

VIA CERTIFIED MAIL
(NUMBER)
RETURN RECEIPT REQUESTED

(Name of contractor official)
(Title of contractor official)
(Establishment Name)
(Street Address)
(City, State, Zip Code)

Dear (Name of contractor official):

The U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP), selected your _____ [Insert: establishment, functional unit, or corporate headquarters] located at _____ for a _____ [Insert: compliance evaluation or corporate management compliance evaluation (CMCE)]. We are conducting this _____ [Insert: compliance evaluation or CMCE] under the authority of Executive Order 11,246, Section 503 of the Rehabilitation Act of 1973,¹ the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974² and their implementing regulations in 41 CFR Chapter 60.³ In addition to determining your compliance with these authorities, we will also verify your compliance with the regulations issued by the Veterans' Employment and Training Service (VETS) requiring contractors covered under Section 4212 to file an annual report on their employment and hiring of protected veterans.⁴

A compliance evaluation is initiated as a compliance review. The compliance review may progress in three phases: a desk audit, an on-site review, and an off-site analysis. OFCCP describes the phases of a compliance review in its regulations at 41 CFR Chapter 60.⁵ For the desk audit, please submit the following information:

1. a copy of your current Executive Order Affirmative Action Program (AAP) prepared in accordance with the requirements of 41 CFR § 60-1.40, and 41 CFR § 60-2.1 through § 60-2.17;

¹ 29 U.S.C. § 793 (2006).

² 38 U.S.C. § 4212 (2006).

³ E.O. 11246, as amended, 3 CFR 339 12319 (1965); Section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 793 (2006); Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212 (2006).

⁴ The VETS regulations require Federal contractors to submit either or both the VETS-100 and the VETS-100A Federal Contractor Report on Veterans' Employment. See 41 CFR § 61-250.10 and § 61-300.10.

⁵ 41 CFR §§ 60-1.20(a), 60-250.60(a), 60-300.60(a), and 60-741.60(a).

2. a copy of your current Section 503 and Section 4212 AAPs prepared in accordance with the requirements of 41 CFR § 60-741.40 through § 60-741.44, 41 CFR § 60-250.40 through § 60-250.44 and/or 41 CFR § 60-300.40 through § 60-300.44, respectively; and
3. the support data specified in the enclosed Itemized Listing.

Please submit your AAPs and the support data specified in the enclosed Itemized Listing to the address listed on page one of this letter as soon as possible, but no later than 30 days from the date you receive this letter. Pursuant to 41 CFR § 60-1.12(e), failure to preserve complete and accurate records constitutes non-compliance with your obligations as a Federal contractor or subcontractor. Once the evaluation begins, you are required to maintain all personnel and employment records described in the regulations enforced by OFCCP until the final disposition of the evaluation.⁶

We encourage you to submit your information in an electronic format to reduce the amount of time it takes to complete our evaluation of your [Insert establishment, functional unit, or corporate headquarters]. Should you opt to email your submissions, use email address _____.

You should be aware that OFCCP may initiate enforcement proceedings if you fail to submit AAPs and support data that represent a reasonable effort to meet the requirements of the regulations in 41 CFR Chapter 60.

Rest assured that OFCCP considers the information you provide in response to this Scheduling Letter as sensitive and confidential. Therefore, any disclosures we may make will be consistent with the provisions of the Freedom of Information Act.⁷

Please contact _____ at _____ if you have any questions concerning the compliance evaluation.

Sincerely,

(Name of District Director)
District Director

Enclosure (1)
Itemized Listing

⁶ 41 CFR §§ 60-1.12(a), 60-250.80(a), 60-300.80(a), and 60-74.80(a).

⁷ 41 CFR § 60-1.20(g); Freedom of Information Act, as amended, 5 U.S.C. § 552 (2009).