

SUPPORTING STATEMENT

DEPARTMENT OF LABOR OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS EXEMPLARY VOLUNTARY EFFORT (EVE), EXEMPLARY PUBLIC INTEREST CONTRIBUTION (EPIC) and THE SECRETARY OF LABOR'S OPPORTUNITY AWARDS

OMB No. 1215-0201

A. JUSTIFICATION:

1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY.

The Office of Federal Contract Compliance Programs (OFCCP) is responsible for the administration of the Secretary of Labor's Opportunity Award, Exemplary Voluntary Effort (EVE), and Exemplary Public Interest Contribution (EPIC) Awards. These Awards shall be presented annually to Federal contractors and non-profit organizations whose activities support the mission of the OFCCP.

The Secretary of Labor's and EVE Award recipients must be a Federal contractor covered by Executive Order 11246, as amended; Section 503 of the Rehabilitation Act, as amended; and the Vietnam Era Veterans' Readjustment Assistance Act, as amended.

The Secretary of Labor's Opportunity Award shall be presented by the Secretary of Labor to one contractor each year that has established and instituted comprehensive workforce strategies to practice affirmative action and ensure equal employment opportunity.

The EVE Award shall be presented by the Deputy Assistant Secretary for Federal Contract Compliance (DAS) to those contractors that have demonstrated through program activities, exemplary and innovative efforts to create an inclusive American workforce. For the purpose of this Award, the term "Federal contractor" includes federally-assisted construction contractors and subcontractors.

The EPIC Award shall be presented by the DAS to selected public interest organizations that have supported equal opportunity and linked their efforts with those of Federal contractors to enhance employment opportunities for those with the least opportunity to join the workforce. Through these exemplary efforts, these organizations help to ensure that all Americans enjoy their rightful place in the workforce.

There are no legal or administrative requirements that necessitate this information collection. The recognition of Federal contractors that are in compliance with OFCCP regulations that work with community and public interest organizations sends a positive message throughout the U.S. Labor Force and business community. Further, these award winners serve as examples to their constituency groups and the general public as having outstanding equal employment opportunity programs.

2. INDICATE HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED.

This information collection will be utilized in an effort to select recipients for the Secretary of Labor's Opportunity, EVE, and EPIC Awards. The Regional Directors submit their nominations of contractors and non-profit public interest organizations to the Deputy Assistant Secretary for Federal Contract Compliance. The nominations are reviewed by a selection committee that has the responsibility of providing the DAS and the Secretary of Labor with the recommended Award nominees.

3. DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTION TECHNIQUES OR OTHER FORMS OF INFORMATION TECHNOLOGY.

The EVE Directive/Administrative Notice appears on the OFCCP web site for downloading at <http://www.dol.gov/esa/media/reports/ofccp/evedr261.htm>. This information can be gathered using internet technological systems available to Federal contractors.

Working with the Regional Directors, the contractors submit the following data summary in support of their nominations:

1. Name of the Contractor being nominated,
2. Full address and telephone number,
3. Name of the highest-ranking Officials,
4. Name of executive responsible for human resources or equal employment opportunity at nominated establishment and/or corporate office,
5. Name of Parent Company (where appropriate),
6. Name, address and telephone number of CEO or President of Parent Company,
7. Name, title, address and telephone number of a contact person,
8. Number of employees at the establishment or corporation being nominated,
9. Name and description of principal product(s) or services,
10. Copies of the most recently filed employment consolidated Employer Information Reports (EEO-1) and VETS-100 reports, and
11. Names of individuals and other relevant information about the contractor's Board of Directors.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION.

This collection is unique to OFCCP. Duplication is at a minimum, although two data elements are used to identify employee demographic data. The two data elements are the Employer Information Report (EEO-1/OMB No. 3046-0007) and the VETS-100 Report (OMB No. 1293-0005). The EEO-1 and the VET-100 are utilized in the identification of covered Federal contractors.

5. COLLECTION OF INFORMATION IMPACT ON SMALL BUSINESSES OR OTHER ENTITIES.

The nomination criteria are based on current records maintained by the contractor which limits the contractor's burden. Federal contractors, regardless of size, have the option of voluntarily submitting a nomination package and it is at their discretion as to the amount of detail to included in the submission.

6. CONSEQUENCES TO FEDERAL PROGRAMS IF THIS INFORMATION WERE COLLECTED LESS FREQUENTLY.

If this collection is not conducted, it will severely limit OFCCP's capacity to recognize outstanding Federal

contractors and non-profit public interest organizations with exceptional equal employment opportunity and nondiscrimination programs that support the OFCCP mission.

7. SPECIAL CIRCUMSTANCES FOR THE COLLECTION OF INFORMATION.

There are no special circumstances associated with this collection.

8. CONSULTATION OUTSIDE THE AGENCY.

In accordance with the Paperwork Reduction Act of 1995 (PRA95), OFCCP published a notice inviting public comment on the OFCCP's Exemplary Voluntary Effort (EVE), Exemplary Public Interest Contribution (EPIC), and the Secretary of Labor's Opportunity Award. (See Federal Register of June 7, 2006, Vol. 71, No. 109). The Federal Register comment period ended on August 7, 2006. During the comment period, OFCCP received one comment. The commenter recommends that OFCCP either eliminate or reduce the cost of the overall program. The comment is attached for review.

9. PAYMENT OR GIFT TO RESPONDENTS.

No Payments or gifts are provided to respondents.

10. ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS.

The disclosure of information obtained from a Federal contractor will be evaluated pursuant to the public inspection and copying provisions of the Freedom of Information Act, 5 U.S.C. 552, and the Department of Labor's implementing regulations at 29 CFR Part 70. Thus, the confidentiality of contractors' information is protected to the full extent of the law.

11. QUESTIONS OF A SENSITIVE NATURE.

This information collection does not contain any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

12. ESTIMATE OF INFORMATION COLLECTION BURDEN HOURS.

The estimate of the information collection burden is displayed below, and is separated by award category (Secretary Opportunity, EVE, and EPIC Awards). The nominee's estimated burden hours and cost to submit the nomination package are based on the number of nominations received for Calendar Year (CY) 2005. During CY 2005, OFCCP received two (2) Secretary's Opportunity, seventeen (17) EVE, and twenty (20) EPIC award nominations. To develop the nominations, contractors review award instructions, research existing data sources, gather and maintain the needed data, review the data, and submit the collection of information to OFCCP.

Annualized Cost to contractors and non-profit organizations.

The estimated annualized cost to nominees is based on Bureau of Labor Statistics data in the publication "Employer Costs for Employee Compensation" (USDL: 06-456), which lists total compensation for managerial professionals as \$43.77 per hour and administrative support as \$20.86 per hour. OFCCP estimates that 20 percent of the burden hours are performed by managerial professionals and 80 percent performed by administrative support employees. We have calculated the total estimated annualized cost as follows:

Secretary of Labor: OFCCP estimates that Federal contractors take an average of 250 hours to develop and submit a nomination package for the Secretary of Labor's Award. During 2005, OFCCP received two (2) Secretary's Opportunity nomination packages.

Total Secretary's estimated hours = 500 (250 hours x 2 nominations)

Management 250 hours x .20 x \$43.77	= \$ 2,188
Admin. Supp. 250 hours x .80 x \$20.86	= \$ 4,172
Total cost per nomination	= \$ 6,360
Estimated Total cost (2 x \$6,360)	= \$12,720

EVE: OFCCP estimates that Federal contractors take an average of 120 hours to develop a package to submit for

the EVE Award. During 2005, OFCCP received 17 EVE nomination packages.

Total EVE estimated hours = 2,040 (120 hours x 17 nominations)

Management 120 hours x .20 x \$43.77	=	\$ 1,050
Admin. Supp. 120 hours x .80 x \$20.86	=	<u>\$ 2,002</u>
Total cost per nomination	=	\$ 3,052
Estimated Total cost (17 x \$3,052)	=	\$51,884

EPIC: It is estimated that it will take a non-profit public interest organization 96 hours to develop a package to submit for the EPIC Award. During 2005, OFCCP received 20 EPIC nomination packages.

Total EPIC estimated hours = 1,920 (96 hours x 20 nominations)

Management 96 hours x .20 x \$43.77	=	\$ 840
Admin. Supp. 96 hours x .80 x \$20.86	=	<u>\$ 1,602</u>
Total cost per nomination	=	\$ 2,442
Estimated Total cost (20 x \$2,442)	=	\$48,840

The total estimated annual hours requested is 4,460 (Secretary of Labor 500 hours, + EVE 2,040 hours, + EPIC 1,920 hours = 4,460 total annual hours).

Secretary's estimated annual cost	=	\$12,720
EVE estimated annual cost	=	\$51,884
EPIC estimated annual cost	=	<u>\$48,840</u>
		\$113,444

13. ANNUAL OPERATION AND MAINTENANCE COST BURDEN TO NOMINEES.

There is no initial start-up costs associated with the collection of this information. The contractors and non-profit public interest organizations provide OFCCP with the information they generally maintain in the normal course of their business.

Estimated mailing cost for 39 applicants is \$16.38 (39 x \$.39 for postage = \$15.21) (39 x \$.03 envelopes = \$1.17)

14. ESTIMATE OF COST TO FEDERAL GOVERNMENT.

We have estimated the cost to the government as follows: 314 hours per nominee x 39 nominees = **12,246** hours.

We have estimated the hourly rate at \$31.17 (GS-12, step 1, annual salary of \$65,048). The total cost would be \$31.17 per hour x 12,246 = **\$381,707.82**.

This dollar amount is part of the normal cost of OFCCP's technical assistance, administrative actions, recommendation process, vetting, meetings, updating invitation list, mailing invitations, written correspondence and coordination.

Estimated mailing cost for 39 applicants is **\$16.38** (39 x \$.39 for postage = \$15.21) (39 x \$.03 envelopes = \$1.17)

Total cost to the Federal Government: \$381,724.

15. CHANGE IN BURDEN HOURS.

We are requesting OMB approval of **4,460** hours in recordkeeping and reporting burden. The present clearance contains approval of **37,280** hours. The new estimate represents an adjustment in the burden hour net decrease of -32,820 hours. The decrease in burden hours is attributed to a reduction of the number of nominations from the current 80 respondents to 39 respondents received during CY 2005.

16. STATISTICAL USES AND PUBLICATION OF DATA.

The data collected as a result of the items contained in the request will not be published as statistical tables.

17. APPROVAL TO NOT DISPLAY THE EXPIRATION DATE.

Such approval is not being sought.

18. EXCEPTION TO THE CERTIFICATION STATEMENT.

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-1.