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 requesting OMB approval of revisions to its existing 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 NPRM, OFCCP proposed to rescind the regulations at 41 CFR 60-741.42, which required contractors to ask applicants and employees about their disability status. 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 established a seven percent utilization goal for the employment of qualified individuals with disabilities and required 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 estimates to account for the proposed rescissions, OFCCP proposed removing the prescribed

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.

disability inquiry form (the CC-305 form) that is part of the information collection. With the rescission of the disability inquiry requirement, contractors no longer need to use this prescribed form.

OFCCP received 24 comments in response to the 60-day ICR notice. OFCCP responded to those comments in the final rule (Regulation Identifier Number 1250-AA18). As noted in the final rule, OFCCP adopted the changes described above. At this time, OFCCP seeks OMB approval to revise the information collection to align it with the final rule. This supporting statement outlines the burden changes associated with the information collection changes. *See* Section 12 of this supporting statement below.

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 thresholds[2] 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

In addition to the public notice and comment process described in Section 1, OFCCP also has a Help Desk where it provides compliance assistance to stakeholders, including contractors and complainants.[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).

12. Information Collection Hour Burden[4]

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

Recordkeeping Burden

In the prior request for approval of this information collection, OFCCP accounted for recordkeeping burden associated with the contractors' disability inquiry, utilization goal analysis, and related data collection requirements. With the changes described above, this information collection no longer includes the burdens related to these rescinded requirements. The remaining recordkeeping burdens for the other AAP requirements covered by this ICR are outlined below. The estimate also accounts for burden related to updating systems to reflect the updated recordkeeping requirements (e.g., burden related to removing the disability inquiry and data collection information from systems).

Section 60-741.44

The agency's Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) ICR (OMB #1250-0004) contains the burden estimates for documenting and maintaining material evidence of annually updating and, for new contractors, developing parts of a joint Section 503 and VEVRAA AAP. Therefore, there is no additional burden for those parts of the Section 503 AAP in this ICR. OFCCP separately identifies provisions below that are not included in burden estimates currently approved by OMB #1250-0004.

Section 60-741.44(f)

Section 60-741.44(f)(1)(ii) requires contractors to send written notification of their company policy related to their affirmative action efforts to all subcontractors, including subcontracting vendors and suppliers, requesting appropriate action on their part. Separately, Section 60-300.44(f)(1)(ii) of the VEVRAA regulations also requires contractors to send a similar written notification of their company policy related to applicable affirmative action efforts to all subcontractors, including subcontracting vendors and suppliers, requesting appropriate action on their part. OFCCP therefore expects that contractors will send a single, combined notice, informing subcontractors of their VEVRAA and Section 503 policies, and accounts for this burden as a third-party disclosure burden in this ICR.

Section 60-741.44(f)(4) requires each contractor to document all activities it undertakes to comply with its obligations related to external dissemination of policy, outreach, and positive recruitment for individuals with disabilities and to retain these documents for a period of three (3) years. OFCCP estimates that it will take each covered entity 10 minutes to maintain this documentation.[5] Therefore, the recurring burden for this provision is 19,995 hours (119,971 contractor establishments × 10 minutes/60 minutes = 19,995 hours).

Section 60-741.44(h)

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, OFCCP estimates an approximate universe of 119,971 covered entities.

Section 60-741.44(h)(1)(vi) requires each contractor to design and implement an audit and reporting system that will, among other things, document the actions taken to meet the requirements of 60-741.44(h). OFCCP estimates that it will take contractors 10 minutes to document compliance with this provision. Documentation may include, as an example, the standard operating procedure of the system including roles and responsibilities, and audit and reporting timeframes and lifecycles. The annual recordkeeping burden of this provision is 19,995 hours. (119,971 contractor establishments × 10 minutes/60 = 19,995 hours).

Section 60-741.81

Section 60-741.81 describes the records access requirements. Pursuant to 5 CFR 1320.4(a)(2), this information collection is excluded from the Paperwork Reduction Act (PRA) requirements because it is related to an "administrative action, investigation, or audit involving an agency against specific individuals or entities."

System Updates Related to Recordkeeping Changes

OFCCP estimates that, in the first year of the information collection, contractors will take an average of 10 hours to remove the disability inquiry and data collection information from their systems. This will result in a total of 299,040 burden hours[6] in the first year of the collection and 0 recurring burden hours related to these changes in the remaining years of the collection.

Based on the estimates described above, the first-year recordkeeping burden is 339,030 hours (19,995 hours + 19,995 hours + 299,040 hours). The recordkeeping burden for each subsequent year is 39,990 hours (19,995 hours + 19,995 hours).

Accordingly, the average annual recordkeeping burden for the 3-year ICR period is 139,670 hours.[7]

Third-Party Disclosure Burden

In the prior request for approval of this information collection, OFCCP accounted for third-party disclosure burden associated with administering the CC-305 form and the requirement for contractors to send written notification of the company's policies related to affirmative action efforts to all subcontractors, including subcontracting vendors and suppliers, pursuant to 41 CFR 60-741.44(f). With the changes described above, the information collection will no longer include third-party disclosure burden related to the CC-305 form. The remaining third-party disclosure burden related to the 41 CFR 60-741.44(f)(1)(ii) requirement is outlined below:

Section 60-741.44(f)(1)(ii)

6As Human Resources Information Systems (HRIS) are typically maintained by the parent company rather than individual establishment, OFCCP calculated the burden hours for this estimate by the total number of parent companies subject to the Section 503 requirements. Based on EEO-1 data, OFCCP estimates that 29,904 contractors will need to undertake HRIS updates (29,904 x 10 hours = 299,040 burden hours). *See* EEO-1 Data Collections at https://www.eeoc.gov/data/eeo-data-collections.

7 (339,030 +39,990 +39,990)/3 year information collection approval period = 139,670 hours.

Section 60-741.44(f)(1)(ii) requires contractors to send written notification of the company's policy related to its affirmative action efforts to all subcontractors, including subcontracting vendors and suppliers, requesting appropriate action on their part. OFCCP estimates that contractors will take 15 minutes (.25 hours) to prepare the notification and send it to subcontractors and an additional 15 minutes (.25 hours) to update email address changes in the company's email system. Likewise, the agency estimates the burden for any information technology assistance needed to send the written communication as 15 minutes (.25 hours).

Accordingly, the annual third-party disclosure burden is 89,978 hours (119,971 contractor establishments × .75 hours = 89,978 hours).

Total Burden Hours

The table below contains the summary of the annual burden hours associated with this information collection.

Recordkeeping burden hours	First-year: 339,030 hours Subsequent years: 39,990 hours Based on the above, the average annual recordkeeping burden for the 3-year ICR period is **139,670 hours**
Third-party disclosure burden hours	**89,978 hours**
Total Time Burden for ICR	**229,648 hours**

Costs Associated with the Time Burden

The monetized costs associated with the time burden are as follows:

Recordkeeping

First-year monetized recordkeeping burden: (299,040 hours x $78.05[8]) + ([19,995 hours +19,995 hours] x $86.35[9]) = $23,340,072 + $3,453,137 = $26,793,209

8 Because these costs relate to the system changes, the calculation is based on the average wage rate for a Computer Systems Analyst plus 45 percent of wages for fringe benefits. $53.83 x 1.45 = $78.05. *See* Bureau of Labor Statistics, Occupational Employment Statistics, Occupational Employment and Wages, May 2024, https://data.bls.gov/oes/#/industry/000000.

9 *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 x 1.45 = $86.35.

Monetized recordkeeping burden for each subsequent year: ([19,995 hours +19,995 hours] x $86.35[10]) = $3,453,137

Accordingly, the average annual burden over the 3-year ICR period for recordkeeping (monetized) is **$11,233,161.**[11]

Third-party Disclosure

The annual third-party disclosure burden (monetized) is **$7,769,600** (89,978 hours x $86.35[12]).

Total Costs

Total first-year monetized costs for this ICR: $26,793,209 first-year recordkeeping costs + $7,769,600 first-year third-party disclosure costs = **$34,562,809** in first-year costs

Subsequent annual costs for this ICR: $3,453,137 recordkeeping costs + $7,769,600 third-party disclosure costs = **$11,222,737** in recurring costs

13. Information Collection Cost Burden

In the prior request for approval of this information collection, OFCCP accounted for operating costs associated with the CC-305 form (e.g., costs associated with copying and printing CC-305 forms for paper applications). With the removal of the disability inquiry requirement, this burden is no longer applicable.

14. Cost to Federal Government

OFCCP associates no unique federal costs with this information collection.[13]

15. Program Changes or Burden Adjustments

The decrease in burden hours compared to the previous ICR is due to the rescission of the disability inquiry, utilization goal, and related data collection requirements described above.

16. Publication of Data for Statistical Use

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10 *Id.*
11 ($26,793,209 + $3,453,137 + $3,453,137)/ 3-year information collection period = $11,233,161.
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 x 1.45 = $86.35.
13 OFCCP continues to review 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.