

U.S. Department of Labor
Office of Federal Contract Compliance Programs
Recordkeeping Requirements—29 U.S.C. 793
Section 503 of the Rehabilitation Act of 1973, As Amended

Office of Management and Budget (OMB) Number 1250-0005

The U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) is seeking an extension without change of a currently approved information collection (OMB #1250-0005).

A. JUSTIFICATION

1. Legal and Administrative Requirements

This information collection request (ICR) covers the information collection burden for various requirements under Section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 793 (Section 503), and its implementing regulations at 41 CFR part 60-741. Section 503 prohibits covered federal contractors and subcontractors (“contractors”)¹ from discriminating against applicants and employees based on disability status. Contractors are also required to “take affirmative action to employ and advance in employment qualified individuals with disabilities.” 29 U.S.C. 793(a).

On July 1, 2025, OFCCP issued a Notice of Proposed Rulemaking (NPRM) seeking to modify the Section 503 regulations. 90 FR 28494 (July 1, 2025). Among other proposals in the NRPM, OFCCP proposed to rescind the regulations at 41 CFR 60-741.42, which require contractors to ask applicants and employees about their disability status (the “disability inquiry requirement”). In the NPRM, OFCCP also proposed to remove the utilization goal requirement at 41 CFR 60-741.45 and the related data collection analysis requirements at 41 CFR 60-741.44(k). These regulations establish a seven percent utilization goal for the employment of qualified individuals with disabilities and require contractors to conduct specific analyses to compare their job group utilization against the seven percent utilization goal.

In the NPRM, OFCCP proposed rescinding the requirements described above in part due to concerns that these requirements conflict with the Americans with Disabilities Act, and its implementing regulations at 29 CFR part 1630. On August 25, 2025, OFCCP published a 60-day notice in the *Federal Register*, 90 FR 41415, which described how the NPRM’s proposed rescissions would impact this information collection. In addition to updating the burden

¹ Hereinafter, all references to “contractor” include federal contractors and subcontractors covered by Section 503 and its implementing regulations, unless otherwise stated. See Jurisdictional Thresholds at <https://www.dol.gov/sites/dolgov/files/OFCCP/PDFs/Jurisdictional-Thresholds-Oct2025-508c.pdf>. Effective October 1, 2025, the basic coverage threshold under Section 503 increased from \$15,000 to \$20,000, in accordance with the inflationary adjustment requirements in 41 U.S.C. 1908. See Federal Acquisition Regulation: Inflation Adjustment of Acquisition-Related Thresholds, 90 FR 41872 (Aug. 27, 2025). Contractors with 50 or more employees and a single federal contract or subcontract of \$50,000 or more are also required to develop and maintain an affirmative action program (AAP), where they must implement and document their equal employment opportunity efforts on an annual basis.

estimates to account for the proposed rescissions, OFCCP proposed removing the prescribed disability inquiry form (the CC-305 form) that is part of the information collection. With the proposed rescission of the disability inquiry requirement, contractors would no longer need to use this prescribed form.

OMB's approval for this information collection expires on April 30, 2026. Since the final rule is still pending, OFCCP now seeks an extension of the currently approved information collection. OFCCP will respond to public comments on the 60-day information collection notice in the final rule and will request OMB approval of any information collection changes at that time.

2. Use of Collected Material

Contractors use the information collected to meet the Section 503 regulatory requirements described in more detail in Section 12 of this supporting statement below. OFCCP may also review the collected information to determine contractors' compliance with the Section 503 regulations (e.g., during a Section 503 complaint investigation).

3. Use of Information Technology

In general, each contractor develops its own methods for collecting and maintaining the ICR information. Contractors have the option to use methods that best suit their needs provided they can retrieve and submit the requested data to OFCCP.

According to the Government Paperwork Elimination Act (GPEA, P.L. 105-277, 1998), by October 2003, government agencies must provide the option of using and accepting electronic documents and signatures, and electronic recordkeeping, where practicable. OFCCP fulfills its GPEA requirements by permitting contractors to submit documentation via e-mail or another electronic format.

4. Description of Efforts to Identify Duplication

No duplication of effort exists because no other government agency has these specific data collection requirements.

5. Impact on Small Businesses

This ICR does not have a significant economic impact on a substantial number of small businesses. OFCCP minimizes the burden on small businesses by exempting entities who fail to meet the higher AAP contract size and employee thresholds² from the affirmative action regulatory requirements described in Section 12 of this supporting statement below.

6. Consequences of a Less Frequent Collection

² See OFCCP Jurisdictional Thresholds at <https://www.dol.gov/sites/dolgov/files/OFCCP/PDFs/Jurisdictional-Thresholds-Oct2025-508c.pdf>.

There is not a specific schedule for the collection of this information. OFCCP reviews the collected information when reviewing contractors' compliance with Section 503 and its implementing regulations at 41 CFR part 60-741 (e.g., during a Section 503 complaint investigation). Without this information, OFCCP may not be able to review contractors' compliance with these requirements.

7. Special Circumstances

There are no special circumstances for the collection of this information.

8. Consultation Outside the Agency

As noted above, OFCCP published a 60-day notice in the *Federal Register* describing how its proposed rule would impact this information collection. 90 FR 41415 (Aug. 25, 2025). Because the final rule is still pending, OFCCP now seeks an extension of the currently approved information collection and will respond to public comments on the 60-day proposal when the final rule is issued. In addition to reviewing public comments on this ICR, OFCCP also maintains a Help Desk where staff provide compliance assistance to stakeholders.³ This information helps inform OFCCP's administration of the Section 503 program.

9. Gift or Payments

OFCCP provides neither payments nor gifts to respondents.

10. Confidentiality of Information

OFCCP will treat records provided by a contractor or complainant as confidential to the maximum extent the information is exempt from public disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. 552. OFCCP will evaluate all information requests pursuant to the public inspection and disclosure provisions of FOIA and its implementing regulations at 29 CFR part 70.

OFCCP safeguards and protects personally identifiable information it receives from contractors or complainants to the maximum extent allowable under the law in accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a).

11. Questions of Sensitive Nature

The Section 503 regulations at 41 CFR 60-741.80 require contractors to maintain various employment records. These records may include sensitive information (e.g., records on workers' reasonable accommodation requests). When using this type of information, contractors must adhere to the confidentiality provisions set forth in the Section 503 regulations. *See e.g.*, 41 CFR 60-741.44(d)(1) and 41 CFR 60-741.23(d).

³ Contact information for the help desk is available at <https://www.dol.gov/agencies/ofccp/contact>.

12. Information Collection Hour Burden⁴

Burden Hours

OFCCP bases estimates for the covered contractor universe on EEO-1 data.⁵ OFCCP estimates a total of 336,819 burden hours related to recordkeeping requirements covered by this ICR. This estimate is based on the average time it takes for the contractor establishments to document their compliance with the affirmative action requirements set forth in 41 CFR 60-741, Subpart C.⁶

OFCCP estimates a total of 1,501,933 burden hours related to the third-party disclosure requirements covered by this ICR. This estimate is based on the average time it takes for applicants (899,790 hours),⁷ employees (512,165 hours),⁸ and contractor establishments (89,978 hours)⁹ to make the third-party disclosures required in 41 CFR 60-741, Subpart C. Accordingly, the total third-party disclosure burden is 899,790 hours + 512,165 hours + 89,978 hours = 1,501,933 hours.

Total Burden Hours for the ICR: 1,838,752 hours (336,819 recordkeeping hours + 1,501,933 third-party disclosure burden hours).

Monetized Burden Hours

⁴ There is no reporting burden associated with this ICR. The reporting burden associated with complaint filing is covered in a separate ICR (OMB # 1250-0002) and the information collected pursuant to a complaint investigation is excluded from the Paperwork Reduction Act requirements because it is related to an “administrative action, investigation, or audit involving an agency against specific individuals or entities.” 5 CFR 1320.4(a)(2).

⁵ Based on EEO-1 data, there are approximately 119,971 contractor establishments covered by the Section 503 regulations and 89,978 of these establishments are also covered by the regulations implementing Vietnam Era Veterans’ Readjustment Assistance Act (VEVRAA), as amended. Where parallel Section 503 and VEVRAA requirements are already accounted for in the VEVRAA ICR (1250-0004), OFCCP bases its estimates on the universe of Section 503 establishments that are not covered in the VEVRAA ICR estimates (119,971-89,978 = 29,993 covered entities). Where Section 503 includes different requirements, OFCCP uses an estimate of 119,971 contractor establishments.

⁶ OFCCP estimates it takes contractors 1 hour (every 5 years, as provided in the regulations) to meet the recordkeeping requirements for 41 CFR 60-741.42(c) and an additional 2.42 hours to meet the data collection and analyses requirements set forth in 41 CFR 60-741.44(k) and 41 CFR 60-741.45. OFCCP estimates the time burden for the other recordkeeping requirements in 41 CFR 60-741, Subpart C as .75 hours (e.g., maintaining records on outreach). Total = 119,971 establishments × (1 hour/5 years + 2.42 hours) + (29,993 establishments × .75 hours) = 336,819 hours.

⁷ OFCCP estimates that there will be an average of 24 applicants per job vacancy for on average 15 vacancies per year. The total burden = 29,993 establishments × estimated 15 vacancies per year × estimated 24 applicants per vacancy × (5 minutes/60 minutes to complete form) = 899,790 hours.

⁸ Based on EEO-1 data, there are approximately 30,729,877 employees in the covered universe. OFCCP estimates employees will take 5 minutes to complete the provided forms every 5 years as required by the regulations. The total burden is (30,729,877 employees × [5 minutes/60 minutes]) / 5 years = 512,165 hours.

⁹ Both Section 503 and VEVRAA require contractors to send written notification of the company’s policy related to its affirmative action efforts to all subcontractors, including subcontracting vendors and suppliers. The total estimate is 119,971 covered entities × .75 hours = 89,978 hours. This estimate covers the burden for both Section 503 and VEVRAA, as contractors generally send one notification.

Based on the estimated recordkeeping time burden described above, OFCCP estimates the total recordkeeping time burden translates to approximately \$29,084,321 in burden costs to contractors (336,819 burden hours x \$86.35¹⁰ = \$29,084,321)

Based on the estimated third-party disclosure time burden described above, OFCCP estimates that the total third-party disclosure time burden for employees and applicants translates to approximately \$67,844,438 ([899,790 hours + 512,165 hours] x \$48.05¹¹ = \$67,844,438).

OFCCP estimates that the total third-party disclosure time burden for contractors translates to approximately \$7,769,600 in burden costs to contractors (89,978 hours x \$86.35¹² = \$7,769,600).

Total Monetized Time Burden for the ICR: \$104,698,359 (\$29,084,321 recordkeeping costs + \$67,844,438 applicant/employee third-party disclosure+ \$7,769,600 contractor third-party disclosure burden = \$104,698,359)

13. Information Collection Cost Burden

OFCCP estimates that contractors that use paper-based application systems will have operations and maintenance costs for printing forms. OFCCP estimates that these costs will total approximately \$475,085.¹³

14. Cost to Federal Government

OFCCP associates no unique federal costs with this information collection.¹⁴

15. Program Changes or Burden Adjustments

The change in burden hours compared to the previous collection is primarily due to changes in the covered universe estimate.

16. Publication of Data for Statistical Use

¹⁰ See Bureau of Labor Statistics, Occupational Employment Statistics, Occupational Employment and Wages, May 2024, <https://data.bls.gov/oes/#/industry/000000> (\$55.15 per hour for Management Analysts and \$77.15 per hour for Human Resource Managers. The calculation uses an 80/20 split between Management Analysts and Human Resource Managers, which equals \$59.55 plus 45 percent of wages for fringe benefits. $\$59.55 \times 1.45 = \86.35).

¹¹ Bureau of Labor Statistics, Employer Costs for Employee Compensation, June 2025, <https://www.bls.gov/news.release/ecec.nr0.htm>. \$48.05 per hour for civilian workers (includes wages and salaries + total benefits).

¹² See Bureau of Labor Statistics, Occupational Employment Statistics, Occupational Employment and Wages, May 2024, <https://data.bls.gov/oes/#/industry/000000>. \$55.15 per hour for Management Analysts and \$77.15 per hour for Human Resource Managers. The calculation uses an 80/20 split between Management Analysts and Human Resource Managers, which equals \$59.55 plus 45 percent of wages for fringe benefits. $\$59.55 \times 1.45 = \86.35 .

¹³ Assuming 5% of contractor establishments will use paper-based applications, the estimate is $(.05 \times 119,971) \times$ (estimated 15 vacancies per year \times estimated 24 applicants per vacancy) \times \$0.22 (average copying costs at major stores) = \$475,085.

¹⁴ OFCCP reviews contractors' compliance through complaint investigations and has a separate ICR (OMB # 1250-0002) which covers the costs to the federal government.

There will be no publication of statistical analysis related to this collection.

17. Approval Not to Display the Expiration Date

OFCCP is not seeking approval to not display the expiration date of this collection.

18. Exceptions to the Certification Statement

OFCCP is not seeking exceptions to the certification statement of this collection.

B. STATISTICAL METHODS

This information collection does not use statistical methods.