

VIA CERTIFIED MAIL
(NUMBER)
RETURN RECEIPT REQUESTED

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

Dear (Name of Senior Contractor Official):

The U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP), has selected [Name of Company] for an equal employment opportunity (EEO) compliance evaluation. [Name of Company] has been identified as having received American Recovery and Reinvestment Act (ARRA) funding for the [Name of Project]. As discussed with your office, the evaluation will commence on [Date and Time] and cover personnel and EEO activities during the period of [Date] through [Date].

The purpose of this evaluation is to determine if your firm is in compliance with its EEO obligations under Executive Order 11246, as amended. If appropriate, the evaluation will also assess whether your firm is in compliance with its EEO obligations under Section 503 of the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) of 1974, as amended (38 U.S.C. 4212).

The compliance evaluation will include a review of the affirmative action steps that are being taken to provide equal opportunity in each trade used on your construction projects in the [Name of Geographical Area] Standard Metropolitan Statistical Area(s) (SMSA), as set forth in the goals established pursuant to 41 CFR §60-4.6. In addition, the review will include an examination of your firm's compliance with the Employment Eligibility Verification (I-9) Report requirements of the Immigration Reform and Control Act (IRCA) of 1986. This letter satisfies the legal requirement to provide you with a minimum of three business days advance notice of an I-9 inspection.

It is requested that your company have an authorized official available to answer questions and discuss company policies and practices. To assist in the conduct of the review, you are requested to have the records and information available as identified in Attachment A. You are requested to provide sufficient working space. It may also be necessary to visit one or more project sites and conduct employee interviews.

For more information about OFCCP, the EEO laws and their implementing regulations, visit the OFCCP's Web site at www.dol.gov/esa/ofccp. OFCCP has also developed a *Technical Assistance Guide (TAG) for Federal Construction Contractors* to provide you with additional guidance regarding your EEO obligations and how to meet them. The TAG is

available on the OFCCP Web site at www.dol.gov/esa/ofccp/TAguides/consttag.pdf. Should you have any questions, please contact [Name of Compliance Officer], Compliance Officer, at the [Name of Field Office] of OFCCP at [Telephone Number].

Sincerely,

[Name of District Director]
District Director

ATTACHMENT A: DOCUMENTATION OF CONTRACTOR'S COMPLIANCE EFFORTS

To assist in the conduct of the review, you are requested to have the following records and information available:

- 1) Any pertinent documentation which will evidence the implementation of each of the specific affirmative action standards required to be incorporated in covered construction contracts by 41 CFR §60-4.3 (contract specification 7) and compliance with the requirements 41 CFR §60-4.3(a) to include the required specification in covered sub-contracts.
- 2) A copy of your current EEO Policy Statement.
- 3) If subject to Section 503 and VEVRAA, copies of the company's written affirmative action plan(s) for individuals with disabilities and protected veterans.
- 4) Current employee records identifying the name, race, ethnicity (Hispanic/Non-Hispanic), sex, date of hire, and job classification in trade of each employee.
- 5) Documentation of the company's efforts to provide OFCCP with notification of covered subcontract awards. See 41 CFR §60-4.2 (d).
- 6) If required to file the Employer Information Reports (Standard Form 100 Rev) also called the EEO-1 Report, copies of your EEO-1 Reports for the last two years if you have a covered contract of at least \$150,000 and 150 employees, or one year if you do not. See 41 CFR §§ 60-1.7 and 60-1.12.
- 7) Records identifying all ongoing federal and non-federal construction projects (by name and location) in the [Name of Geographical Area] MSA. Records identifying whether non-federal projects are commercial or residential. Records identifying the following information with regard to each federally funded project:
 - a) the funding agency;
 - b) amount of contract;
 - c) date of award;
 - d) date construction started;
 - e) percent completed; and
 - f) the estimated completion date.
- 8) Records identifying construction subcontractors on Federal projects by name, and that includes for each one, the address, telephone number, project(s) to be or being worked on, dollar amount of contract(s), estimated starting and ending date(s), and geographical area(s) where the subcontract(s) is being performed.
- 9) Records of EEO notices to Federal project subcontractors, if any, regarding their EEO obligations.

- 10) Correspondence and communications, if any, with unions and community organizations that concern the company's EEO obligations and recruitment efforts to hire women, minorities, individuals with disabilities if you are covered by Section 503 and protected veterans if you are covered by VEVRAA.
- 11) Records identifying trade organization affiliations and the unions the company works with. Please have available a copy of any collective bargaining agreement(s), if applicable.
- 12) In order to substantiate the validity of reported work hours, and to facilitate the review, please have the following information available for inspection for the six-month period from [Date], through [Date].
 - a) Total number of apprentices, minority apprentices, and female apprentices during the review period.
 - b) Records identifying, by month, total work hours, minority work hours, and female work hours in each trade on all projects in the [Name of Geographical Area(s)] MSA.
 - c) Records identifying, by month, total overtime work hours, minority overtime hours, and female overtime hours in each trade on all projects in the [Name of Geographical Area(s)] MSA.
 - d) Payroll records for validation of hours worked during the review period.
 - e) Total number of new hires, minority new hires, and female new hires by trade during the review period.
 - f) Records identifying all employees who were laid off during the review period by name, race, sex, trade, and job classification. Records identifying all employees who were recalled during the review period by race, sex, trade, and job classification.
 - g) If the company does both residential and commercial work, records identifying the total number of hours worked on each type of project and the number of hours worked on each type of project by minorities and women.
- 13) If required to file the Federal Contractors Veterans' Employment Report VETS-100 or VETS-100A, copies of the report for the last two years if you have a covered contract of at least \$150,000 and 150 employees, or one year if you do not. See 41 CFR Parts 61-250 and 61-300 and 41 CFR 60-1.12.