

March 9, 2026

Submitted via Federal eRulemaking Portal: www.regulations.gov

Ashley Romanias
Director
U.S. Department of Labor
Office of Federal Contract Compliance Programs
200 Constitution Avenue NW
Washington, DC 20210

Re: Center for Workplace Compliance Comments on the Office of Federal Contract Compliance Programs' Proposed Renewal of Information Collection Request, *Recordkeeping Requirements - 38 U.S.C. 4212 - Vietnam Era Veterans' Readjustment Assistance Act of 1974, as Amended* (OMB Control No. 1250-0004)

Dear Director Romanias:

The Center for Workplace Compliance ("CWC") respectfully submits these comments in response to the Office of Federal Contract Compliance Programs' ("OFCCP") proposal to renew the recordkeeping and reporting requirements arising under arising under Section 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended ("VEVRAA"), notice of which was published in the *Federal Register* on January 7, 2026.¹

CWC appreciates the opportunity to offer these comments. As a leading nonprofit association of major employers dedicated exclusively to helping its members develop practical and effective workplace compliance programs, CWC has engaged the Labor Department on every significant regulatory and sub-regulatory action arising under VEVRAA Section 4212.

CWC is pleased to support OFCCP's proposal to renew and extend VEVRAA's recordkeeping and reporting requirements. While OFCCP's VEVRAA requirements are not without challenges, CWC's member employers have nonetheless found their veteran compliance programs to be of value in ensuring protected veterans have equal access to workplace programs.

Statement of Interest

CWC² is the nation's leading nonprofit association of employers dedicated exclusively to helping its member employers develop practical and effective programs for ensuring compliance with fair employment and other workplace requirements. Formed in 1976, CWC's membership includes U.S. employers from nearly every major industry sector and geographic

¹ 91 Fed. Reg. 541 (January 7, 2026).

² Formerly the Equal Employment Advisory Council (EEAC).

region, all of whom are firmly committed to the principles and practice of equal employment opportunity.

Nearly all CWC members are subject to the nondiscrimination and affirmative action requirements of VEVRAA, Section 503 of the Rehabilitation Act, and their implementing regulations. As major federal contractors and subcontractors, CWC's members have a significant stake and interest in ensuring that OFCCP's regulations and paperwork requirements, including those triggered by the agency's VEVRAA regulations, efficiently and effectively accomplish their underlying policy objectives.

CWC Supports OFCCP's Extension of the VEVRAA Requirements

OFCCP proposes to renew and extend the nondiscrimination and affirmative action requirements arising under the agency's VEVRAA regulations. This includes important programs such as veteran self-identification, mandatory non-discrimination and anti-harassment policies, and data collection and evaluation, among others. While the agency's VEVRAA recordkeeping and reporting requirements are imperfect—and the agency has at times been unwilling to seriously consider sensible revisions to them—CWC's member employers have nonetheless found these requirements to be an important component of larger compliance regime required of federal contractors.

We do recommend one small update to the agency's sub-regulatory guidance. OFCCP's VEVRAA regulations require qualifying federal contractors to collect and maintain for a three-year period the numbers of: (1) jobs opened and filled; (2) applicants and hires; and (3) protected veteran applicants and hires. These terms are not defined in OFCCP's VEVRAA regulations. Rather, the agency has provided sub-regulatory guidance in the form of "Frequently Asked Questions" available online.³ Our members have advised us that the definitions of key terms in OFCCP's FAQs are confusing, particularly given OFCCP's preference that the metrics include *internal* promotions and transfers. They have struggled to understand how the resulting data could be useful for the stated purpose of evaluating the effectiveness of their *external* veteran outreach efforts, which is mandatory under the agency's regulations.

We thus urge OFCCP to consider issuing new guidance, perhaps in the form of FAQs, stating that contractors are permitted to define these terms in a manner consistent with the way they define those terms for other federal, state, and local requirements.

³ Specifically, CWC refers to numbers 1-4 under the heading, "Data Collection Analysis" in OFCCP's VEVRAA FAQs available at <https://www.dol.gov/agencies/ofccp/faqs/vevraa>.

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Conclusion

CWC sincerely appreciates the opportunity to offer these comments regarding the proposed extension of OFCCP's VEVRAA requirements. Please do not hesitate to contact us if we can provide further assistance or perspective as you consider these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Danny E. Petrella". The signature is stylized with a large, looped initial "D" and a prominent "E" above the "t".

Danny E. Petrella

Senior Vice President, Compliance, and Assistant General Counsel