OMB NO. 1250-0003

 Expires XX/XX/XXXX

VIA CERTIFIED MAIL

(NUMBER)

RETURN RECEIPT REQUESTED

(Contractor Official)

(Title of Contractor Official)

(Establishment Name)

(Street Address)

(City, State, Zip Code)

Dear (Contractor Official):

Your establishment located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ was selected by the U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP), for a compliance check under one or more of these authorities: 41 CFR §§60-1.20(a)(3), 60-300.60(a)(3), and 60-741.60(a)(3). The compliance check will focus on whether your establishment maintains certain employment records in accordance with the requirements of 41 CFR §§60-1.12,60-300.80 and60-741.80. Compliance checks are one of several investigative procedures available to OFCCP for conducting compliance evaluations. Other investigative procedures include compliance reviews, which may include a desk audit, on-site review and off-site analysis; off-site reviews of records; and focused reviews.

OFCCP enforces Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973 (Section 503), as amended; and the Vietnam Era Veterans’ Readjustment Assistance Act of 1974 (VEVRAA), as amended. Executive Order 11246 prohibits federal contractors and subcontractors from discriminating based on race, color, religion, sex, sexual orientation, gender identity, and national origin. It also prohibits these employers from taking adverse employment actions against applicants and employees for asking about, discussing, or sharing information about their pay or, in certain circumstances, the pay of their co-workers. Section 503 prohibits these employers from discriminating against individuals with disabilities, while VEVRAA prohibits discrimination against protected veterans.

As a federal contractor or subcontractor employing at least 50 people, and having a contract or subcontract over a certain dollar amount[[1]](#footnote-1), you are required to develop a written Affirmative Action Program (AAP) for each of your estab­lishments or each functional or business unit if you have an approved agreement allowing the use of functional AAPs.[[2]](#footnote-2) You must also maintain all records relating to personnel or employment activities.[[3]](#footnote-3) Such records provide support data for your AAP, and enable you to document and demonstrate nondiscrimination and affirmative action compliance. Failure to provide the requested information constitutes noncompliance with your obligations under the legal authorities OFCCP enforces.

All the information listed below must be submitted in an electronic format.[[4]](#footnote-4) Please submit this information to OFCCP within 30 days of your receipt of this letter by email at \_\_\_\_\_\_\_\_\_\_.

1. Written AAPs prepared in accordance with Executive Order 11246, Section 503, and VEVRAA. (41 CFR §§60-1.12(b); 300.80; 60-741-80).
2. Examples of job advertisements, including listings with state employment services (41 CFR §60-1.12(a), §60-300.80, and §60-741.80).
3. Requests made for accommodations by persons with disabilities, whether the requests were denied or granted (41 CFR §60-300.80 and §60-741.80).

In the alternative, you can make the information listed above available for on-site review.

A compliance officer will contact you shortly to determine whether you will be providing the information for off-site review or if you prefer to make it available for on-site review. If you opt to make the records available for on-site review, OFCCP will view them at your establishment to ensure they have been maintained as required. The compliance officer will establish a date and time for the on-site review with you.

While the compliance check only consists of a brief review of records, please note that as a federal contractor or subcontrac­tor you are required to comply with all the regulations enforced by OFCCP. More information regarding your obligations as a federal contractor or subcontractor, as well to view the regulations OFCCP enforces, is on our website at www.dol.gov/ofccp.

You should be aware that OFCCP may initiate enforcement proceedings or reschedule you for a full compliance review if you fail to provide the records requested in this letter.

If you have any questions concerning this matter, please contact XXXXXXXXXXX at XXXXXXXX.

Sincerely,

(Name of District Director)

District Director

Public Burden Statement: According to the Paperwork Reduction Act (PRA) of 1995, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. Your response is required as a condition of your federal contract or subcontract, pursuant to 41 CFR Chapter 60. The estimated public reporting burden for this information collection is 2 hours. If you have comments regarding the estimated reporting burden, or suggestions for reducing the burden, please send them to the Office of Federal Contract Compliance Programs (OFCCP), Division of Policy and Program Development, 200 Constitution Avenue, N.W., Room C-3325, Washington, D.C. 20210, and reference OMB Control Number 1250-0003.

1. The threshold under Executive Order 11246 and Section 503 is $50,000 or more and $150,000 or more under VEVRAA. [↑](#footnote-ref-1)
2. 41 CFR §§60-1.40, 60-2.1, 60-300.40, and 60‑741. [↑](#footnote-ref-2)
3. 41 CFR §§ 60-1.12, 60-300.80, and 60-741.80. [↑](#footnote-ref-3)
4. All information must be submitted in an electronic format that is capable of being processed or interpreted by a computer or similar electronic device. If data includes acronyms or codes, include an index that explains the terminology. Additionally, pursuant to 41 CFR §§ 60-741.81 and 60-300.81, OFCCP reserves the right to request information in any of the formats, including specific electronic formats, in which it is maintained. [↑](#footnote-ref-4)