

337-TA-1068") in a prominent place on the cover page and/or the first page. (See *Handbook for Electronic Filing Procedures*, https://www.usitc.gov/secretary/documents/handbook_on_filing_procedures.pdf). Persons with questions regarding filing should contact the Secretary (202-205-2000). Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All non-confidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: October 1, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018-21637 Filed 10-4-18; 8:45 am]

BILLING CODE 7020-02-P

JUDICIAL CONFERENCE OF THE UNITED STATES

Hearings of the Judicial Conference Advisory Committee on the Federal Rules of Appellate Procedure

AGENCY: Advisory Committee on the Federal Rules of Appellate Procedure, Judicial Conference of the United States.

ACTION: Notice of cancellation of public hearing.

SUMMARY: The following public hearing on proposed amendments to the Federal Rules of Appellate Procedure has been canceled: Appellate Rules Hearing on October 26, 2018, in Washington DC.

FOR FURTHER INFORMATION CONTACT:

Rebecca A. Womeldorf, Rules Committee Secretary, Rules Committee Staff, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502-1820.

SUPPLEMENTARY INFORMATION:

Announcements for this hearing were previously published in 83 FR 39463 and 83 FR 44305.

Dated: October 2, 2018.

Rebecca A. Womeldorf,
Rules Committee Secretary.

[FR Doc. 2018-21715 Filed 10-4-18; 8:45 am]

BILLING CODE 2210-55-P

DEPARTMENT OF LABOR

Office of Federal Contract Compliance Programs

New Information Collection Requirements; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA). The program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Office of Federal Contract Compliance Programs (OFCCP) is soliciting comments concerning its proposal to obtain approval from the Office of Management and Budget (OMB) to implement the Excellence in Disability Inclusion award. OFCCP will be sharing the information with the Office of Disability Employment Policy for the purpose of partnering with them in support of the award. A copy of the proposed information collection request can be obtained by contacting the office listed below in the **FOR FURTHER INFORMATION CONTACT** section of this

Notice or by accessing it at www.regulations.gov.

DATES: Written comments must be submitted to the office listed in the addresses section below on or before December 4, 2018.

ADDRESSES: You may submit comments by any of the following methods:

Electronic comments: The federal eRulemaking portal at www.regulations.gov. Follow the instructions found on that website for submitting comments.

Mail, Hand Delivery, Courier: Addressed to Harvey D. Fort, Acting Director, Division of Policy and Program Development, Office of Federal Contract Compliance Programs, 200 Constitution Avenue NW, Room C-3325, Washington, DC 20210.

Instructions: Please submit one copy of your comments by only one method. For faster submission, we encourage commenters to transmit their comment electronically via the www.regulations.gov website. Comments that are mailed to the address provided above must be postmarked before the close of the comment period. All submissions must include OFCCP's name for identification. Comments, including any personal information provided, become a matter of public record and will be posted on www.regulations.gov. They will also be summarized and/or included in the request for OMB approval of the information collection request.

FOR FURTHER INFORMATION CONTACT:

Harvey D. Fort, Acting Director, Division of Policy and Program Development, Office of Federal Contract Compliance Programs, Room C-3325, 200 Constitution Avenue NW, Washington, DC 20210. Telephone: (202) 693-0103 (voice) or (202) 693-1337 (TTY) (these are not toll-free numbers). Copies of this notice may be obtained in alternative formats (large print, braille, audio recording) upon request by calling the numbers listed above.

SUPPLEMENTARY INFORMATION:

I. Background: OFCCP administers and enforces the three nondiscrimination and equal employment opportunity laws listed below.

- Executive Order 11246, as amended (E.O. 11246)
- Section 503 of the Rehabilitation Act of 1973, as amended (Section 503)
- Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA)

These authorities prohibit employment discrimination by covered federal contractors and subcontractors and require that they provide equal employment opportunities regardless of race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or status as a protected veteran. Additionally, federal contractors and subcontractors are prohibited from discriminating against applicants and employees for asking about, discussing, or sharing information about their pay or the pay of their co-workers. E.O. 11246 applies to federal contractors and subcontractors and to federally assisted construction contractors holding a Government contract in excess of \$10,000, or Government contracts which have, or can reasonably be expected to have, an aggregate total value exceeding \$10,000 in a 12-month period. E.O. 11246 also applies to government bills of lading, depositories of federal funds in any amount, and to financial institutions that are issuing and paying agents for U.S. Savings Bonds. Section 503 prohibits employment discrimination against applicants and employees because of physical or mental disability and requires affirmative action to ensure that persons are treated without regard to disability. Section 503 applies to federal contractors and subcontractors with contracts in excess of \$15,000. VEVRAA prohibits employment discrimination against protected veterans and requires affirmative action to ensure that persons are treated without regard to their status as a protected veteran. VEVRAA applies to federal contractors and subcontractors with contracts of \$150,000 or more. This collection will implement the Excellence in Disability Inclusion award that will recognize federal contractor and subcontractor establishments that ensure equal employment opportunity, foster employment opportunities for individuals with disabilities, and have achieved a level of excellence in their compliance with Section 503.

II. Review Focus: OFCCP is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the compliance and enforcement functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submissions of responses.

III. Current Actions: OFCCP seeks approval of this new information collection in order to carry out and enhance its responsibilities to enforce the anti-discrimination and affirmative action provisions of the three legal authorities it administers.

Type of Review: New Request.

Agency: Office of Federal Contract Compliance Programs.

Title: Contractor Recognition Program—Excellence in Disability Inclusion Award.

OMB Number: 1250-[NEW].

Agency Number:

Affected Public: Business or other for-profit entities.

Total Respondents: 100.

Total Annual Responses: 100 biennially.

Average Time per Response: 27 hours.

Estimated Total Burden Hours: 2,700.

Frequency: Biennially.

Total Burden Cost (capital/startup): \$0.

Total Burden Cost (operating/maintenance): \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection request and become a matter of public record.

Harvey D. Fort,

Acting Director, Division of Policy and Program Development, Office of Federal Contract Compliance Programs.

[FR Doc. 2018-21727 Filed 10-4-18; 8:45 am]

BILLING CODE P

DEPARTMENT OF LABOR

[Docket Number DOL-2018-0006]

Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Production of Goods in Foreign Countries and Efforts by Certain Foreign Countries To Eliminate the Worst Forms of Child Labor

AGENCY: The Bureau of International Labor Affairs, United States Department of Labor.

ACTION: Notice: Request for information and invitation to comment.

SUMMARY: This notice is a request for information and/or comment on three reports issued by the Bureau of International Labor Affairs (ILAB) regarding child labor and forced labor in certain foreign countries. Relevant information submitted by the public will be used by the Department of Labor (DOL) in preparing its ongoing reporting as required under Congressional mandates and a Presidential directive. The 2017 Findings on the Worst Forms of Child Labor report (TDA report), published on September 20, 2018, discusses efforts of 132 countries and territories to eliminate the worst forms of child labor over the course of 2017 and assesses whether countries made significant, moderate, minimal, or no advancement during that year. It also suggests actions foreign countries can take to eliminate the worst forms of child labor through legislation, enforcement, coordination, policies, and social programs. The 2018 edition of the List of Goods Produced by Child Labor or Forced Labor (TVPR List), also published on September 20, 2018, makes available to the public a list of goods from countries that ILAB has reason to believe are produced by child labor or forced labor in violation of international standards. Finally, the List of Products Produced by Forced or Indentured Child Labor (E.O. 13126 List), provides a list of products, identified by country of origin, that DOL, in consultation and cooperation with the Departments of State (DOS) and Homeland Security (DHS), has a reasonable basis to believe might have been mined, produced, or manufactured with forced or indentured child labor. Relevant information submitted by the public will be used by DOL in preparing the next edition of the TDA report, to be published in 2019; the next edition of the TVPR List, to be published in 2020; and for possible updates to the E.O. 13126 List as needed.

DATES: Submitters of information are requested to provide their submission to DOL's Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) at the email or physical address below by 5 p.m. on January 11, 2019.

ADDRESSES: Information submitted to the Department of Labor should be submitted directly to OCFT, Bureau of International Labor Affairs, U.S. Department of Labor. Comments, identified as "Docket No. DOL-2018-0006," may be submitted by any of the following methods:

1. *Federal eRulemaking Portal:* You may submit electronic comments to: <http://www.regulations.gov>. The portal includes instructions for submitting

**U.S. Department of Labor
Office of Federal Contract Compliance Programs
Contractor Recognition Program – Excellence in Disability Inclusion Award**

A. JUSTIFICATION

This request is for Office of Management and Budget (OMB) approval of a new information collection. This collection will implement the Excellence in Disability Inclusion Award that will recognize federal contractor and subcontractor establishments that ensure equal employment opportunity, foster employment opportunities for individuals with disabilities, and have achieved a level of excellence in their compliance with Section 503 of the Rehabilitation Act of 1973, as amended (Section 503).¹

1. Legal and Administrative Requirements

The U.S. Department of Labor's (DOL) Office of Federal Contract Compliance Programs (OFCCP) administers and enforces the below three equal employment opportunity laws² which prohibit employment discrimination by federal contractors and subcontractors.³

- Executive Order 11246, as amended (EO 11246),
- Section 503 of the Rehabilitation Act of 1973, as amended (Section 503), and
- Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, (VEVRAA).

EO 11246 prohibits contractors from discriminating against applicants and employees based on race, color, religion, sex, sexual orientation, gender identity, and national origin. Additionally, it prohibits federal contractors from taking adverse employment actions against applicants and employees for inquiring about, discussing, or disclosing information about their pay or the pay of their co-workers, subject to certain limitations. EO 11246 applies to contractors, and to federally assisted construction contractors holding a government contract in excess of \$10,000, or government contracts that have, or can reasonably expect to have, an aggregate total value exceeding \$10,000 in a 12-month period. EO 11246 also applies to government bills of lading, depositories of federal funds in any amount, and to financial institutions that are issuing and paying agents for U.S. savings bonds and notes in any amount.

¹ See Regulations Implementing Section 503 of the Rehabilitation Act, <https://www.dol.gov/ofccp/regs/compliance/section503.htm> (last accessed April 16, 2018).

² OFCCP promulgated regulations implementing these programs consistent with the Administrative Procedure Act. These regulations are found at Title 41 of the Code of Federal Regulations (CFR) in Chapter 60.

41 CFR 60, <https://www.ecfr.gov/cgi-bin/text-idx?gp=&SID=b686ff45080d69713c00bf18b651cc37&mc=true&tpl=/ecfrbrowse/Title41/41chapter60.tpl> (last accessed March 22, 2018).

³ Hereinafter all references to "contractors" will include subcontractors unless otherwise stated.

Section 503 prohibits federal contractors from discriminating against applicants and employees on the basis of disability and requires contractors to take affirmative action to employ, and advance in employment, qualified individuals with disabilities. Its requirements apply to contractors with a government contract in excess of \$15,000.⁴

VEVRAA prohibits contractors from discriminating against protected veterans, namely, disabled veterans, recently separated veterans, active duty wartime or campaign badge veterans, and Armed Forces service medal veterans. VEVRAA also requires contractors to take affirmative action to employ, and advance in employment, qualified protected veterans. Its requirements apply to contractors with a government contract of \$150,000 or more.⁵

The Excellence in Disability Inclusion award seeks to highlight successful practices and strategies that have expanded and improved the recruitment, hiring, retention, and promotion opportunities of individuals with disabilities. By highlighting the exemplary practices of successful contractor establishments, other covered federal contractors should be encouraged to adopt these or similar practices to support their compliance with mandatory obligations under Section 503.

The Office of Disability Employment Policy (ODEP) joins OFCCP in its effort to recognize sound contractor compliance practices. ODEP is a non-regulatory and non-enforcement federal agency within DOL that promotes policies and coordinates with employers at all levels of government to increase workplace success for people with disabilities. ODEP fulfills its mission by promoting the adoption and implementation of ODEP-developed and validated policy strategies and effective practices. ODEP's approach is to drive systems and practice change by disseminating ODEP policy strategies, sharing information, and providing technical assistance to government agencies, service providers and non-governmental entities, as well as public and private employers.

In order to be considered for the award, contractors must meet the below eligibility criteria:

- a. The nominated contractor establishment (i.e., facility or location of the parent company or firm) meets the written affirmative action program (AAP) jurisdictional threshold and has a current AAP for Section 503 and EO 11246, and VEVRAA if applicable.⁶

⁴ Effective October 1, 2010, the coverage threshold under Section 503 increased from \$10,000 to \$15,000, in accordance with the inflationary adjustment requirements in 41 U.S.C. 1908. *See*, Federal Acquisition Regulation, Inflation Adjustment of Acquisition-Related Thresholds, 75 FR 53129 (Aug. 30, 2010).

⁵ Effective October 1, 2015, the coverage threshold under VEVRAA increased from \$100,000 to \$150,000, in accordance with the inflationary adjustment requirements in 41 U.S.C. 1908. *See*, Federal Acquisition Regulation, Inflation Adjustment of Acquisition-Related Thresholds, 80 FR 38293 (July 2, 2015).

⁶ Although the AAP employee thresholds under the three mandates is the same – 50 employees or more – the AAP dollar amount threshold for VEVRAA is higher than EO 11246 and Section 503. Under VEVRAA, the AAP requirement takes effect with a contract of \$150,000 or more, whereas the contract amount threshold is \$50,000 or more under EO 11246 and Section 503. Therefore, a contractor may meet the latter threshold but not the threshold for VEVRAA. A contractor does not have to meet the VEVRAA contract amount requirement of \$150,000 or more in order to participate in this program. However, if the contractor meets the VEVRAA threshold, it must have an AAP and meet any other applicable requirements under VEVRAA, as it does with EO 11246 and Section 503, in

- b. The nominated contractor establishment has implemented equal employment opportunity and affirmative action programs (EEO/AA) under Section 503 and EO 11246, and VEVRAA if applicable.
- c. The nominated contractor establishment has no unresolved violations of Section 503 and EO 11246, and VEVRAA if applicable, as identified during OFCCP compliance evaluations or complaint investigations. Unresolved issues include violations that are in litigation, violations in an open conciliation agreement, and violations in a pending compliance review.⁷
- d. The nominated contractor establishment has no adverse decisions by a court, Administrative Review Board (ARB), or Administrative Law Judge (ALJ) related to violations of Section 503 and EO 11246, VEVRAA, or the Americans with Disabilities Act (ADA), as amended, within the last three years, and is not currently under monitoring related to the same.⁸

Contractor establishments that received this recognition during the previous two calendar years are not eligible. Additionally, contractor establishments that received, or are otherwise covered by, a moratorium through another OFCCP incentive or recognition program within the last two calendar years are not eligible.

Contractor establishments who wish to apply for the award must submit a nomination package⁹ consisting of the seven parts described below:

- a. The nomination package must include the following identifying information.
 - The name of the contractor or parent company, and the contractor's establishment that is being submitted for the recognition by name, physical address (no post office box), and Employer Identification Number (EIN number);
 - Whether the contractor has a total workforce of more than 100 employees or a workforce of 100 or fewer employees;
 - If the contractor has 100 or fewer employees, whether it uses the job groups created for the EO 11246 utilization analysis for the 7 percent utilization goal or is exercising the option to apply the 7 percent goal to its entire workforce;¹⁰
 - The name, title, address, phone number, and email address for the point of contact for the nomination package;

order to qualify for this program. The threshold requirements are found on OFCCP's website at https://www.dol.gov/ofccp/posters/Infographics/files/JurisdnThresholds-7_ENGESQA508c.pdf (last accessed March 20, 2018).

⁷ Prior to award, OFCCP will reconfirm that all potential awardees continue to meet this eligibility criterion.

⁸ Prior to award, OFCCP will reconfirm that all potential awardees continue to meet this eligibility criterion.

⁹ All pages of the nomination package must be clear, readable, and typed. No handwritten material will be accepted. Typed pages must be double-spaced on 8.5" X 11" page, one-side only, in Times Roman 12 point font. Incomplete nomination packages will not be considered. Packages with items that exceed established page limits or do not comply with other requirements will not be considered.

¹⁰ 41 CFR 60-741.45. OFCCP's regulations prescribe a utilization goal of 7 percent for employment of qualified individuals with disabilities for each job group in the contractor's workforce; the 7 percent utilization goal may be applied to the entire workforce for contractors with 100 or fewer employees.

- The name, title, address, phone number, and email address for the Chief Executive Officer (CEO) or President of the contractor; and
 - The name, title, address, phone number, and email address for the executive responsible for overseeing the EEO/AA activities of the contractor.
- b. The nomination package must include signed Statements of Support¹¹ from the contractor's CEO or President and the contractor's highest ranking executive that is responsible for overseeing the EEO/AA program or initiative at the nominated contractor establishment. Both Statements of Support must include the below information:
- an acknowledgement that the nominated contractor establishment agrees to participate in a public service announcement (PSA) on the importance of contractor compliance with OFCCP's regulations and that generally aligns with ODEP's broad goal of developing and validating policy strategies and effective practices for increasing employment opportunities for individuals with disabilities;
 - an acknowledgment that the nominated contractor establishment, if selected for an award, will work with OFCCP and ODEP in a peer-to-peer mentoring program to support contractors as they seek to comply with OFCCP regulations;¹²
 - an acknowledgment that the nominated contractor establishment agrees to develop and/or provide input into the development of technical assistance, outreach, and model practices for use by other employers, including federal contractors, as a part of the compliance and technical assistance programs offered by OFCCP and ODEP;
 - a certification that the nominated contractor establishment is currently in compliance with its Section 503 and EO 11246 obligations, and VEVRAA if applicable, and has no unresolved (i.e., violations that are in litigation, violations in an open conciliation agreement, and violations in a pending compliance review) OFCCP violations; and
 - a certification that the nominated contractor establishment has no adverse decisions by a court, ARB, or ALJ related to any of the below laws, and is not currently under monitoring related to the same, for the three years prior to its nomination package submission for any of the following:
 - Section 503;
 - EO 11246;
 - VEVRAA, if applicable; and
 - ADA.
- c. The nomination package must include signed Statements of Support¹³ from at least two job applicants or employees, or a combination of both, that directly benefited from the contractor establishment's Section 503 EEO/AA program or initiative. It must also include a signed Statement of Support from the contractor's disability-focused employee

¹¹ Each contractor official Statement of Support must not exceed two one-sided, typed, double-spaced pages.

¹² As needed, OFCCP will seek OMB approval under a separate ICR for the parameters of the peer-to-peer mentoring program.

¹³ Each applicant, employee, and ERG Statement of Support must not exceed two one-sided, typed, double-spaced pages.

resource group (ERG), if an ERG exists within the establishment or within the contractor. As with the rest of the nomination package, these statements may only be submitted in a manner that complies with any applicable privacy laws.

- d. The nomination package must include a copy of the contractor establishment's current year Section 503 AAP prepared in accordance with the requirements of 41 CFR § 60-741.40 through § 60-741.47.
- e. The nomination package must include this data from the previous two AAP years (i.e., the two most recently completed AAP years because they are the period for which the award is granted):
 - The results of the evaluation of the effectiveness of outreach and recruitment efforts that were intended to identify and recruit qualified individuals with disabilities as described in 41 CFR § 60-741.44(f);
 - The utilization analysis evaluating the representation of individual with disabilities in each job group, or, if appropriate, evaluating the representation of individuals with disabilities in the workforce as a whole, as provided in 41 CFR § 60-741.45;¹⁴
 - Documentation of the computations or comparisons described in 41 CFR § 60-741.44(k); and
 - Documentation of all actions taken to comply with the audit and reporting system requirements described in 41 CFR § 60-741.44(h) including, but not limited to, the results of the self-audits and the remedial actions needed.
- f. The nomination package must include a description¹⁵ of the EEO/AA program or initiative that the contractor establishment implemented for individuals with disabilities under Section 503 and should contain the below information:
 - The description of the program or initiative, including its duration (i.e., start and end dates, however, if the program is ongoing provide that status) and long-term sustainability, how it was developed, its important components and activities, data collection and analysis needs, and its budget or cost;
 - The performance goals that were established for the program or initiative, how they were measured, and the extent of management accountability for these goals;
 - The impact of the program or initiative on the voluntary self-identification rates of applicants and employees, if any;
 - The demonstrated support and engagement of contractor employees, senior contractor officials and/or senior contractor establishment officials for the program or initiative;
 - The impact that the program or initiative had on attaining or demonstrating significant progress toward attaining the aspirational 7 percent goal;
 - The effective use of technology in the program or initiative;

¹⁴ This refers to the evaluation at 41 CFR 60-741.45(d)(3).

¹⁵ This description must not exceed 15 one-sided, typed, double-spaced pages.

- The tangible and intangible benefits achieved as a result of the program or initiative, and whether the program or initiative met its established performance goals;
 - How the program or initiative contributed to the establishment's business success and what metrics were used to measure success; and
 - The challenges and barriers, if any, that the contractor experienced while implementing the program or initiative, how they were overcome, and what key lessons learned would benefit other contractors.
- g. Nomination packages that include apprenticeship programs as a part of the Section 503 program or initiative are encouraged and will be favorably considered. The Executive Review Committee (ERC) will give three additional evaluation points to contractors with these programs. However, documentation on the size and scope of the apprenticeship program must be provided.¹⁶ At a minimum, this must include a description of the business case for creating the apprenticeship program, when the program was established, how the program is being used by the contractor or the contractor establishment to support compliance with OFCCP's Section 503 EEO/AA requirements, and the actual results.

Nomination packages may include hyperlinks to videos or other information that demonstrates important aspects related to this program that contractors would like to highlight.

To streamline and simplify the nomination process, contractors must use the OMB approved form for submitting nomination packages. The form and its instructions are published in this information collection request (ICR) for review and comment.

2. Use of Collected Material

The reviewing body for all nomination submissions is the ERC. Participation on the ERC will be by invitation only. This committee is composed of representatives from OFCCP, ODEP, possibly another federal agency (e.g., the U.S. Equal Employment Opportunity Commission [EEOC] or the Department of Justice's [DOJ] Disability Rights Section). The ERC may also include one representative from a national non-profit disability rights organization or association, consistent with applicable federal laws. A different non-federal member will be selected for each biennial award cycle while federal ERC members will not serve for up to two consecutive award cycles.

The non-federal member will be selected by OFCCP and ODEP, and will be cleared through DOL. The non-federal reviewer would sign a non-disclosure agreement in order to participate. The evaluation process could also be conducted "blind" in that the names of the contractor and the nominated contractor establishment would be unknown to the reviewers. Following its review of timely, complete, and otherwise eligible nomination packages, the ERC will make award recommendations.

¹⁶ Limited to two one-sided, typed, double-spaced pages.

The ERC's members will review and rate the submissions separately, and a consensus on the individual scores is required. The ERC will recommend two awardees for the small contractor award (i.e., a contractor with a total workforce of 100 or fewer employees) and two for large contractors (i.e., a contractor with a total workforce of more than 100 employees). The ERC will rate each nominee based on the below criteria:

- The overall extent to which the program or initiative met its established performance goals.
- The quantifiable impact of the program or initiative on attaining or demonstrating significant progress toward attaining the aspirational 7 percent goal.
- The level of demonstrated support and engagement of senior contractor and/or contractor establishment officials.
- The level of staff/employee support and engagement in the program or initiative.
- The long-term sustainability of the program or initiative and its results.
- The amount of innovation and creativity demonstrated.
- The effective use of technology in the program or initiative.
- The level of manager accountability for program or initiative performance or results.
- The level of positive change made to the corporate culture.
- The extent to which the program or initiative can be exported or used by other contractors.
- The severity or importance of the challenges and barriers that the program/initiative successfully overcame.

The nomination submissions will be scored based on the following scale:

- 5 = Exceptional/Superior
- 4 = Very High
- 3 = High
- 2 = Moderate
- 1 = Low/inadequate
- 0 = Nonexistent/Not Applicable/Unknown

The scoring will be based on adding the points for each area of review. Three additional points will be added to nominations that include effective apprenticeship programs as described in nomination package requirements. Nominees from each category (large and small) with the highest and second highest scores will receive this award. In case of a tie, all nominees with the highest and second highest score will receive an award.

The maximum number of points, before the three-point apprenticeship adjustment, is 55 or "exceptional." Nominees must score a minimum of 44 points or "very high" to be considered for the award. The two contractors establishments with the highest scores above 44 will receive awards in each of the two award categories (i.e., large and small), assuming they are not disqualified for other reasons. If there is a tie score, both contractor establishments will receive the award. If no nominees score above 44 points, no award will be presented. There will also be an honorable mention position in each award category. Up to two contractor establishments may

receive honorable mention in each category based on having the next highest number of points in their categories. The points must be the highest number below the award winners but still above the minimum 44 points. In the event of a tie for honorable mention, all of the contractor establishments will receive honorable mention.

The Excellence in Disability Inclusion Award will be based on each contractor establishment's performance over a two-year period. For example, if a solicitation for award nominations is announced in 2019, the awards would be based on an examination of contractor performance data covering their 2017 and 2018 AAP years (i.e., the two most recently completed AAP years). OFCCP currently plans to solicit nominations every other year and the number of award winners may be expanded in future years.

Contractor establishments that are granted an award will be provided a two-year moratorium related to scheduled compliance evaluations. Recipients must certify their compliance with EO 11246, Section 503, and VEVRAA, if applicable, each year during the moratorium. Honorable mention awardees will not be eligible for the two-year moratorium. However, they will be required to participate in the post-award program activities. OFCCP and ODEP, as appropriate, will oversee the recipients' involvement in the year following their recognition regarding their engagement activities such as the mentoring other contractors, developing technical assistance tools, and conducting outreach events to other employers.

The recommended awardees will be subject to clearance within DOL to identify any other DOL agency violations before their selection becomes final. Receiving an award will have no impact of other DOL agencies and programs related to disability employment rights and practices, and other DOL investigations and audits. Similarly, the award is not evidence of an employer's compliance with other federal or state agency nondiscrimination obligations.

An award is subject to revocation by OFCCP if any required contractor certification is intentionally false, or if any required data on program performance is shown to be intentionally false or misleading.

3. Use of Information Technology

The nomination packages will be accepted electronically via email through a designated email box.

4. Description of Efforts to Identify Duplication

There is no duplication of effort related to this information collection as it supports a unique awards program proposed under the mandates of Section 503, as enforced by OFCCP. The regulations at 41 CFR 60-741 (Affirmative Action and Nondiscrimination Obligations of Federal Contractors and Subcontractors Regarding Individuals with Disabilities) prescribe the

affirmative action and equal employment opportunity obligations of contractors related to individuals with disabilities. The major relevant sections of this part are listed below.¹⁷

- Section 60-741.1 establishes the purpose, applicability, and construction of this part.
- Section 60-741.2 lists the relevant definitions of this part.
- Section 60-741.5 describes the equal opportunity clause in federal contracts.
- Section 60-741.40 describes the purpose and applicability of an AAP.
- Section 60-741.44 identifies the required elements of an AAP.
- Section 60-741.45 requires contractors to apply a 7 percent utilization goal to each of their job groups, and gives them the option to apply the 7 percent goal to their entire workforce if they have 100 or fewer employees.
- Section 60-741.60 identifies the evaluation methods OFCCP uses to determine a contractor's compliance with the agency's regulations.

5. Impact on Small Businesses

This information collection does not have a significant economic impact on small businesses. Based on similar awards programs OFCCP has administered in the past, it anticipates receiving no more than 100 nomination packages. The latest Employer Information Report EEO-1 (EEO-1 Report) available data shows that there were 120,950 contractor establishments with 50 or more employees in FY 2016.¹⁸ One hundred nominations constitute a negligible percentage (0.082%) of the contractor establishments that meet the AAP employee threshold and thereby meet the eligibility criteria to apply for this award. To reduce burden and streamline the nomination process, OFCCP will supply a form that contractors will use in order to submit a package for consideration.

6. Consequences of a Less Frequent Collection

This is a voluntary recognition award program that will be issued biennially, as described in paragraph 16. Less frequent collection would limit the agency's ability to recognize and disseminate sound compliance practices.

7. Special Circumstances

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

¹⁷ The recordkeeping and reporting requirements associated with these Sections are approved by OMB under one of OFCCP's existing information collections: Construction Recordkeeping and Reporting Requirements (OMB No. 1250-0001); Recordkeeping and Reporting Requirements-Supply and Service (OMB No. 1250-0003); Recordkeeping and Third Party Disclosure Requirements under VEVRAA (OMB No. 1250-0004); Recordkeeping and Third Party Disclosure Requirements under Section 503 (OMB No. 1250-0005).

¹⁸ The EEOC and OFCCP jointly collect EEO-1 Report data but the EEOC is the sponsor of that information collection, which is approved by OMB under OMB Control No. 3046-0007.

8. Consultation Outside the Agency

Pursuant to the Paperwork Reduction Act of 1995, as amended (PRA), OFCCP invites the public to submit comments on this proposed information collection. The comments the agency receives will be addressed under this paragraph during the 30-day Federal Register publication of this information collection request.

OFCCP welcomes all public input but is particularly seeking comments on the potential advantages and disadvantages pertaining to using a non-federal reviewer in its nomination review process, as described under paragraph 2 of this supporting statement. OFCCP is also interested in comments on the review criteria. Finally, OFCCP welcomes input on the advantages and disadvantages of requiring statements of support from applicants and employees that directly benefited from the contractor establishment's Section 503 EEO/AA program or initiative.

9. Gifts or Payments

OFCCP will not provide gifts or payments to respondents. Responses will be evaluated to determine whether an applicant will receive an Excellence in Disability Inclusion award.

10. Confidentiality of Information

OFCCP will not disclose any information unless required by law. However, information submitted by award recipients related to the structuring, operations, activities, and results of this program will be made public to the extent that OFCCP and ODEP use this information for the creation of training, compliance assistance, model best practices, and other similar activities. No information submitted as part of the nomination package will be used or shared for the purposes of compliance evaluation or any enforcement action.

11. Questions of Sensitive Nature

This information collection does not contain any questions of a sensitive nature. The respondents of the information collection will provide information that correlates with the criteria of this awards program, as outlined above.

12. Information Collection Hour Burden

As outlined above, the submission requirements contain several elements that respondents must provide. The estimated burden hours to create and submit a package for consideration include:

- reviewing instructions
- researching existing data sources
- identifying contact information
- compiling the Section 503 AAP

- identifying employees or applicants who will submit statements of support
- drafting statements of support
- reviewing the data
- submitting the data to OFCCP

The eligibility criteria include information that contractors maintain as part of their regular business operations or their existing recordkeeping requirements with OFCCP. Therefore, this information collection does not impose a new recordkeeping burden. Any burden associated with information that contractors are required to maintain is approved under the PRA requirements through one of OFCCP's existing information collections.¹⁹

OFCCP estimates that it will receive approximately 100 nominations for the Excellence in Disability Inclusion Award during each nomination period. The agency further estimates that it will take respondents approximately 27 hours to compile and submit the required information. This estimate is based on the sum of the hours necessary to complete all the seven parts of the nomination package, as described in paragraph one. The estimates hours are 1.25 hours for part one; 3 hours for part two;²⁰ 4.5 hours for part three; 4.5 hours for part four;²¹ 0 hours for part five;²² 11.25 hours for part six; 1.5 hours for part 7; and one additional hour for identifying the employees or applicants who will submit statements of support.

The table below summarizes the estimated respondent burden.

Respondents	Number of Responses per Respondent	Estimated Hour Burden per Respondent	Total Burden Hours	Hourly Wage Rate²³	Total Burden Costs
100	1	27	2,700	\$34.17	\$92,259

¹⁹ Construction Recordkeeping and Reporting Requirements (OMB No. 1250-0001); Recordkeeping and Reporting Requirements-Supply and Service (OMB No. 1250-0003); Recordkeeping and Third Party Disclosure Requirements under VEVRAA (OMB No. 1250-0004); Recordkeeping and Third Party Disclosure Requirements under Section 503 (OMB No. 1250-0005).

²⁰ The estimate assigns 0.75 hours for composing each statement of support page under parts two, three, six, and seven of the nomination package.

²¹ The recordkeeping burden for this part is accounted for under one of the existing collections: Construction Recordkeeping and Reporting Requirements (OMB No. 1250-0001); Recordkeeping and Reporting Requirements-Supply and Service (OMB No. 1250-0003); Recordkeeping and Third Party Disclosure Requirements under VEVRAA (OMB No. 1250-0004); Recordkeeping and Third Party Disclosure Requirements under Section 503 (OMB No. 1250-0005).

²² This burden is included in the 4.5 hours allocated to part four.

²³ "Employer Costs for Employee Compensation – March 2018", Table 5 – All Workers, Bureau of Labor Statistics, <https://www.bls.gov/news.release/pdf/ecec.pdf> (last accessed March 22, 2018). The burden cost was calculated using this data, which is the latest wage information available.

13. Information Collection Cost Burden

There are no capital or start-up costs, maintenance, or purchase of services related to submitting a nomination package. Further, contractors do not pay a fee to submit a nomination package for consideration.

14. Cost to the Federal Government

The first part of the federal cost is associated with the labor hours of the federal staff who will create the Excellence in Disability Inclusion Award program, review the nomination packages for timeliness and content, issue the awards, and engage in technical assistance and other related activities with the award-winners. The salary estimates are based on staff members on the Senior Executive Service (SES) scale²⁴ as well as the General Schedule (GS) scale.²⁵

Engaging staff from the SES and GS scales, OFCCP assumes the following burden:

- Development of program. OFCCP estimates that 11 federal staff will each spend 24 hours (or a total of 264 hours) to create the program. This amounts to a combined burden of \$16,104.
- Review of nomination packages. OFCCP estimates that 11 federal staff will each spend approximately 5 hours reviewing each nomination package, determining eligibility, and making award determinations (5 hours x 100 packages = 500 hours per person (or 5,500 total)). Averaging the hourly salary of the federal staff that will be involved in reviewing the packages and making determinations, OFCCP estimates that it will take the federal government \$335,500 to review on the nominations (\$61 per hour x 5,500 hours).
- Contractor recognition and engagement. OFCCP estimates that 11 federal staff will each spend 40 hours making the public announcements and working with the award-winners to create technical assistance, outreach, mentoring programs, and other material, as described in the justification section of this supporting statement. This amounts to a combined burden of 440 hours, or \$26,840.

The combined estimate for the federal cost is \$378,444 for the first year of the program and \$284,085 for subsequent years.

²⁴ Office of Personnel Management, “Senior Executive Service: Compensation,” <https://www.opm.gov/policy-data-oversight/senior-executive-service/compensation/> (last accessed March 22, 2018).

²⁵ See “Salary Table 2018-DCB Incorporating the 1.4% General Schedule Increase and a Locality Payment of 28.22% for the Locality Pay Area of Washington-Baltimore-Arlington, DC-MD-VA-WV-PA,” available at https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/DCB_h.pdf (last accessed March 22, 2018).

15. Program Changes or Burden Adjustments

This is a new information collection.

16. Publication of Data for Statistical Use

There will be no publication of statistical analysis related to this collection. OFCCP and ODEP will publicize the award winners. As stated in paragraph 2, the first awards will be presented to recipient(s) in 2019, which will cover their performance in 2017 and 2018.

17. Approval Not to Display the Expiration Date

The agency will display the expiration date of this collection.

18. Exception 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.

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Excellence in Disability Inclusion Award Nomination Form Instructions

UNITED STATES DEPARTMENT OF LABOR



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 such collection displays a valid OMB control number. The public reporting burden for this information collection is estimated to be 27 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-XXXX. Please do not send nomination packages to this address. All nomination packages must be emailed to OFCCP at the email address advertised on the agency's website.

In order to be considered for the award, contractors must meet the below eligibility criteria:

1. The nominated contractor establishment (i.e., facility or location of the parent company or firm) meets the written affirmative action program (AAP) jurisdictional threshold and has current AAPs for Section 503 and EO 11246, and an AAP for Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA), if applicable.
2. The nominated contractor establishment has implemented equal employment opportunity and affirmative action programs under Section 503 and EO 11246, and VEVRAA if applicable.
3. The nominated contractor establishment has no unresolved violations of Section 503 and EO 11246, and VEVRAA if applicable, as identified during OFCCP compliance evaluations or complaint investigations. Unresolved issues include violations that are in litigation, violations in an open conciliation agreement, and violations in a pending compliance review.
4. The nominated contractor establishment has no adverse decisions by a court, Administrative Review Board (ARB), or Administrative Law Judge (ALJ) related to violations of Section 503, EO 11246, VEVRAA, or the Americans with Disabilities Act (ADA) within the last three years, and is not currently under monitoring related to the same.

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All pages of the nomination package must be clear, readable, and typed. No handwritten material will be accepted. All statements of support, descriptions, and any other material submitted in the nomination package must be typed, on size 8.5" X 11" pages, one-sided, double-spaced in Times Roman, 12 point font. No other formats or styles will be accepted. Packages with items that exceed established page limits or do not comply with the requirements and instructions will not be considered. Incomplete nomination packages will also not be considered. Please note that only the first submission from each contractor establishment will be accepted. Consequently, if a contractor establishment first submits an incomplete nomination package and later submits a complete package, only the first submission will be reviewed and will be rejected as incomplete. All statements of support must be signed by the persons submitting them.

Information provided in the nomination package, including the statements of support, may only be submitted in a manner that complies with any applicable privacy laws. No information submitted as part of the nomination package will be used or shared for the purposes of compliance evaluation or any enforcement action. All nomination packages must be emailed to OFCCP at the email address advertised on the agency's website. All parts of the nomination package must be submitted in one email submission.

The contractor must submit items 1 to 10 below on the form accompanying these instructions. Items 11 to 18 must be sent as email attachments, along with the form.

1. Provide the name of the contractor firm or parent company, and the contractor establishment that is being submitted for the recognition by name, physical address (no post office box addresses will be accepted), and Employer Identification Number (EIN number).
2. Provide the name, title, address, phone number, and email address for the President or Chief Executive Officer (CEO) of the contractor.
3. Provide the name, title, address, phone number, and email address for the highest ranking company executive responsible for overseeing the equal employment opportunity and affirmative action activities of the contractor.
4. Provide the name, title, address, phone number, and email address for the point of contact for the nomination package.
5. Specify whether the contractor has a total workforce of more than 100 employees or a workforce of 100 or fewer employees.
6. Specify whether the contractor applies the 7 percent utilization goal to its job groups or to its entire workforce, if the contractor has 100 or fewer employees, as prescribed by OFCCP's regulations at 41 CFR § 60-741.45.

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7. Specify whether the contractor establishment has received this recognition during the previous two calendar years.
8. Specify if the contractor establishment is covered by a moratorium through another OFCCP incentive or recognition program within the last two years.
9. Specify if the contractor or contractor establishment has a disability focused employee resource group (ERG).
10. Specify if the contractor or contractor establishment includes the use of apprenticeship programs as part of its Section 503 program or initiative.
11. The nomination package must include signed statements of support from the contractor's President or CEO and the contractor's highest ranking company executive that is responsible for overseeing the contractor's equal employment opportunity and affirmative action programs and initiatives. The statements of support must not exceed two one-sided, typed, double-spaced pages. Both statements of support must include:
 - an acknowledgement that the nominated contractor establishment agrees to participate in a public service announcement (PSA) on the importance of contractor compliance with OFCCP's regulations and that generally aligns with Office of Disability Employment Policy's (ODEP) broad goal of developing and validating policy strategies and effective practices for increasing employment opportunities for individuals with disabilities;
 - an acknowledgment that the nominated contractor establishment, if selected for an award, will work with OFCCP and ODEP in a peer-to-peer mentoring program to support contractors as they seek to comply with OFCCP regulations;
 - an acknowledgment that the nominated contractor establishment agrees to develop and/or provide input into the development of technical assistance, outreach, and model practices for use by other employers, including federal contractors, as a part of the compliance and technical assistance programs offered by OFCCP and ODEP;
 - a certification that the nominated contractor establishment is currently in compliance with its Section 503 and EO 11246 obligations, and VEVRAA if applicable, and has no unresolved (i.e., violations that are in litigation, violations in an open conciliation agreement, and violations in a pending compliance review) OFCCP violations; and
 - a certification that the nominated contractor establishment has no adverse decisions by a court, ARB, or ALJ related to any of the below laws, and is not currently under monitoring related to the same, for the three years prior to its nomination package submission for any of the following: Section 503, EO

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11246, VEVRAA, if applicable, and Americans with Disabilities Act (as amended).

12. The nomination package must include signed statements of support from at least two job applicants or employees, or a combination of both, that directly benefited from the contractor establishment's Section 503 equal employment opportunity and affirmative action programs or initiatives. The nomination package may include more than two signed statements from applicants or employees. The statements of support must not exceed two one-sided, typed, double-spaced pages.
13. The nomination package must include a description of the equal employment opportunity and affirmative action program or initiative that the contractor establishment implemented for individuals with disabilities under Section 503. The description should contain sufficient information on the below-listed items and must not exceed 15 one-sided, typed, double-spaced pages.
 - The description of the program or initiative, including its duration and long-term sustainability, how it was developed, its important components and activities, data collection and analysis needs, and its budget or cost;
 - The performance goals that were established for the program or initiative, how they were measured, and the extent of management accountability for these goals;
 - The impact of the program or initiative on the voluntary self-identification rates of applicants and employees, if any;
 - The demonstrated support and engagement of contractor employees, senior contractor officials and/or senior contractor establishment officials for the program or initiative;
 - The impact of the program or initiative have on attaining or demonstrating significant progress toward attaining the aspirational 7 percent goal;
 - The effective use of technology in the program or initiative;
 - The tangible and intangible benefits were achieved as a result of the program or initiative, and whether the performance goals established for it were met;
 - How the program or initiative contributed to the establishment's business success and what metrics were used to measure success; and
 - The challenges and barriers, if any, to successfully implementing the program or initiative, how they were overcome, and what key lessons learned would benefit other contractors.
14. Confirm that the nomination package includes a copy of the establishment's current year Section 503 AAP.
15. Confirm that the nomination package includes copies of this data from the two previous AAP years: the results of the evaluation of the effectiveness of outreach and recruitment

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efforts 41 CFR § 60-741.44(f); the contractor's annual evaluation of the utilization of individuals with disabilities, 41 CFR § 60-741.45(d)(3); documentation of the computations or comparisons 41 CFR § 60-741.44(k), and documentation of all actions taken to comply with the audit and reporting system requirements described in 41 CFR § 60-741.44(h) including, but not limited to, the results of the self-audits and the remedial actions needed.

16. If an employee resource group (ERG) exists within the establishment or within the contractor, the nomination package must include a signed statement of support from the ERG.
17. Nomination packages that include apprenticeship programs as a part of the Section 503 program or initiative are encouraged. Such nominations will be favorably considered and given additional evaluation points. Documentation on the size and scope of the apprenticeship program must be provided and, at a minimum, include a description of the business case for creating the apprenticeship program, when the program was established, how the program is being used by the contractor or the contractor establishment to support compliance with Section 503 equal employment opportunity and affirmative action requirements, and its results. Documentation must not exceed two one-sided, typed, double-spaced pages.
18. Although not required, nomination packages may include video hyperlinks and other information that demonstrates the effectiveness of the contractor's disability programs. Due to email size limitations, it is preferred that large files such as videos are submitted in hyperlink format, when available.

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Excellence in Disability Inclusion Award Nomination Form

UNITED STATES DEPARTMENT OF LABOR



Nomination Year: _____

Contractor Location and Contact Information

1. Name of Contractor Firm/Parent Company:

Name of Contractor Establishment:

Physical Address: _____

Establishment Employer Identification Number (EIN):

2. Name and title of President or Chief Executive Officer (CEO):

Address: _____

Phone: _____ Email: _____

3. Name and title of the highest ranking company executive responsible for Equal Employment Opportunity/Affirmative Action:

Address: _____

Phone: _____ Email: _____

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4. Name and title of point of contact for the award nomination package:

Address: _____

Phone: _____ Email: _____

General Contractor Information

5. Does the contractor have a total workforce of more than 100 employees? Yes _____ No _____

6. If the contractor has 100 or fewer employees, does it apply the 7 percent utilization goal to its job groups or to its entire workforce?

(Check one) Job groups: _____ Workforce: _____

7. Did the contractor establishment receive this award during the previous two calendar years?
Yes _____ No _____ (A "Yes" answer makes the contractor ineligible for this award.)

8. Did the contractor establishment receive, or is it otherwise covered by, a moratorium through another OFCCP incentive or recognition program within the last two calendar years?
Yes _____ No _____ (A "Yes" answer makes the contractor ineligible for this award.)

9. Does the contractor or contractor establishment have a disability focused employee resource group (ERG)? Yes _____ No _____

10. Does the contractor or contractor establishment include the use of apprenticeship programs as a part of its Section 503 program or initiative? Yes _____ No _____

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This checklist is provided as a courtesy. It is the contractor's responsibility to ensure that its nomination package is complete and accurate.

Please check off to confirm that the following are submitted in the nomination package:

- ☐ 11. Have you included signed statements of support from the President or CEO of the contractor and from the highest ranking company executive that is responsible for overseeing the contractor's equal employment opportunity and affirmative action programs and initiatives?
- ☐ 12. Have you included at least two signed statements of support from employees or job applicants?
- ☐ 13. Have you included a description of the equal employment opportunity and affirmative action program or initiative that the contractor establishment implemented for individuals with disabilities under Section 503?
- ☐ 14. Have you included a copy of the establishment's current year Section 503 AAP?
- ☐ 15. Have you included copies of all documentation and support data of the contractor's annual evaluation of the effectiveness of outreach and recruitment efforts; annual evaluation of the utilization of individuals with disabilities; documentation of data collection analysis; and the results of the self-audit and reporting?
- ☐ 16. If applicable, have you included a statement of support from the employee resource group?
- ☐ 17. If applicable, have you included a description of the apprenticeship program?
- ☐ 18. If applicable, have you included video hyperlinks or other information that demonstrates the effectiveness of the contractor's disability programs?