

VIA CERTIFIED MAIL
(NUMBER)
RETURN RECEIPT REQUESTED

(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 (DOL), Office of Federal Contract Compliance Programs (OFCCP), selected your _____ [Insert: establishment located at (address), functional unit (name or description of functional unit), or corporate headquarters located at (address)] for a focused review. We are conducting this focused review under the authority of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA) and its implementing regulations in 41 CFR Part 60-300.

A compliance evaluation may consist of any one or any combination of investigative procedures. OFCCP describes the phases of a compliance evaluation in the regulations at 41 CFR Chapter 60. For the purposes of this focused review, you are required to submit the following information:

1. A copy of your current Executive Order 11246 Affirmative Action Program (AAP) prepared in accordance with the requirements of 41 CFR §§ 60-1.40 and 60-2.1 through 60-2.17.¹
2. A copy of your current VEVRAA AAP prepared in accordance with the requirements of 41 CFR §§ 60-300.40 through 60-300.45.
3. Results of the evaluation of the effectiveness of outreach and recruitment efforts that were intended to identify and recruit qualified protected veterans as described in 41 CFR § 60-300.44(f).
4. Documentation of the computations or comparisons described in 41 CFR § 60-300.44(k) for the immediately preceding AAP year and, if you are six months or more into your current AAP year when you receive this letter, provide the information for at least the first six months of the current AAP year.

¹ OFCCP will not conduct a review of the Executive Order 11246 AAP during a VEVRAA focused review. This AAP will only be used to help OFCCP understand the contractor's organizational structure, and understand generally how the VEVRAA compliance strategies fit with the contractor's other affirmative action efforts. OFCCP will not analyze data contained in the Executive Order 11246 AAP to look for discrimination based on sex or race and ethnicity.

5. Documentation of the hiring benchmark adopted, including the methodology used to establish it if using the five factors described in § 60-300.45(b)(2).
6. A copy of your collective bargaining agreement(s), if applicable. Include any other documents you prepared, such as policy statements, employee notices or handbooks, etc. that implement, explain, or elaborate on the provisions of the collective bargaining agreement.
7. Copies of reasonable accommodation policies, and documentation of any accommodation requests received and their resolution, if any.
8. Your most recent assessment of your personnel processes, as required by 41 CFR § 60-300.44(b), including a description of the review and any actions taken or changes made as a result of the assessment.
9. Your most recent assessment of physical and mental qualifications, as required by 41 CFR § 60-300.44(c), including the schedule for the review and any actions taken or changes made as a result of the assessment.

Please submit your AAPs and support data 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. If any of the requested information is maintained electronically, you must submit it in an electronic format that is complete, readable, and useable.² Pursuant to 41 CFR §§ 60-1.12(e) and 60-300.80(c), 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.

We encourage you to submit your information in 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 submission, use the email address _____ . Please use caution when submitting large electronic files to ensure the information is securely transmitted. Check with the OFCCP Compliance Officer and your system administrator to ensure adherence to administrative and system guidelines.

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 Part 60-300. Please also be aware that OFCCP may use the information you provide during a compliance evaluation in an enforcement action. We may also share that information with other enforcement agencies within DOL, as well as with other federal civil rights enforcement agencies with which we have information sharing agreements.

² If data includes acronyms or codes, include an index that explains the terminology. Pursuant to 41 CFR § 60-300.81, OFCCP reserves the right to request information in any of the formats, including specific electronic formats, in which it is maintained.

Finally, the public may seek disclosure of the information you provide during a compliance evaluation. Under current law and regulations, OFCCP is required to comply with the Freedom of Information Act (FOIA), the Trade Secrets Act, the Privacy Act, and Executive Order 12600, and DOL's FOIA regulations at 29 CFR § 70.26, all of which govern the disclosure of confidential commercial information.³

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

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 6.5 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.

³ 41 CFR §§ 60-1.20(g), 60-300.81, and 60-741.81; Freedom of Information Act, as amended, 5 U.S.C. § 552 (2009).