

VIA CERTIFIED MAIL
(NUMBER)
RETURN RECEIPT REQUESTED

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

Dear (Name of CEO):

Your establishment located at _____ was selected by the U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP), for a compliance check under 41 CFR § 60-1.20(a)(3), § 60-250.60(a)(3), § 60-300.60(a)(3) and/or § 60-741.60(a)(3). The compliance check will focus on whether your establishment maintains certain employment records in accordance with the requirements of 41 CFR § 60-1.12, § 60-250.80, § 60-300.80 and § 60-741.80. Compliance checks are one of several tools available to OFCCP for conducting its compliance evaluations; other tools include compliance reviews (which may include a desk audit, on-site review and off-site analysis), off-site reviews of records, and focused reviews.

By way of background, OFCCP enforces Executive Order 11,246, as amended, Section 503 of the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (Section 4212), as amended (38 U.S.C. § 4212). These laws prohibit discrimination by Federal contractors and subcontractors and require them to take affirmative action to ensure equal employment opportunity for all individuals, including women, minorities, individuals with disabilities, and protected veterans.

As a Federal contractor or subcontractor employing at least 50 people, and having a contract that totals \$50,000 or more,¹ you are required to develop a written Affirmative Action Program (AAP) for each of your establishments, or each functional or business unit if you have an approved agreement allowing the use of functional AAPs.² You must also maintain all records relating to personnel or employment activities. Such records provide support data for your AAP, and enable you to document and

¹ In the case of 41 CFR § 60-300.40, \$100,000 or more.

² 41 CFR § 60-1.40, 41 CFR § 60-2.1, 41 CFR § 60-741.40, 41 CFR § 60-250.40, and 41 CFR § 60-300.40.

demonstrate nondiscrimination and affirmative action compliance. Failure to furnish the requested information may constitute noncompliance with your obligations under the legal authorities OFCCP enforces.

In order to facilitate our compliance check, please make the information listed below available for on-site review. In the alternative, you can submit this information to OFCCP within 30 days of your receipt of this letter by USPS or email at _____.

1. Your AAP results for the preceding year (41 CFR § 60-1.12(b)).
2. Examples of job advertisements, including listings with state employment services (41 CFR § 60-1.12(a), § 60-250.80, § 60-300.80, and § 60-741.80).
3. Examples of accommodations made for persons with disabilities (41 CFR § 60-1.12(a), § 60-250.80, § 60-300.80, and § 60-741.80).

If you choose to make the records available for on-site review, we will view them at your establishment to ensure they have been maintained as required by 41 CFR § 60-1.12, § 60-250.80, § 60-300.80, and § 60-741.80. A Compliance Officer will contact you shortly to establish the date and time of the on-site review of your records.

While our compliance check only consists of a brief review of records, please note that as a Federal contractor or subcontractor you are required to comply with all the regulations enforced by OFCCP. More information regarding your obligations as a Federal contractor or subcontractor is on our Web site (<http://www.dol.gov/ofccp/>), or you may request a copy of the regulations from this office.

Refusing to allow us access to your establishment for the on-site review of requested records or failing to submit the listed records to OFCCP for the compliance check will result in the selection of your establishment for another, more in-depth form of compliance evaluation. Should this occur, we will notify you in writing.

If you have any questions concerning this matter, please feel free to contact _____ at _____.

Sincerely,

(Name of District Director)

District Director

SUPPLEMENTAL NOTE

Under the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a request for the collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is currently 1250-0003 (previously 1215-0072). The time required to complete this information collection is estimated to average .5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send any comments concerning this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Federal Contract Compliance Programs, Room C-3325, 200 Constitution Avenue, N.W., Washington, D.C. 20210.