

VIA CERTIFIED MAIL  
(NUMBER)  
RETURN RECEIPT REQUESTED

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

Dear (Name of contractor official):

The U.S. Department of Labor (DOL), Office of Federal Contract Compliance Programs (OFCCP), selected your \_\_\_\_\_ [Insert: establishment located at (address), functional unit (name or description of functional unit), or corporate headquarters located at (address)] for a focused review. We are conducting this focused review under the authority of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA) and its implementing regulations in 41 CFR Part 60-300.

A compliance evaluation may consist of any one or any combination of investigative procedures. OFCCP describes the phases of a compliance evaluation in the regulations at 41 CFR Chapter 60. For the purposes of this focused review, you are required to submit the following information:

1. A copy of your current Executive Order 11246 Affirmative Action Program (AAP) prepared in accordance with the requirements of 41 CFR §§ 60-1.40 and 60-2.1 through 60-2.17.<sup>1</sup>
2. A copy of your current VEVRAA AAP prepared in accordance with the requirements of 41 CFR §§ 60-300.40 through 60-300.45.
3. Results of the evaluation of the effectiveness of outreach and recruitment efforts that were intended to identify and recruit qualified protected veterans as described in 41 CFR § 60-300.44(f).
4. Documentation of the computations or comparisons described in 41 CFR § 60-300.44(k) for the immediately preceding AAP year and, if you are six months or more into your

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<sup>1</sup> OFCCP will not conduct a review of the Executive Order 11246 AAP during a VEVRAA focused review. This AAP will only be used to help OFCCP understand the contractor's organizational structure, and understand generally how the VEVRAA compliance strategies fit with the contractor's other affirmative action efforts. OFCCP will not analyze data contained in the Executive Order 11246 AAP to look for discrimination based on sex or race and ethnicity.

current AAP year when you receive this letter, provide the information for at least the first six months of the current AAP year.

5. Documentation of the hiring benchmark adopted, including the methodology used to establish it if using the five factors described in § 60-300.45(b)(2).
6. A copy of your collective bargaining agreement(s), if applicable. Include any other documents you prepared, such as policy statements, employee notices or handbooks, etc. that implement, explain, or elaborate on the provisions of the collective bargaining agreement.
7. Copies of reasonable accommodation policies, and documentation of any accommodation requests received and their resolution, if any.
8. Applicant and employee level information on self-identification maintained for protected veterans, as required by 41 CFR § 60-300.42(e).<sup>2</sup>
9. Your most recent assessment of your personnel processes, as required by 41 CFR § 60-300.44(b), including a description of the review and any actions taken or changes made as a result of the assessment.
10. Your most recent assessment of physical and mental qualifications, as required by 41 CFR § 60-300.44(c), including the schedule for the review and any actions taken or changes made as a result of the assessment.
11. Applicant and employee level employment activity data for all applicants and employees covering the immediately preceding VEVRAA AAP year and, if you are six months or more into your current AAP year when you receive this letter, provide the information for at least the first six months of the current AAP year. For job group information, use the job groups as defined in your Executive Order 11246 AAP. For each applicant or employee provide the following information, where applicable.
  - a. Indicate whether applicant or employee was hired, promoted, or terminated. For non-selected applicants, indicate that they were not selected;
  - b. The job title and job group to which each applicant sought employment;
  - c. The job title and job group of each employee selected for hire, promotion, or termination;
  - d. The date the employee was hired or promoted;
  - e. Indicate whether the employee was externally hired into the current job group or promoted to it;

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<sup>2</sup> All applicant and employee level data provided in response to this letter must include a name or identifier unique to each applicant and employee such that OFCCP can match self-identification information to applicants and employees. The unique identifier must be consistent across applicant databases and employee databases, where possible. If not, it is permissible to use a different identifier in the applicant database than the identifier used in the employee database.

- f. For promotions, provide the job title and job group that each employee was promoted into and the job title and job group from which each employee came. For internal promotions, provide the workforce representation (number of protected veterans and total employees) of protected veterans in the AAP job group from which the employee was promoted. Include a definition of “promotion” as used by your company. If it varies for different segments of your workforce, please define the term as used for each segment;
  - g. The date the employee was terminated.
12. Employee level compensation data for all employees (including but not limited to full-time, part-time, contract, per diem or day labor, and temporary employees) as of the start date of the current VEVRAA AAP. Provide hire date for each employee as well as job title, EEO-1 Report category, and Executive Order 11246 AAP job group in a single file.<sup>3</sup>
- a. For all employees, compensation includes base salary and/or wage rate, and hours worked in a typical workweek. Other compensation or adjustments to salary such as bonuses, incentives, commissions, merit increases, locality pay, or overtime should be identified separately for each employee.
  - b. You may provide additional data on factors used to determine employee compensation. For example, such factors may include education, past experience, duty location, performance ratings, department or function, and salary level/band/range/grade. You may also provide documentation and policies used to determine compensation hierarchy and job structure.

Please submit your AAPs and support data to the address listed on page one of this letter as soon as possible, but no later than 30 days from the date you receive this letter. If any of the requested information is maintained electronically, you must submit it in an electronic format that is complete, readable, and useable.<sup>4</sup> Pursuant to 41 CFR §§ 60-1.12(e) and 60-300.80(c), failure to preserve complete and accurate records constitutes non-compliance with your obligations as a federal contractor or subcontractor. Once the evaluation begins, you are required to maintain all personnel and employment records described in the regulations enforced by OFCCP until the final disposition of the evaluation.

We encourage you to submit your information in electronic format to reduce the amount of time it takes to complete our evaluation of your (Insert establishment, functional unit, or corporate headquarters). Should you opt to email your submission, use the email address \_\_\_\_\_ . Please use caution when submitting large electronic files to ensure the information is securely transmitted. Check with the OFCCP Compliance Officer and your system administrator to ensure adherence to administrative and system guidelines.

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<sup>3</sup> 41 CFR § 60-2.17(b)(3) and (d).

<sup>4</sup> If data includes acronyms or codes, include an index that explains the terminology. Pursuant to 41 CFR § 60-300.81, OFCCP reserves the right to request information in any of the formats, including specific electronic formats, in which it is maintained.

You should be aware that OFCCP may initiate enforcement proceedings if you fail to submit AAPs and support data that represent a reasonable effort to meet the requirements of the regulations in 41 CFR Part 60-300. Please also be aware that OFCCP may use the information you provide during a compliance evaluation in an enforcement action. We may also share that information with other enforcement agencies within DOL, as well as with other federal civil rights enforcement agencies with which we have information sharing agreements.

Finally, the public may seek disclosure of the information you provide during a compliance evaluation. Under current law and regulations, OFCCP is required to comply with the Freedom of Information Act (FOIA), the Trade Secrets Act, the Privacy Act, and Executive Order 12600, and DOL's FOIA regulations at 29 CFR § 70.26, all of which govern the disclosure of confidential commercial information.<sup>5</sup>

Please contact \_\_\_\_\_ at \_\_\_\_\_ if you have any questions concerning the compliance evaluation.

Sincerely,

(Name of District Director)  
District Director

**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 it displays a valid OMB Control Number. Your response is required as a condition of your federal contract or subcontract, pursuant to 41 CFR Chapter 60. The estimated public reporting burden for this information collection is 10.5 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 1250-0003.

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<sup>5</sup> 41 CFR §§ 60-1.20(g), 60-300.81, and 60-741.81; Freedom of Information Act, as amended, 5 U.S.C. § 552 (2009).