



Billing Code: 4510-CM

## DEPARTMENT OF LABOR

### Office of Federal Contract Compliance Programs

#### Construction Compliance Check Letters

#### 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 Construction Compliance Check Letters. 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](http://www.regulations.gov).

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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

Electronic comments: The federal eRulemaking portal at [www.regulations.gov](http://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, N.W., Room C-3325, Washington, D.C. 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](http://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 submitted in response to the notice, including any personal information provided, become a matter of public record and will be posted on [www.regulations.gov](http://www.regulations.gov). Comments 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, N.W., Washington, D.C. 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 equal employment opportunity laws listed below.

- Executive Order 11246, as amended (EO 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 take affirmative action and 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, in certain circumstances, the pay of their co-workers. EO 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 that have, or can reasonably be expected 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. 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 information collection request (ICR) seeks to implement two types of construction compliance check letters for construction contractors to notify them that they have been selected to undergo a compliance check. More limited in nature than the full compliance review currently conducted by OFCCP,

each compliance check will impose a much smaller contractor burden by allowing the agency to review only certain records.

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

- Evaluate whether the proposed collection of information is necessary for the enforcement and compliance assistance functions of the agency that support the agency's compliance mission, 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 its responsibilities to enforce the nondiscrimination and affirmative action provisions of the three legal authorities it administers.

Type of Review: New Request

Agency: Office of Federal Contract Compliance Programs

Title: Construction Compliance Check Letters

OMB Number: 1250-[NEW]

Agency Number: None

Affected Public: Business or other for-profit entities

Total Respondents: 500

Average Time per Response: 8.5 or 5.5 hours

Total Burden Hours: 3,650

Frequency: On occasion

Total Burden Cost: \$0

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

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