
	Census Codes used for RRA		Minority	Female	Value
0735 Market research analysts and marketing specialists			33	59	2
0740 Business operations specialists, all other			48	64	2
4710 First-line supervisors of non-retail sales workers			35	30	1
4840 Sales representatives, services, all other			30	32	9
4940 Telemarketers			45	54	1
5240 Customer service representatives			55	65	7
			Raw Statistics (%)		Weighted Factor (%)
			Minority	Female	Value
Final Statistics for External Availability			41	49	20
Factor 2: Internal Availability					
Source Description		Raw Statistics (%)			
		Minority	Female	Value	
4 - Sales Workers		25	63	8	
		Raw Statistics (%)		Weighted Factor (%)	
		Minority	Female	Value	
Final Statistics for Internal Availability		25	63	80	20

RRA = Reasonable Recruitment Area

# Availability Analysis

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

## 5 - Administrative Support

Factor	Description	<u>Raw Statistics</u>			<u>Weighted Factor</u>		Source of Statistics	Reason for Weighting
		Minority	Female	Weight	Minority	Female		
1	The percentage of minorities or women with requisite skills in the RRA. The RRA is defined as the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question.	38	66	33	12	22	2010 Census EEO Special File for appropriate Occupational Titles. See supporting documents.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
2	The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. Trainable refers to those employees that, with reasonably provided training, become qualified during the AAP year.	53	94	67	35	63	Incumbent work force for those Job Groups that constitute "feeders" to this Job Group.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
Job Group Size: 17		100						
		Final Availability (%)			48	85		

# Availability Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

5 - Administrative Support					
Factor 1: External Availability					
External Availability from the RRA					
Census Areas for RRA		Value			
	New York-Northern New Jersey-Long Island NY-NJ-PA	1	Raw Statistics (%)		
	Census Codes used for RRA		Minority	Female	Value
0120 Financial managers			34	44	1
0520 Wholesale and retail buyers, except farm products			34	58	3
1030 Web developers			36	37	1
1050 Computer support specialists			50	24	1
4965 Sales and related workers, all other			31	50	1
5120 Bookkeeping, accounting, and auditing clerks			38	83	7
5400 Receptionists and information clerks			48	90	1
			Raw Statistics (%)		Weighted Factor (%)
			Minority	Female	Value
Final Statistics for External Availability			38	66	33
			12	22	
Factor 2: Internal Availability					
Source Description			Raw Statistics (%)		
			Minority	Female	Value
5 - Administrative Support			53	94	6

RRA = Reasonable Recruitment Area



## Availability Analysis

FlagHouse Inc.

**Plan Date: 06/01/2020**

Hasbrouck Heights, NJ

## 5 - Administrative Support

	Raw Statistics (%)			Weighted Factor (%)	
	Minority	Female	Value	Minority	Female
Final Statistics for Internal Availability	53	94	67	35	63

# Availability Analysis

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

## 8 - Laborers and Helpers

Factor	Description	<u>Raw Statistics</u>			<u>Weighted Factor</u>		Source of Statistics	Reason for Weighting
		Minority	Female	Weight	Minority	Female		
<b>1</b>	The percentage of minorities or women with requisite skills in the RRA. The RRA is defined as the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question.	<b>78</b>	<b>32</b>	<b>44</b>	<b>34</b>	<b>14</b>	2010 Census EEO Special File for appropriate Occupational Titles. See supporting documents.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>2</b>	The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. Trainable refers to those employees that, with reasonably provided training, become qualified during the AAP year.	<b>89</b>	<b>44</b>	<b>56</b>	<b>50</b>	<b>25</b>	Incumbent work force for those Job Groups that constitute "feeders" to this Job Group.	Reasonable recruiting practices and business necessity. Consideration given to past practices and current demands.
<b>Job Group Size: 18</b>		<b>100</b>						
		<b>Final Availability (%)</b>			<b>84</b>	<b>39</b>		

# Availability Analysis

Plan Date: 06/01/2020

FlagHouse Inc.  
Hasbrouck Heights, NJ

8 - Laborers and Helpers					
Factor 1: External Availability					
External Availability from the RRA					
Census Areas for RRA		Value			
	New York-Northern New Jersey-Long Island NY-NJ-PA	1			
	Census Codes used for RRA		Raw Statistics (%)		
			Minority	Female	Value
5610 Shipping, receiving, and traffic clerks			68	22	1
7340 Maintenance and repair workers, general			50	3	1
9600 Industrial truck and tractor operators			77	3	3
9640 Packers and packagers, hand			87	56	5
			Raw Statistics (%)		Weighted Factor (%)
			Minority	Female	Value
Final Statistics for External Availability			78	32	44
Factor 2: Internal Availability					
Source Description		Raw Statistics (%)			
			Minority	Female	Value
8 - Laborers and Helpers			89	44	9
			Raw Statistics (%)		Weighted Factor (%)
			Minority	Female	Value
Final Statistics for Internal Availability			89	44	56

RRA = Reasonable Recruitment Area

## Placement Goals

Contractors and subcontractors must compare the percentage of minorities and women in each job group with the availability for those job groups as calculated in this AAP. 41 C.F.R. § 60-2.13 to 60.2.15. When the percentage of minorities or women in a job group is less than would be reasonably expected given their availability, contractors are required to establish placement goals, which also serve as reasonably attainable objectives to measure progress toward achieving equal employment opportunity. 41 C.F.R. § 60-2.16.

Contractors may use a number of methods to determine whether their actual employment percentage of minorities and/or females is lower than would reasonably be expected, including the need to set a placement goal when: 1) there is “any difference” between the availability percentage and the employment percentage; 2) actual employment is less than 80 percent of calculated availability (which is the expected representation); or, 3) the difference between the actual and expected employment is statistically significant. Any reasonable method, as long as it is uniformly applied, is acceptable to the OFCCP.

**Placement goals** are established as a percentage equal to the calculated availability and serve as objectives or targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire affirmative action program work. 41 C.F.R. § 60-2.16. **Although a contractor is required to make good faith efforts to meet its goals, the goals are not allowed under law to be quotas (with the exception of a few circumstances, such as when there is a court order to remedy prior unlawful discrimination.)**

# Placement Goals

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

Job Group	Group Size	Employment (%)		Availability (%)		Placement Goals* Needed		Annual Goal (%)	
		Minority	Female	Minority	Female	Minority	Female	Minority	Female
1.1 - Executives/Sr Level Mgmt	2	0	0	0	17	No <sup>1</sup>	No <sup>1</sup>		
1.2 - First/Mid-Level Mgmt	3	0	33	12	35	No <sup>1</sup>	No <sup>1</sup>		
2 - Professionals	7	43	71	38	51	No <sup>1</sup>	No <sup>1</sup>		
4 - Sales Workers	8	25	63	28	60	No <sup>1</sup>	No <sup>1</sup>		
5 - Administrative Support	17	53	94	48	85	No <sup>1</sup>	No <sup>1</sup>		
8 - Laborers and Helpers	18	89	44	84	39	No <sup>1</sup>	No <sup>1</sup>		

1 - Binomial Distribution

\*The establishment of a "Placement Goal" does not amount to an admission of impermissible conduct. It is neither a finding of lawful discrimination nor a finding of a lack of a good faith affirmative action efforts. Nor does the establishment of a Placement Goal permit unlawful discrimination. Rather the establishment of a "Placement Goal" is a technical targeting term used exclusively by affirmative action planners who seek to apply good faith efforts to increase in the future the percentage employment of minorities and women in the workforce.

## **Progress Toward Goals Report**

Contractors and subcontractors must maintain its current affirmative action plan (AAP) and documentation of good faith efforts, and must preserve its AAP and documentation of good faith efforts for the immediately preceding AAP year. 41 C.F.R. § 60-1.12 (b).

One of the key components to the effective implementation of an AAP is the acknowledgement of progress toward the goals established in the utilization analysis of the preceding year. As such, this is one of the items requested by OFCCP during a routine compliance evaluation.

To compare progress toward goals, the contractor must measure the employment activity that has occurred during the plan year. The variable here is opportunities which are defined by OFCCP as total placements (hires plus promotions) into the job group.

# Progress Toward Goals Report

FlagHouse Inc.

Date Range: June 1, 2019 through May 31, 2020

Hasbrouck Heights, NJ

Job Group	Prior Year - 2019			Prior Year Goals (%)		Number of Opportunities (#)			Actual Placement		Goal Met?	
	Total	Minority	Female	Minority	Female	Total	Minority	Female	Minority	Female	Minority	Female
									%	%		
1.1 - Executives/Sr Level Mgmt	2	0	0	N/A	N/A	0	0	0	--	--	N/A	N/A
1.2 - First/Mid-Level Mgmt	5	0	2	N/A	N/A	0	0	0	--	--	N/A	N/A
2 - Professionals	7	3	5	N/A	N/A	0	0	0	--	--	N/A	N/A
4 - Sales Workers	12	5	5	N/A	N/A	3	0	1	0	33	N/A	N/A
5 - Administrative Support	18	11	16	N/A	N/A	1	0	1	0	100	N/A	N/A
8 - Laborers and Helpers	19	17	8	N/A	N/A	2	2	1	100	50	N/A	N/A

## **Disparity Analysis**

Contractors and subcontractors are required to include personnel activity (applicant flow, hires, terminations, promotions, and any other personnel actions) to determine whether there are selection disparities. 41 C.F.R. § 60-2.17 (b) (2).

The Disparity Analysis is a tool to measure the statistical relationship between two selected groups. The following report identifies whether the rates of those hired, promoted, or terminated are similar without regard to race or gender.



# Disparity Analysis - Hires

FlagHouse Inc.

Date Range: June 1, 2019 through May 31, 2020

Hasbrouck Heights, NJ

4 - Sales Workers											
Non-Favored vs Favored	Total Hires	Total Apps	Total Unknowns	Non-Favored Hires	Non-Favored Apps	Favored Hires	Favored Apps	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Female vs Male	3	0	0	1	0	2	0	N/A	N/A	--	Ω
Black vs White	3	0	0	0	0	3	0	N/A	N/A	--	Ω
Hispanic vs White	3	0	0	0	0	3	0	N/A	N/A	--	Ω
Asian vs White	3	0	0	0	0	3	0	N/A	N/A	--	Ω
Am. Indian vs White	3	0	0	0	0	3	0	N/A	N/A	--	Ω
Hawaiian vs White	3	0	0	0	0	3	0	N/A	N/A	--	Ω
Two or More vs White	3	0	0	0	0	3	0	N/A	N/A	--	Ω

Standard Deviation will trigger a flag when the result is larger than two standard deviations.

Ω An analysis could not be performed due to insufficient applicant records

\* This group does not constitute at least 2% of the total pool.

# Disparity Analysis - Hires

FlagHouse Inc.

Date Range: June 1, 2019 through May 31, 2020

Hasbrouck Heights, NJ

5 - Administrative Support											
Non-Favored vs Favored	Total Hires	Total Apps	Total Unknowns	Non-Favored Hires	Non-Favored Apps	Favored Hires	Favored Apps	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Male vs Female	1	0	0	0	0	1	0	N/A	N/A	--	Ω
Black vs White	1	0	0	0	0	1	0	N/A	N/A	--	Ω
Hispanic vs White	1	0	0	0	0	1	0	N/A	N/A	--	Ω
Asian vs White	1	0	0	0	0	1	0	N/A	N/A	--	Ω
Am. Indian vs White	1	0	0	0	0	1	0	N/A	N/A	--	Ω
Hawaiian vs White	1	0	0	0	0	1	0	N/A	N/A	--	Ω
Two or More vs White	1	0	0	0	0	1	0	N/A	N/A	--	Ω

Standard Deviation will trigger a flag when the result is larger than two standard deviations.

Ω An analysis could not be performed due to insufficient applicant records

\* This group does not constitute at least 2% of the total pool.

# Disparity Analysis - Hires

FlagHouse Inc.

Date Range: June 1, 2019 through May 31, 2020

Hasbrouck Heights, NJ

8 - Laborers and Helpers											
Non-Favored vs Favored	Total Hires	Total Apps	Total Unknowns	Non-Favored Hires	Non-Favored Apps	Favored Hires	Favored Apps	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Female vs Male	2	0	0	1	0	1	0	N/A	N/A	--	Ω
Black vs White	0	0	0	0	0 *	0	0	N/A	N/A	N/A	No
Hispanic vs White	2	0	0	2	0	0	0	N/A	N/A	--	Ω
Asian vs White	0	0	0	0	0 *	0	0	N/A	N/A	N/A	No
Am. Indian vs White	0	0	0	0	0 *	0	0	N/A	N/A	N/A	No
Hawaiian vs White	0	0	0	0	0 *	0	0	N/A	N/A	N/A	No
Two or More vs White	0	0	0	0	0 *	0	0	N/A	N/A	N/A	No

Standard Deviation will trigger a flag when the result is larger than two standard deviations.

Ω An analysis could not be performed due to insufficient applicant records

\* This group does not constitute at least 2% of the total pool.

# Disparity Analysis - Terminations

FlagHouse Inc.

Date Range: June 1, 2019 through May 31, 2020

Hasbrouck Heights, NJ

1.2 - First/Mid-Level Mgmt										
Non-Favored vs Favored	Total Terms	Total Pool	Non-Favored Terms	Non-Favored Pool	Favored Terms	Favored Pool	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Female vs Male	2	5	1	2	1	3	50.00%	33.33%	0.37	No
Black vs White	2	5	0	0 *	2	5	N/A	40.00%	N/A	No
Hispanic vs White	2	5	0	0 *	2	5	N/A	40.00%	N/A	No
Asian vs White	2	5	0	0 *	2	5	N/A	40.00%	N/A	No
Am. Indian vs White	2	5	0	0 *	2	5	N/A	40.00%	N/A	No
Hawaiian vs White	2	5	0	0 *	2	5	N/A	40.00%	N/A	No
Two or More vs White	2	5	0	0 *	2	5	N/A	40.00%	N/A	No

Standard Deviation will trigger a flag when the result is larger than two standard deviations.

\* This group does not constitute at least 2% of the total pool.

The pool consists of those employees present in the job group on 06/01/2019

# Disparity Analysis - Terminations

FlagHouse Inc.

Date Range: June 1, 2019 through May 31, 2020

Hasbrouck Heights, NJ

## 4 - Sales Workers

Non-Favored vs Favored	Total Terms	Total Pool	Non- Favored Terms	Non- Favored Pool	Favored Terms	Favored Pool	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Male vs Female	4	12	4	7	0	5	57.14%	0.00%	2.07	Yes
Black vs Hispanic	2	5	2	4	0	1	50.00%	0.00%	0.91	No
Asian vs Hispanic	0	1	0	0 *	0	1	N/A	0.00%	N/A	No
Am. Indian vs Hispanic	0	1	0	0 *	0	1	N/A	0.00%	N/A	No
Hawaiian vs Hispanic	0	1	0	0 *	0	1	N/A	0.00%	N/A	No
Two or More vs Hispanic	0	1	0	0 *	0	1	N/A	0.00%	N/A	No
White vs Hispanic	2	8	2	7	0	1	28.57%	0.00%	0.62	No

Standard Deviation will trigger a flag when the result is larger than two standard deviations.

\* This group does not constitute at least 2% of the total pool.

The pool consists of those employees present in the job group on 06/01/2019

# Disparity Analysis - Terminations

FlagHouse Inc.

Date Range: June 1, 2019 through May 31, 2020

Hasbrouck Heights, NJ

5 - Administrative Support										
Non-Favored vs Favored	Total Terms	Total Pool	Non-Favored Terms	Non-Favored Pool	Favored Terms	Favored Pool	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Male vs Female	3	18	1	2	2	16	50.00%	12.50%	1.34	No
Black vs Two or More	1	5	1	4	0	1	25.00%	0.00%	0.56	No
Hispanic vs Two or More	1	7	1	6	0	1	16.67%	0.00%	0.44	No
Asian vs Two or More	0	1	0	0 *	0	1	N/A	0.00%	N/A	No
Am. Indian vs Two or More	0	1	0	0 *	0	1	N/A	0.00%	N/A	No
Hawaiian vs Two or More	0	1	0	0 *	0	1	N/A	0.00%	N/A	No
White vs Two or More	1	8	1	7	0	1	14.29%	0.00%	0.40	No

Standard Deviation will trigger a flag when the result is larger than two standard deviations.

\* This group does not constitute at least 2% of the total pool.

The pool consists of those employees present in the job group on 06/01/2019

# Disparity Analysis - Terminations

FlagHouse Inc.

Date Range: June 1, 2019 through May 31, 2020

Hasbrouck Heights, NJ

8 - Laborers and Helpers										
Non-Favored vs Favored	Total Terms	Total Pool	Non-Favored Terms	Non-Favored Pool	Favored Terms	Favored Pool	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Female vs Male	2	19	1	8	1	11	12.50%	9.09%	0.24	No
Black vs White	0	5	0	3	0	2	0.00%	0.00%	N/A	No
Hispanic vs White	2	16	2	14	0	2	14.29%	0.00%	0.57	No
Asian vs White	0	2	0	0 *	0	2	N/A	0.00%	N/A	No
Am. Indian vs White	0	2	0	0 *	0	2	N/A	0.00%	N/A	No
Hawaiian vs White	0	2	0	0 *	0	2	N/A	0.00%	N/A	No
Two or More vs White	0	2	0	0 *	0	2	N/A	0.00%	N/A	No

Standard Deviation will trigger a flag when the result is larger than two standard deviations.

\* This group does not constitute at least 2% of the total pool.

The pool consists of those employees present in the job group on 06/01/2019

**Affirmative Action Program for  
Protected Veterans**



**FlagHouse Inc.**  
**Hasbrouck Heights, NJ**

**Affirmative Action Program  
For Protected Veterans**

**June 1, 2020 through May 31, 2021  
Plan Year**

## **CONFIDENTIAL, TRADE SECRET, AND PRIVATE MATERIAL**

This Affirmative Action Plan contains confidential, trade secret, commercial, and private information of FlagHouse which is protected from disclosure by the Office of Federal Contract Compliance Programs pursuant to the Trade Secrets Act, 18 U.S.C. § 1905. The release of this information could cause substantial harm to FlagHouse or its employees within the meaning of the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552 (b)(3), (4), (6) and (7) and the Trade Secrets Act. FOIA protects information in this document from mandatory disclosure to FOIA requestors. See, e.g., *Chrysler v. Brown*, 441 U.S. 281 (1979). Furthermore, release of any trade secret, confidential statistical or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act. See, e.g., *CNA Financial Corp. v. Donovan*, 830 F.2d 1132, 1144 (D.C. Cir.), cert. denied, 485 U.S. 977 (1988).

**FlagHouse Inc.**  
**Hasbrouck Heights, NJ**

**AFFIRMATIVE ACTION PROGRAM  
FOR PROTECTED VETERANS**

**June 1, 2020 through May 31, 2021  
Plan Year**

**TABLE OF CONTENTS**

<b>INTRODUCTION</b>	<b>1</b>
<b>EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT</b>	<b>2</b>
<b>REVIEW OF PERSONNEL PROCESSES</b>	<b>3</b>
<b>PHYSICAL AND MENTAL JOB QUALIFICATIONS</b>	<b>3</b>
<b>REASONABLE ACCOMMODATION</b>	<b>5</b>
<b>ANTI-HARASSMENT PROCEDURES</b>	<b>5</b>
<b>EXTERNAL DISSEMINATION OF POLICY, OUTREACH, AND POSITIVE RECRUITMENT</b>	<b>6</b>
<b>ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS</b>	<b>7</b>
<b>INTERNAL DISSEMINATION OF POLICY</b>	<b>8</b>
<b>AUDIT AND REPORTING SYSTEM</b>	<b>9</b>
<b>RESPONSIBILITY FOR IMPLEMENTATION OF THE PLAN</b>	<b>9</b>
<b>AFFIRMATIVE ACTION TRAINING</b>	<b>13</b>

## Introduction

FlagHouse Inc. (FlagHouse) sets forth this affirmative action program (“AAP”) for the year from June 1, 2020 through May 31, 2021, reaffirming its commitment to the spirit and letter of affirmative action law. Through the implementation of this plan FlagHouse continues its efforts to comply with appropriate government regulations and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this AAP, FlagHouse recognizes its duty to ensure equal employment opportunity.

**Definitions.** For the purposes of this AAP, the term “Protected Veteran” shall be defined as follows, according to the VEVRAA regulations:

Active Duty Wartime or Campaign Badge Veteran means a veteran who served on active duty in the U.S. military, ground, naval, or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under the laws administered by the U. S. Department of Defense.

Armed Forces Service Medal Veteran means any veteran who, while serving on active duty in the U.S. military, ground, naval, or air service, participated in a United States military operation to which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

Disabled Veteran means:

1. A veteran of the U. S. military, ground, naval, or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or
2. A person who was discharged or released from active duty because of a service-connected disability.

Protected Veteran means a veteran who is protected under the non-discrimination and affirmative action provisions of VEVRAA; specifically, a veteran who may be classified as a “disabled veteran,” “recently-separated veteran,” “active duty wartime or campaign badge veteran,” and/or an “Armed Forces Service Medal Veteran” as defined by this AAP and VEVRAA.

Recently-Separated Veteran means any veteran during the three-year period beginning on the date of such veteran’s discharge or release from active duty in the U.S. military, ground, naval, or air service.

Pre-JVA veterans are those who would be protected by 41 C.F.R. Part 250 if it were not rescinded, but would not be protected under 41 C.F.R. Part 300, and if FlagHouse is found to still be signatory to any federal contracts signed on or before November 30, 2003 and which have not since been amended, modified and/or extended.

## **Equal Employment Opportunity Policy Statement**

### **41 C.F.R. § 60-300.44(a)**

In setting forth this plan FlagHouse reaffirms its belief and commitment in equal employment opportunity for all employees and applicants for employment in all terms and conditions of employment. Donna Luongo, as the EEO Administrator, oversees the plan development, modification, implementation, and reporting requirements and conducts management updates. FlagHouse's top U.S. executive supports FlagHouse's AAP.

FlagHouse provides for an audit and reporting system regarding FlagHouse's affirmative action responsibilities under the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended ("VEVRAA") regulations, and assigns overall responsibility for the implementation of affirmative action responsibilities under these regulations.

FlagHouse recruits, hires, trains and promotes persons in all job titles, and ensures that all personnel actions are administered without regard to protected veteran status; and ensures that all employment actions are based only on valid job requirements. It is FlagHouse's policy not to discriminate because of a person's relationship or association with a protected veteran. This includes spouses and other family members. FlagHouse will safeguard the fair and equitable treatment of protected veteran spouses and family members with regard to all employment actions and prohibit harassment of applicants and employees because of their relationship or association with a protected veteran. FlagHouse's employees and applicants are not subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in any of the following activities:

1. filing a complaint with FlagHouse or with Federal, state, or local agencies regarding the status covered under this AAP;
2. assisting or participating in any investigation, compliance review, hearing, or any other activity related to the administration of any Federal, State, or local law requiring equal employment opportunity for protected veterans;
3. opposing any act or practice made unlawful by VEVRAA or its implementing regulations, or any other Federal, State or local law requiring equal opportunity for protected veterans; or
4. exercising any other right protected by VEVRAA or its implementing regulations.

FlagHouse's full AAP, absent the data metrics required by 41 CFR § 60-300.44(k), is available for inspection upon request. The method of obtaining a copy of the AAP is listed within the affirmative action policy statement physically posted at FlagHouse's establishment.

## **Review of Personnel Processes**

### **41 C.F.R. § 300.44(b)**

1. FlagHouse ensures its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees who are known protected veterans for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.
2. FlagHouse also ensures that when a protected veteran is considered for employment opportunities, FlagHouse relies only on that portion of the individual's military record, including his or her discharge papers, relevant to the requirements of the opportunity in issue.
3. FlagHouse ensures that its personnel processes do not stereotype protected veterans in a manner which limits their access to all jobs for which they are qualified.
4. FlagHouse periodically reviews such processes and makes any necessary modifications to ensure that these obligations are carried out. A description of the review and any necessary modifications to personnel processes or development of new processes is included in this AAP.
5. FlagHouse designs procedures that facilitate a review of the implementation of this requirement by FlagHouse and the Government. The procedures FlagHouse uses are as follows:
  - a. The application or personnel form of each known applicant who is a protected veteran is annotated to identify each vacancy for which the applicant was considered, and the form will be quickly retrievable for review by the Department of Labor and FlagHouse's personnel officials for use in investigations and internal compliance activities.
  - b. Where applicants or employees are selected for hire, promotion, or training and FlagHouse undertakes any accommodation which makes it possible for it to place a disabled veteran on the job, FlagHouse makes a record containing a description of the accommodation. The record is treated as a confidential medical record in accordance with § 60-300.23(d).

## **Physical and Mental Job Qualifications**

### **41 C.F.R. § 300.23 and 44(c)**

1. FlagHouse adheres to a schedule for the periodic review of all physical and mental job qualification standards to ensure that, to the extent qualification standards tend to screen out qualified disabled veterans, they are job-related for the position and are consistent with job necessity.

2. Whenever FlagHouse applies physical or mental qualification standards in the selection of applicants or employees for employment or other change in employment status such as promotion, demotion or training, to the extent that qualification standards tend to screen out qualified disabled veterans, the standards shall be related to the specific job or jobs for which the individual is being considered and consistent with business necessity. FlagHouse reviews its job descriptions and qualifications to ensure they accurately reflect job duties and responsibilities. The schedule is as follows as job openings become available; as new job qualifications are established; and/or, when new equipment is installed.
3. No pre-employment physical examinations or questionnaires are used by FlagHouse prior to a job offer contingent on such examinations and other requirements.
4. FlagHouse may use as a defense to a violation of its obligations in Paragraph 2 above that an individual poses a direct threat to the health or safety of the individual or others in the workplace.
5. When FlagHouse conducts a medical examination or inquiry of a protected veteran it will do so according to the terms and conditions of the VEVRAA and Section 503 regulations, and the results of such an examination or inquiry are kept confidential according to federal regulations, which includes the following exceptions:
  - a. Supervisors and managers may be informed regarding restrictions on the work or duties of the applicant or employee and necessary accommodations;
  - b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and,
  - c. Government officials engaged in enforcing the laws administered by the OFCCP regarding individuals with disabilities or protected veterans, or enforcing The Americans with Disabilities Act (“ADA”) and The Americans with Disabilities Act Amendment Act of 2008 (“ADAAA”), shall be provided relevant information on request.

## **Reasonable Accommodation**

### **41 C.F.R. §60-300.44(d)**

1. It is FlagHouse's policy as a matter of nondiscrimination to make reasonable accommodation to the known physical and mental limitations of all otherwise qualified disabled veterans unless it can demonstrate that the accommodation would impose an undue hardship on FlagHouse's business, in accordance with the terms and conditions of Section 503 regulations. Undue hardship will be determined by its definition under applicable regulations under Section 503 including, but not limited to the following: Undue hardship means, with respect to the provision of an accommodation, significant difficulty or expense incurred by the contractor, when considered in light of the factors set forth in 41 CFR § 60-300.2 (aa)(2), such as the overall financial resources of the facility and the impact of the accommodation upon the operation of the facility (this is not an all-inclusive list).
2. As a matter of affirmative action, if an employee who is known to be a disabled veteran is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, FlagHouse confidentially notifies the employee of the performance problem and inquires whether the problem is related to the employee's disability.
3. If the employee responds affirmatively, FlagHouse confidentially inquires whether the employee is in need of a reasonable accommodation.

## **Anti-Harassment Procedures**

### **41 C.F.R. § 60-300.44(e)**

FlagHouse has developed and implemented procedures to ensure its employees are not harassed because of their status as a protected veteran.



## **External Dissemination of Policy, Outreach, and Positive Recruitment**

### **41 C.F.R. § 300.44(f)**

1. FlagHouse sends written notification of its policy related to affirmative action efforts to all subcontractors, including subcontracting vendors and suppliers, requesting appropriate action on their part.
2. FlagHouse undertakes appropriate outreach and positive recruitment activities such as some of those listed below that are reasonably designed to effectively recruit protected veterans. It is not contemplated that FlagHouse will necessarily undertake all the activities listed below or that its activities will be limited to the items listed below. The scope of FlagHouse's efforts shall depend upon all circumstances, including FlagHouse's size and resources and the extent to which existing employment practices are adequate.
  - a. Enlisting the assistance and support of the following persons and organizations in recruiting, and developing on-the-job training opportunities for veterans to fulfill its commitment to provide meaningful employment opportunities for such veterans:
    - i. The Local Veterans' Employment Representative in the local employment service office (i.e. the One-Stop) nearest FlagHouse's establishment;
    - ii. The Department of Veterans Affairs Regional Office nearest FlagHouse's establishment;
    - iii. The veterans' counselors and coordinators ("Vet-Reps") on college campuses;
    - iv. The service officers of the national veterans' groups active in the area of FlagHouse's establishment;
    - v. Local veterans' groups and veterans' service centers near FlagHouse's establishment;
    - vi. The Department of Defense Transition Assistance Program (TAP), or any subsequent program that, in whole or in part, might replace TAP; and
    - vii. Any organization listed in the Employer Resources section of the National Resource Directory (<http://www.nationalresourcedirectory.gov/>), or any future service that replaces or complements it.
  - b. FlagHouse also considers taking the actions listed below, as appropriate, to fulfill its commitment to provide meaningful employment opportunities to protected veterans:
    - i. Formal briefing sessions should be held, preferably on FlagHouse's premises, with representatives from recruiting sources.

- ii. FlagHouse's facility tours, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of the company's selection process, and recruiting literature are an integral part of the briefing. At any such briefing sessions, the FlagHouse official in charge of its affirmative action program is in attendance when possible. Formal arrangements should be made for referral of applicants, follow up with sources, and feedback on disposition of applicants.
  - iii. FlagHouse's recruitment efforts at all educational institutions incorporate special efforts to reach students who are protected veterans.
  - iv. An effort is made to participate in work-study programs with Department of Veterans Affairs rehabilitation facilities which specialize in training or educating disabled veterans.
  - v. Protected veterans are made available for participation in career days, youth motivation programs, and related activities in their communities.
  - vi. FlagHouse takes any other positive steps it deems necessary to attract qualified protected veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures. These persons may be located through the local chapters of organizations of and for any of the classifications of protected veterans.
  - vii. FlagHouse, in making hiring decisions, considers applicants who are known protected veterans for all available positions for which they may be qualified when the position(s) applied for is unavailable.
  - viii. FlagHouse considers listing its job openings with the National Resource Directory's Veterans Job Bank, or any future service that replaces or complements it.
3. FlagHouse documents all activities it undertakes to comply with the obligations of this section, and retain these documents for a period of three (3) years.

## **Assessment of External Outreach and Recruitment Efforts**

### **41 C.F.R. § 300.44(f)(3)**

1. FlagHouse, on an annual basis, reviews the outreach and recruitment efforts it has taken over the previous twelve months to evaluate their effectiveness in identifying and recruiting qualified protected veterans. FlagHouse documents each evaluation, including at a minimum the criteria it used to evaluate the effectiveness of each effort and FlagHouse's conclusion as to whether each effort was effective. Among these criteria shall be the data collected pursuant to 41 C.F.R. § 60-300.44(k) for the current year and the two most recent previous years. If FlagHouse concludes the totality of its efforts were not effective in identifying and recruiting qualified protected veterans, it shall

identify and implement alternative efforts listed in paragraphs (f)(1) or (f)(2) of this section to fulfill its obligations.

## **Internal Dissemination of Policy**

### **41 C.F.R. § 60-300.44(g)**

1. FlagHouse recognizes that a strong outreach program will be ineffective without adequate internal support from supervisory and management personnel and other employees.
2. FlagHouse implements and disseminates this policy internally as follows:
  - a. includes it in FlagHouse's policy manual or otherwise make the policy available to employees; and
  - b. if FlagHouse is party to a collective bargaining agreement, it notifies union officials and/or employee representatives to inform them of FlagHouse's policy, and request their cooperation.
3. Further, to assure greater employee cooperation and participation in FlagHouse's efforts, FlagHouse has developed the internal procedures listed in this section of the AAP for communication of its obligation to engage in affirmative action efforts to employ and advance in employment qualified protected veterans. It is not contemplated that FlagHouse's activities will be limited to those listed. These procedures shall be designed to foster understanding, acceptance and support among FlagHouse's executive, management, supervisory and other employees and to encourage such persons to take the necessary actions to aid FlagHouse in meeting this obligation. FlagHouse additionally considers implementing and disseminating this policy internally as follows:
  - a. Informing all employees and prospective employees of its commitment to engage in affirmative action to increase employment opportunities for protected veterans;
  - b. Publicizing it in FlagHouse's newspaper, magazine, annual report and other media;
  - c. Conducting special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the chief executive officer's support for the affirmative action policy;
  - d. Discussing the policy thoroughly in both employee orientation and management training programs; and
  - e. When employees are featured in employee handbooks or similar publications for employees, including disabled veterans.

## **Audit and Reporting System**

### **C.F.R. § 60-300.44(h)**

1. FlagHouse has designed and implemented an audit and reporting system that:
  - a. Measures the effectiveness of FlagHouse's AAP;
  - b. Indicates any need for remedial action;
  - c. Determines the degree to which FlagHouse's objectives have been attained;
  - d. Determines whether known protected veterans have had the opportunity to participate in all of FlagHouse's sponsored educational, training, recreational and social activities;
  - e. Measures FlagHouse's compliance with the AAP's specific obligations; and
  - f. Documents the actions taken to comply with the obligations of paragraphs (i) through (v) above, and retain these documents as employment records for three years subject to the recordkeeping requirements of § 60-300.80.
2. Where the affirmative action program is found to be deficient, FlagHouse undertakes necessary action to bring the program into compliance.

## **Responsibility for Implementation of the Plan**

### **1. Identification and Responsibilities of EEO/AA Administrator**

#### **41 C.F.R. § 60-300.44(i)**

In furtherance of FlagHouse's commitment to Affirmative Action and Equal Employment Opportunity, overall responsibility for implementing FlagHouse's AAP rests with its EEO/AA Administrator, whose identity should appear on all internal and external communications regarding FlagHouse's AAP. The EEO/AA Administrator shall be given top management support and staff to manage the implementation of this program as it pertains to all applicable laws, orders and regulations, including VEVRAA. Specifically, Donna Luongo or the designated representative's duties include:

- a. Ensures that FlagHouse lists its job openings in accordance with the requirements of 41 C.F.R. § 300.5.
- b. Ensuring FlagHouse posts in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the OFCCP Director provided by or through the contracting officer. Such notices shall state the rights of applicants and employees as well as FlagHouse's obligation under the law to take affirmative action to

employ and advance in employment qualified employees and applicants who are protected veterans.

- c. Ensuring FlagHouse's applicants or employees who are disabled veterans are provided the notice in a form that is accessible and understandable to the individual applicant or employee (e.g., providing Braille or large print versions of the notice, or posting a copy of the notice at a lower height for easy viewing by a person using a wheelchair) when an applicant or employee requests the poster in an alternative format, or when FlagHouse knows that an applicant or employee is unable to read the poster because of a disability. FlagHouse may also provide the poster to an applicant or employee who is a disabled veteran in other alternate means, such as on disc or in audio recording, as long as the format provided enables the individual who is a disabled veteran to access the contents of a poster.
- d. Ensuring that, with respect to employees, if any, who do not work at a physical location of FlagHouse, FlagHouse satisfies its posting obligations by posting such notices in an electronic format, provided that FlagHouse provides computers, or access to computers, that can access the electronic posting to such employees, or FlagHouse has actual knowledge that such employees otherwise are able to access the electronically posted notices.
- e. Ensuring electronic notices for employees are posted in a conspicuous location and format on FlagHouse's intranet or sent by electronic mail to employees. An electronic posting is used by FlagHouse to notify job applicants of their rights if FlagHouse utilizes an electronic application process. Such electronic applicant notice are conspicuously stored with, or as part of, the electronic application.
- f. Ensuring that to the extent this requirement is applicable to FlagHouse, FlagHouse notifies labor organizations of its EEO policy as required by 41 C.F.R. § 60-300.44(g).
- g. Ensuring FlagHouse includes the provisions of this clause in every subcontract or purchase order in excess of \$150,000, unless exempted by the rules, regulations, or orders of the Secretary of Labor pursuant to VEVRAA, so that such provisions will be binding upon each subcontractor or vendor, under the terms and conditions of 41 CFR § 60-300.5(a), per Federal Acquisition Regulation-Inflation Adjustment of Acquisition-Related Thresholds, 80 FR 38293 (2015).
- h. Ensuring that all solicitations or advertisements for employees placed by or on behalf of FlagHouse, state that all qualified applicants will receive consideration for employment without regard to their protected veteran status.
- i. Developing, maintaining and, where appropriate, modifying FlagHouse's AAP for protected veterans, policy statements, personnel policies, internal and external communication techniques including discussions with managers, supervisors and employees to ensure FlagHouse's policies are followed, and monitoring the effectiveness of these actions.
- j. Advising supervisors that they are responsible to prevent harassment of employees due to their status as a protected veteran.

- k. Identifying problem areas with line management in the implementation of the program, and helping management develop solutions to any identifiable problem area.
- l. Designing, implementing and overseeing an audit and reporting system to monitor the progress of the Company and the AAP's effectiveness, including auditing the contents of FlagHouse's electronic and hard copy bulletin boards on a regular basis to ensure that compliance information that is posted is up to date.
- m. Serving as liaison between FlagHouse and governmental enforcement agencies, community groups, vocational rehabilitation organizations, and organizations for protected veterans.
- n. Evaluating the effectiveness of FlagHouse's plan on a regular basis, and reporting to management.
- o. Monitoring policies and procedures including the selection, evaluation, promotion and training process with regard to the various terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.
- p. Assisting in ensuring that FlagHouse has processes and procedures: a) to ensure career counseling for employees who are protected veterans, when requested and appropriate; and, b) to review personnel actions, policies, procedures, and employee and applicants' qualifications to ensure protected veterans are treated in accordance with anti-discrimination laws when hiring, promotion, transfer, and termination actions occur.
- q. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.
- r. Assisting in the investigation, handling and disposition of employee discrimination and harassment complaints.
- s. Conducting periodic reviews of offices to ensure compliance in the areas of proper display of posters and notices, and opportunity for participation in Company-sponsored recreational, educational and social activities.
- t. Overseeing and ensuring that the below self-identification procedures are conducted as set forth in the VEVRAA regulations, using the language and manner prescribed by the OFCCP Director and published on the OFCCP Web site, as follows:
  - i. Pre-offer self-identification invitation procedures for FlagHouse's job applicants as set forth in 41 C.F.R. § 60-300.42 (a); and
  - ii. Post-offer identification procedures for FlagHouse's job applicants as set forth in 41 C.F.R. § 60-300.42 (a).

Further, FlagHouse does not compel or coerce an individual to self-identify as a protected veteran. FlagHouse keeps all information on self-identification confidential, and maintains it in a data analysis file (rather than in the medical or personnel files of individual employees) as set forth in 41 C.F.R. § 60-300.23(d). FlagHouse only uses the self-identification information in accordance with the VEVRAA regulations.

- u. Ensuring that FlagHouse complies with its obligations under 41 C.F.R. § 60-300.45, which requires that FlagHouse establish benchmarks for hiring, the purpose of which is to create a quantifiable method by which FlagHouse can measure its progress toward achieving equal employment opportunity for protected veterans. The benchmarks will be set on an annual basis and will be documented also as set forth in this AAP.
- v. If an applicant identifies himself or herself as a disabled veteran in the post-offer self-identification detailed above, FlagHouse inquires of the applicant whether an accommodation is necessary, and, if so, engages with the applicant regarding reasonable accommodation. FlagHouse may make such inquiries to the extent they are consistent with the Americans with Disabilities Act. FlagHouse maintains a separate file in accordance with Section 60-300.23(d) on persons who have self-identified as disabled veterans.

## **2. Management Responsibilities**

### **41 C.F.R. § 60-300.44(i)**

Line and upper management are advised of their responsibilities for FlagHouse's AAP regarding protected veterans within his or her area of responsibility, including but not limited to their obligations to:

- a. Review FlagHouse's AAP for protected veterans with subordinate managers and supervisors to ensure they are aware of the policy, understand their obligation to comply with it in all personnel actions and understand the need for support at all levels.
- b. Assist in the auditing of plan progress, identification of problem areas, formulation of solutions, establishment of departmental goals and objectives, and development of training programs, when appropriate.
- c. Review the qualifications of applicants and employees in their area of responsibility to ensure protected veterans are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur.
- d. Review employees' performance to ensure that illegal discrimination regarding protected veterans does not occur.
- e. Make available career counseling to employees who are protected veterans, when so requested, and as appropriate.
- f. Review position descriptions to see that they adequately reflect the job to be performed.
- g. Audit training programs, hiring, and promotion patterns.
- h. Assist subordinates and upper management in the prevention of harassment.
- i. Show support for this AAP.

## **Affirmative Action Training**

### **41 C.F.R. § 60-300.44(j)**

FlagHouse provides training to all personnel involved in the recruitment, screening, selection, promotion, disciplinary and other related processes to ensure its AAP commitments are implemented.



## **ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS**

**Assessment:** FlagHouse evaluated the effectiveness of outreach and recruitment efforts for qualified veterans during its prior AAP year. During that period, of the applicants who chose to complete the self-identification form, 0.00% self-identified as a protected veteran. As a result, FlagHouse will continue to review and analyze its existing outreach efforts and commit to continue to identify viable partners throughout the year.

## **DATA COLLECTION ANALYSIS 41 C.F.R. § 60-300.44(k)**

FlagHouse documents the following computations or comparisons pertaining to applicants and hires on an annual basis and maintains them for a period of three (3) years:

1. The number of applicants who self-identified as protected veterans pursuant to § 60-300.42(a), or who are otherwise known as protected veterans;
2. The total number of job openings and total number of jobs filled;
3. The total number of applicants for all jobs;
4. The number of protected veteran applicants hired; and
5. The total number of applicants hired.

**See Protected Veterans Three Year Data Collection**

# Protected Veterans Three Year Data Collection

FlagHouse Inc.  
Hasbrouck Heights, NJ

Required Data	June 1, 2017 through May 31, 2018	June 1, 2018 through May 31, 2019	June 1, 2019 through May 31, 2020
Number of applicants who self-identify as protected veterans pre-offer	0	0	0
Total number of job openings	15	31	6
Total number of jobs filled	15	31	6
Total number of applicants for all jobs	0	0	0
Total number of protected veteran applicants hired	0	0	0
Total number of applicants hired	15	10	6

## **BENCHMARKS FOR HIRING 41 C.F.R. § 60-300.45**

**Benchmark:** The purpose of establishing benchmarks is to create a quantifiable method by which FlagHouse can measure its progress toward achieving equal employment opportunity for protected veterans.

The benchmark is not a rigid and inflexible quota which must be met, nor is it considered either a ceiling or a floor for the employment of particular groups. Quotas are expressly forbidden.

Hiring benchmarks are set by FlagHouse on an annual basis. FlagHouse documents the hiring benchmark it has established each year. FlagHouse retains these records for a period of three (3) years.

**The current benchmark for protected veterans for this location is set at 5.7%, which matches the national protected veteran benchmark.**

### **Protected Veteran Hiring Ratio**

Total Hires	<b>6</b>
Total Protected Veteran Hires	<b>0</b>
Percentage of Protected Veterans Hires	<b>0%</b>

**This location will continue to implement additional recruitment efforts to attract qualified applicants, including protected veterans, for all job openings.**

**Affirmative Action Program for  
Individuals with Disabilities**

**FlagHouse Inc.**  
**Hasbrouck Heights, NJ**

**Affirmative Action Program  
for  
Individuals with Disabilities**

**June 1, 2020 through May 31, 2021  
Plan Year**

## **CONFIDENTIAL, TRADE SECRET, AND PRIVATE MATERIAL**

This Affirmative Action Plan contains confidential, trade secret, commercial, and private information of FlagHouse, which is protected from disclosure by the Office of Federal Contract Compliance Programs pursuant to the Trade Secrets Act, 18 U.S.C. § 1905. The release of this information could cause substantial harm to FlagHouse or its employees within the meaning of the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552 (b)(3), (4), (6) and (7) and the Trade Secrets Act. FOIA protects information in this document from mandatory disclosure to FOIA requestors. See, e.g., *Chrysler v. Brown*, 441 U.S. 281 (1979). Furthermore, release of any trade secret, confidential statistical or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act. See, e.g., *CNA Financial Corp. v. Donovan*, 830 F.2d 1132, 1144 (D.C. Cir.), cert. denied, 485 U.S. 977 (1988).



**FlagHouse Inc.**  
**Hasbrouck Heights, NJ**

**AFFIRMATIVE ACTION PROGRAM  
FOR  
INDIVIDUALS WITH DISABILITIES**

**June 1, 2020 through May 31, 2021  
Plan Year**

**TABLE OF CONTENTS**

<b>INTRODUCTION</b>	<b>1</b>
<b>EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT</b>	<b>1</b>
<b>REVIEW OF PERSONNEL PROCESSES</b>	<b>2</b>
<b>REVIEW OF PHYSICAL AND MENTAL JOB QUALIFICATIONS</b>	<b>2</b>
<b>REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL LIMITATIONS</b>	<b>4</b>
<b>ANTI-HARASSMENT PROCEDURES</b>	<b>4</b>
<b>EXTERNAL DISSEMINATION OF POLICY, OUTREACH, AND POSITIVE RECRUITMENT</b>	<b>4</b>
<b>ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS</b>	<b>6</b>
<b>INTERNAL DISSEMINATION OF POLICY</b>	<b>7</b>
<b>AUDIT AND REPORTING SYSTEM</b>	<b>8</b>
<b>RESPONSIBILITY FOR IMPLEMENTATION OF THE PLAN</b>	<b>8</b>
<b>AFFIRMATIVE ACTION TRAINING</b>	<b>12</b>

## **Introduction**

FlagHouse Inc. (FlagHouse) sets forth this Affirmative Action Program (“AAP”) for the year from June 1, 2020 through May 31, 2021, reaffirming its commitment to the spirit and letter of affirmative action law. Through the implementation of this plan FlagHouse continues its efforts to comply with Section 503 of the Rehabilitation Act of 1973 (“Section 503”) and its implementing regulations, as amended, and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this plan, FlagHouse recognizes its duty to ensure equal employment opportunity for, and to prevent discrimination against, individuals with disabilities. The following statement of policy reinforces that belief.

## **Equal Employment Opportunity Policy Statement**

### **41 C.F.R. § 60-741.44(a)**

In setting forth this plan FlagHouse reaffirms its belief and commitment in equal employment opportunity for all employees and applicants for employment in all terms and conditions of employment. Donna Luongo, as the EEO Administrator, oversees the plan development, modification, implementation, and reporting requirements and conducts management updates. FlagHouse’s top U.S. executive supports FlagHouse’s AAP.

FlagHouse provides for an audit and reporting system regarding FlagHouse’s affirmative action responsibilities under Section 503 regulations, and assigns overall responsibility for the implementation of affirmative action responsibilities under these regulations.

FlagHouse recruits, hires, trains and promotes persons in all job titles, and ensures that all personnel actions are administered without regard to disability; and ensures that all employment actions are based only on valid job requirements. FlagHouse’s employees and applicants are not subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in any of the following activities:

1. filing a complaint with FlagHouse or with Federal, state, or local agencies regarding the status covered under this AAP;
2. assisting or participating in any investigation, compliance review, hearing, or any other activity related to the administration of any Federal, State, or local law requiring equal employment opportunity for individuals with disabilities;
3. opposing any act or practice made unlawful by Section 503 or its implementing regulations, or any other Federal, State or local law requiring equal opportunity for individuals with disabilities; or
4. exercising any other right protected by Section 503 or its implementing regulations in this part.

FlagHouse's full AAP, absent the data metrics required by 41 CFR § 60-741.44(k), is available for inspection upon request. The method of obtaining a copy of the AAP is listed within the affirmative action policy statement physically posted at FlagHouse's establishment.

## **Review of Personnel Processes**

### **41 C.F.R. § 741.44(b)**

1. FlagHouse ensures its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.
2. FlagHouse also ensures its personnel processes do not stereotype individuals with disabilities in a manner which limits their access to jobs for which they are qualified.
3. FlagHouse also ensures its applicants and employees with disabilities have equal access to its personnel processes, including those implemented through information and communications technologies.
4. FlagHouse provides necessary reasonable accommodation to ensure applicants and employees with disabilities receive equal opportunity in the operation of personnel processes. FlagHouse periodically reviews such processes and makes any necessary modifications to ensure that these obligations are carried out. FlagHouse designs procedures that facilitate a review of the implementation of this requirement by FlagHouse and the Government. A description of the review and any necessary modifications to personnel processes or development of new processes are included in this AAP, and are as follows:
  - a. The application or personnel form of each known applicant who is an individual with a disability is annotated to identify each vacancy for which the applicant was considered, and the form is quickly retrievable for review by the Department of Labor and FlagHouse's personnel officials for use in investigations and internal compliance activities.
  - b. Where applicants or employees are selected for hire, promotion, or training and FlagHouse undertakes any accommodation which makes it possible for him or her to place an individual with a disability on the job, FlagHouse makes a record containing a description of the accommodation. The record is treated as a confidential medical record in accordance with § 60-741.23(d).

## **Review of Physical and Mental Job Qualifications**

### **41 C.F.R. § 60-741.44(c)**

1. FlagHouse has the following schedule for its review of physical and mental job qualification standards to ensure that, to the extent qualification standards tend to screen out qualified people with disabilities, such qualifications are job-related for

the position in question and consistent with business necessity, and adheres to this schedule. The schedule is as follows as job openings become available; as new job qualifications are established; and/or, when new equipment is installed.

2. Whenever FlagHouse applies physical or mental qualification standards in the selection of applicants or employees for employment or other changes in employment status such as promotion, demotion or training, to the extent that qualification standards tend to screen out qualified individuals on the basis of disability, the standards are related to the specific job or jobs for which the individual is being considered and consistent with business necessity.
3. FlagHouse may use as a defense to a violation of its obligations in Paragraph 2 above that an individual poses a direct threat to the health or safety of the individual or others in the workplace.
4. No pre-employment physical examinations or questionnaires are used by FlagHouse prior to a job offer contingent on such examinations and other requirements.
5. When FlagHouse conducts a medical examination or inquiry of a person with a disability, it will do so according to the terms and conditions of the Federal Regulations implementing Section 503, and the results of such an examination or inquiry are kept confidential according to Federal regulations, which includes the following exceptions:
  - a. Supervisors and managers may be informed regarding restrictions on the work or duties of the applicant or employee and necessary accommodations;
  - b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and,
  - c. Government officials engaged in enforcing the laws administered by the OFCCP regarding individuals with disabilities, or enforcing The Americans with Disabilities Act ("the ADA") and The Americans with Disabilities Act Amendment Act of 2008 ("the ADAAA"), shall be provided relevant information on request.

## **Reasonable Accommodation to Physical and Mental Limitations**

### **41 C.F.R. § 60-741.44(d)**

1. It is FlagHouse's policy, as a matter of nondiscrimination, to make reasonable accommodation to the known physical and mental limitations of all otherwise qualified individuals with a disability, unless FlagHouse can demonstrate that the accommodation would impose an undue hardship on FlagHouse's business. Undue hardship will be determined by its definition under applicable regulations under Section 503 including, but not limited to the following: Undue hardship means, with respect to the provision of an accommodation, significant difficulty or expense incurred by the contractor, when considered in light of the factors set forth in 41 CFR § 741.2 (aa)(2), such as the overall financial resources of the facility and the impact of the accommodation upon the operation of the facility (this is not an all-inclusive list).
2. As a matter of affirmative action, if an employee with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, FlagHouse shall confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, FlagHouse shall confidentially inquire whether the employee is in need of a reasonable accommodation.

## **Anti-Harassment Procedures**

### **41 C.F.R. § 60-741.44(e)**

FlagHouse has developed and implemented procedures to ensure that its employees are not harassed on the basis of disability.

## **External Dissemination of Policy, Outreach, and Positive Recruitment**

### **41 C.F.R. § 60-741.44(f)**

1. FlagHouse undertakes appropriate outreach and positive recruitment activities that are reasonably designed to effectively recruit qualified individuals with disabilities. It is not contemplated that FlagHouse will necessarily undertake all the activities listed in Paragraph (f)(2) of this section or that its activities will be limited to those listed. The scope of FlagHouse's efforts shall depend upon all the circumstances, including the contractor's size and resources and the extent to which existing employment practices are adequate.
2. Examples of outreach and recruitment activities. Below are examples of outreach and positive recruitment activities FlagHouse may undertake in accordance with Paragraph 1 of this section.
  - a. Enlisting the assistance and support of the following persons and organizations in recruiting, and developing on-the-job training opportunities for individuals with disabilities, to fulfill its commitment to provide equal employment opportunity for such individuals:

- i. the State Vocational Rehabilitation Service Agency (“SVRA”), State mental health agency, or State developmental disability agency in the area of the contractor's establishment;
  - ii. the Employment One-Stop Career Center (One-Stop) or American Job Center nearest the contractor's establishment;
  - iii. the Department of Veterans Affairs Regional Office nearest FlagHouse’s establishment ([www.va.gov](http://www.va.gov));
  - iv. entities funded by the Department of Labor that provide recruitment or training services for individuals with disabilities, such as the services currently provided through the Employer Assistance and Resource Network (EARN) ([www.earnworks.com](http://www.earnworks.com));
  - v. local Employment Network (“EN”) organizations (other than FlagHouse, if FlagHouse is an EN) listed in the Social Security Administration's Ticket to Work Employment Network Directory ([www.yourtickettowork.com/endir](http://www.yourtickettowork.com/endir));
  - vi. local disability groups, organizations, or Centers for Independent Living (CIL) near the contractor's establishment;
  - vii. placement or career offices of educational institutions that specialize in the placement of individuals with disabilities; and
  - viii. private recruitment sources, such as professional organizations or employment placement services that specialize in the placement of individuals with disabilities.
- b. In addition, FlagHouse has considered taking the actions listed below to fulfill its commitment to provide equal employment opportunities to individuals with disabilities. It is not contemplated that FlagHouse will necessarily undertake all of the activities listed below.
- i. Formal briefing sessions held, preferably on FlagHouse’s premises, with representatives from recruiting sources. FlagHouse’s facility tours, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of FlagHouse’s selection process, and recruiting literature are an integral part of any such briefing. At any such briefing sessions, FlagHouse’s official in charge of FlagHouse’s AAP should be in attendance when possible. Formal arrangements are made for referral of applicants, follow up with sources, and feedback on disposition of applicants, from any such briefings.

- ii. FlagHouse's recruitment efforts at all educational institutions incorporate special efforts to reach students who are individuals with disabilities.
  - iii. FlagHouse makes an effort to participate in work-study programs for students, trainees, or interns with disabilities in programs found through outreach, such as to State and local schools and universities, and through EARN.
  - iv. Individuals with disabilities may be made available for participation in FlagHouse's career days, youth motivation programs, and related activities in FlagHouse's communities.
  - v. FlagHouse takes any other positive steps it deems necessary to attract individuals with disabilities not currently in the work force who have requisite skills and can be recruited through affirmative action measures. These individuals may be located through State and local agencies supported by the U.S. Department of Education's Rehabilitation Services Administration (RSA) (<http://rsa.ed.gov/>), local Ticket-to-Work Employment Networks, or local chapters of groups or organizations that provide services for individuals with disabilities.
  - vi. FlagHouse, in making hiring decisions, considers applicants who are known to have disabilities for all available positions for which they may be qualified when the position(s) applied for is unavailable.
- 3. FlagHouse sends written notification of its policy relating to its affirmative action efforts to all its covered federal subcontractors, including covered subcontracting vendors and suppliers, requesting appropriate action on their part.
  - 4. FlagHouse documents all activities it undertakes to comply with the obligations of this section, and retains these documents for a period of three (3) years.

## **Assessment of External Outreach and Recruitment Efforts**

### **41 C.F.R. § 60-741.44(f)(3)**

- 1. FlagHouse on an annual basis, reviews the outreach and recruitment efforts it has taken over the previous twelve months to evaluate its effectiveness in identifying and recruiting qualified individuals with disabilities. FlagHouse documents each evaluation, including at a minimum the criteria it used to evaluate the effectiveness of each effort and FlagHouse's conclusion as to whether each effort was effective. Among these criteria shall be the data FlagHouse collected pursuant to 41 C.F.R. § 741.44(k) for the current year and the two most recent previous years. If FlagHouse concludes the totality of its efforts were not effective in identifying and recruiting qualified individuals with disabilities, it

identifies and implements alternative efforts listed in Paragraph 2 above to fulfill its obligations.

## **Internal Dissemination of Policy**

### **41 C.F.R. § 60-741.44(g)**

1. FlagHouse recognizes that even a strong outreach program for individuals with disabilities may be ineffective without adequate internal support from its supervisors and employees. Therefore, to ensure greater employee cooperation and participation in FlagHouse's efforts regarding its obligation to engage in affirmative action efforts to employ and advance in employment qualified individuals with disabilities, FlagHouse has developed the following internal procedures. These procedures have been designed to foster understanding, acceptance and support among FlagHouse's executive, management, supervisory, and other employees to encourage such persons to take the necessary actions to aid the contractor in meeting this obligation.
2. FlagHouse implements and disseminates this policy internally as follows:
  - a. includes the policy in FlagHouse's policy manual or otherwise makes the policy available to employees; and
  - b. where FlagHouse is a party to a collective bargaining agreement, it notifies union officials and/or employee representatives of the contractor's policy and request their cooperation;
3. Below are some of the other methods FlagHouse may additionally use to implement and disseminate this policy internally:
  - a. informs all employees and prospective employees of FlagHouse's commitment to engage in affirmative action to increase employment opportunities for individuals with disabilities;
  - b. periodically schedules special meetings with all employees to discuss the policy and explain individual employee responsibilities;
  - c. publicizes the policy in FlagHouse's newspaper, magazine, annual report and other media;
  - d. conducts special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation making clear FlagHouse's chief executive officer's support for the affirmative action policy;
  - e. discusses the policy thoroughly in both employee orientation and management training meetings;
  - f. includes articles on accomplishments of individuals with disabilities in FlagHouse's publications; and



- g. when employees are featured in employee handbooks and similar publications, includes individuals with disabilities.

## **Audit and Reporting System**

### **41 C.F.R. § 60-741.44(h)**

FlagHouse has designed and has implemented an audit and reporting system that:

1. Measures the effectiveness of FlagHouse's affirmative action program.
2. Indicates any need for remedial action.
3. Determines the degree to which FlagHouse's affirmative action objectives have been attained.
4. Determines whether known individuals with disabilities have had the opportunity to participate in all company sponsored-educational, training, recreational and social activities.
5. Measures FlagHouse's compliance with the AAP's specific obligations.
6. Documents the actions taken to comply with the obligations of Paragraphs (1) through (5) of this section, and retain these documents as employment records for a period of three years from the date of making of the record.
7. Where FlagHouse, upon its review, finds its AAP to be deficient and need further progress, FlagHouse undertakes necessary action to bring the program into compliance.

## **Responsibility for Implementation of the Plan**

### **41 C.F.R. § 60-741.44(i)**

#### **1. Identification and Responsibilities of the EEO/AA Administrator. 41 C.F.R. § 60-741.44(i)**

In furtherance of FlagHouse's commitment to Affirmative Action and Equal Employment Opportunity, overall responsibility for implementing FlagHouse's AAP rests with its EEO/AA Administrator, whose identity appears on all internal and external communications regarding FlagHouse's AAP. The EEO/AA Administrator has been given the necessary senior management support and staff to manage the implementation of this AAP. Specifically, Donna Luongo or the designated representative's duties include the following, all of which are administered in accordance with the Section 503 regulations:

- a. Ensuring FlagHouse posts in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the OFCCP Director provided by or through the contracting officer. Such notices shall state the rights of applicants and employees as well as FlagHouse's obligation under the law to take affirmative action to employ and advance in employment qualified employees and applicants with disabilities.
- b. Ensuring FlagHouse's applicants or employees with disabilities are provided the notice in a form that is accessible and understandable to the individual applicant or employee

- (e.g., providing Braille or large print versions of the notice, or posting a copy of the notice at a lower height for easy viewing by a person using a wheelchair) when an applicant or employee requests the poster in an alternative format, or when FlagHouse knows that an applicant or employee is unable to read the poster because of a disability. FlagHouse may also provide the poster to an applicant or employee with a disability in other alternate means, such as on disc or in audio recording, as long as the format provided enables the individual with a disability to access the contents of a poster.
- c. Ensuring that, with respect to employees, if any, who do not work at a physical location of FlagHouse, FlagHouse satisfies its posting obligations by posting such notices in an electronic format, provided that FlagHouse provides computers, or access to computers, that can access the electronic posting to such employees, or FlagHouse has actual knowledge that such employees otherwise are able to access the electronically posted notices.
  - d. Ensuring electronic notices for employees are posted in a conspicuous location and format on FlagHouse's intranet or sent by electronic mail to employees. An electronic posting is used by FlagHouse to notify job applicants of their rights if FlagHouse utilizes an electronic application process. Such electronic applicant notice are conspicuously stored with, or as part of, the electronic application.
  - e. Ensuring that to the extent this requirement is applicable to FlagHouse, FlagHouse notifies labor organizations of its EEO policy as required by 41 C.F.R. § 60-741.44(g).
  - f. Ensuring FlagHouse includes the provisions of this clause in every subcontract or purchase order in excess of \$15,000 under the terms and conditions of 41 CFR 60-741.5(a), per Federal Acquisition Regulation-Inflation Adjustment of Acquisition-Related Thresholds, 75 FR 53129 (2010).
  - g. Ensuring that all solicitations or advertisements for employees placed by or on behalf of FlagHouse, state that all qualified applicants will receive consideration for employment and will not be discriminated against on the basis of disability.
  - h. Developing, maintaining and, where appropriate, modifying FlagHouse's AAP for individuals with disabilities, policy statements, personnel policies, internal and external communication techniques including discussions with managers, supervisors and employees to ensure FlagHouse's policies are followed, and monitoring the effectiveness of these actions.
  - i. Advising supervisors that they are responsible for preventing harassment of employees due to their status as individuals with disabilities.
  - j. Ensuring affirmative action training is conducted in accordance with 41 C.F.R. § 60-741.44(j).
  - k. Identifying problem areas with line management in the implementation of the program, and helping management develop solutions to any identifiable problem area.
  - l. Designing, implementing and overseeing an audit and reporting system to monitor the progress of FlagHouse and the AAP's effectiveness, including auditing the contents of

FlagHouse's electronic and hard copy bulletin boards on a regular basis to ensure that compliance information that is posted is up to date and accessible to applicants and employees with disabilities.

- m. Serving as liaison between FlagHouse and governmental enforcement agencies, community groups, vocational rehabilitation organizations, and organizations for individuals with disabilities.
- n. Evaluating the effectiveness of FlagHouse's plan on a regular basis, as described in this AAP, and reporting to management.
- o. Monitoring policies and procedures including the selection, evaluation, promotion and training process with regard to the various terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.
- p. Overseeing FlagHouse's processes and procedures: a) to ensure that career counseling for employees with known disabilities, when requested and appropriate; and, b) to review personnel actions, policies, procedures, and employee and applicants' qualifications to ensure individuals with disabilities are treated in accordance with anti-discrimination laws when hiring, promotion, transfer, and termination actions occur.
- q. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.
- r. Assisting in the investigation, handling and disposition of employee discrimination and harassment complaints.
- s. Conducting periodic reviews of offices to ensure compliance in the areas of proper display of posters and notices, and opportunity for participation in Company-sponsored recreational, educational and social activities.
- t. Overseeing and ensuring that the below self-identification procedures are conducted as set forth in the Section 503 regulations, using the language and manner prescribed by the OFCCP Director and published on the OFCCP Web site, as follows:
  - i. Pre-offer self-identification invitation procedures for FlagHouse's job applicants as set forth in 41 C.F.R. § 60-741.42 (a);
  - ii. Post-offer identification procedures for FlagHouse's job applicants as set forth in 41 C.F.R. § 60-741.42 (a); and
  - iii. Self-identification invitation procedures for FlagHouse's employees as set forth in 41 C.F.R. § 60-741.42 (a).

Ensuring that FlagHouse does not compel or coerce an individual to self-identify as an individual with a disability, and that FlagHouse keeps all information on self-identification confidential, and maintains it in a data analysis file (rather than in the medical files of individual employees) as set forth in 41 C.F.R. § 60-741.23(d). FlagHouse only uses the self-identification information may be used only in accordance with the Section 503 regulations.

- u. Ensuring that FlagHouse annually evaluates its utilization of individuals with disabilities in each job group, or in its entire workforce in accordance with 41 C.F.R. § 60-741.45, including the following:
  - i. Ensuring that when the percentage of individuals with disabilities in one or more job groups, or in FlagHouse's entire workforce, as applicable, is less than the utilization goal established in the Section 503 regulations, FlagHouse takes steps to determine whether and where impediments to equal employment opportunity exist. When making this determination, FlagHouse assesses its personnel processes, the effectiveness of its outreach and recruitment efforts, the results of its affirmative action program audit, and any other areas that might affect the success of its AAP.
  - ii. Ensuring that FlagHouse develops and executes action-oriented programs designed to correct any identified problem areas. These action-oriented programs may include the modification of personnel processes to ensure equal employment opportunity for individuals with disabilities, alternative or additional outreach and recruitment efforts from among those listed in 41 CFR § 60-741.44 (f)(1) and (f)(2), and/or other actions designed to correct the identified problem areas and attain the established goal.

## **2. Management Responsibilities 41 C.F.R. § 60-741.44(i)**

Line and upper management are advised of their responsibilities for FlagHouse's AAP regarding individuals with disabilities within his or her area of responsibility, including but not limited to their obligations to:

- a. Review FlagHouse's AAP for individuals with disabilities with subordinate managers and supervisors to ensure they are aware of the policy, understand their obligation to comply with it in all personnel actions and understand the need for support at all levels.
- b. Assist in the auditing of plan progress, identification of problem areas, formulation of solutions, establishment of departmental goals and objectives, and development of training programs, when appropriate.
- c. Review the qualifications of applicants and employees in their area of responsibility to ensure qualified individuals with disabilities are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur.
- d. Review employees' performance to ensure that illegal discrimination regarding individuals with disabilities does not occur.
- e. Make available career counseling to employees with known disabilities, when so requested, and as appropriate.
- f. Review position descriptions to see that they adequately reflect the job to be performed.

- g. Audit training programs, hiring, and promotion patterns.
- h. Assist employees and other members of management in the prevention of harassment.
- i. If an employee with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, FlagHouse shall confidentially inquire whether the employee is in need of a reasonable accommodation.
- j. Show support for FlagHouse's AAP.

### **Affirmative Action Training**

#### **41 C.F.R. § 60-741.44(j)**

FlagHouse provides training and guidance to all personnel who are involved in the recruitment, screening, selection, promotion, disciplinary and other related processes to ensure that its AAP commitments are implemented.

## **ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS**

**Assessment:** FlagHouse evaluated the effectiveness of outreach and recruitment efforts for qualified individuals with disabilities during its prior AAP year. During that period, of the applicants who chose to complete the self-identification form, 0.00% self-identified as an individual with disability. As a result, FlagHouse will continue to review and analyze its existing outreach efforts and commit to continue to identify viable partners throughout the year.

## **DATA COLLECTION ANALYSIS 41 C.F.R. § 60-741.44(k)**

FlagHouse documents the following computations or comparisons pertaining to applicants and hires on an annual basis and maintains them for a period of three years:

1. The number of applicants who self-identified as individuals with disabilities pursuant to § 60-741.42(a), or who are otherwise known to be individuals with disabilities;
2. The total number of job openings and total number of jobs filled;
3. The total number of applicants for all jobs;
4. The number of applicants with disabilities hired; and
5. The total number of applicants hired.

**See Individuals with Disabilities Three Year Data Collection**

# Individuals with Disabilities Three Year Data Collection

FlagHouse Inc.  
Hasbrouck Heights, NJ

Required Data	June 1, 2017 through May 31, 2018	June 1, 2018 through May 31, 2019	June 1, 2019 through May 31, 2020
Number of applicants who self-identify as individuals with disabilities pre-offer	0	0	0
Total number of job openings	15	31	6
Total number of jobs filled	15	31	6
Total number of applicants for all jobs	0	0	0
Total number of applicants with disabilities hired	0	0	0
Total number of applicants hired	15	10	6



## **UTILIZATION ANALYSIS 41 C.F.R. § 60-741.45**

**41 CFR § 60-741.45 Utilization goals.** The utilization goal is not a rigid and inflexible quota which must be met, nor is it considered either a ceiling or a floor for the employment of particular groups. These goals are not quotas.

**Goal:** OFCCP has currently established a utilization goal of 7 percent for employment of qualified individuals with disabilities for each job group in FlagHouse's workforce.

**Purpose.** The purpose of the utilization goal is to establish a benchmark against which FlagHouse measures the representation of individuals with disabilities within each job group in its workforce. The utilization goal serves as an equal employment opportunity objective that should be attainable by complying with all aspects of the affirmative action requirements of the applicable Section 503 regulations.

# Utilization Analysis (Individuals with Disabilities)

FlagHouse Inc.

Plan Date: 06/01/2020

Hasbrouck Heights, NJ

Job Group	Group Size	IWD Employment Count	%	7% Goal Met?	Problem Areas (if any) and Action - Oriented Programs (where utilization goal not met)
1.1 - Executives/Sr Level Mgmt	2	0	0	No	Will review outreach and recruitment effort and adjust accordingly to attract more qualified applicants.
1.2 - First/Mid-Level Mgmt	3	0	0	No	Will review outreach and recruitment effort and adjust accordingly to attract more qualified applicants.
2 - Professionals	7	0	0	No	Will review outreach and recruitment effort and adjust accordingly to attract more qualified applicants.
4 - Sales Workers	8	0	0	No	Will review outreach and recruitment effort and adjust accordingly to attract more qualified applicants.
5 - Administrative Support	17	0	0	No	Will review outreach and recruitment effort and adjust accordingly to attract more qualified applicants.
8 - Laborers and Helpers	18	0	0	No	Will review outreach and recruitment effort and adjust accordingly to attract more qualified applicants.