



TRANSMITTAL

**U.S. DEPARTMENT OF LABOR
Employment Standards Administration
Office of Federal Contract Compliance Programs**

Number: 292

Date: December 02, 2010 OFCCP Order No.

1. **SUBJECT**: Discontinuation of Active Case Management (ACM) Procedures
2. **PURPOSE**: To rescind Directive Number 285, issued September 17, 2008. Subject: Active Case Management.
3. **BACKGROUND**: On July 25, 2003, the Active Case Management (ACM) process for conducting S&S compliance evaluations was adopted by the Office of Federal Contract Compliance Programs (OFCCP). The stated purpose of ACM was to concentrate agency resources on identifying and remedying cases of systemic discrimination, thereby enabling the agency to use its resources in a more efficient manner. ACM, primarily an abbreviated desk audit process, sought to quickly close reviews where there was no indicator of systemic discrimination (i.e., 10 or more potential victims). Absent any indicators of discrimination, full desk audits were to be performed only in every 25th review and onsite evaluations only in every 50th review, as a "quality control" measure. While ACM has identified a number of systemic cases since its implementation, it has also caused OFCCP to narrow the focus of its enforcement efforts and has eroded OFCCP's enforcement authority.

Therefore, in accordance with the recommendations of the National Equal Pay Enforcement Task Force that reported to President Obama in July 2010, OFCCP hereby rescinds Directive Number 285, Active Case Management (September 17, 2008).¹

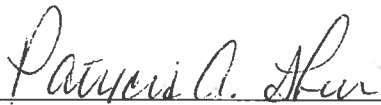
¹ The National Equal Pay Enforcement Task Force was comprised of the Equal Employment Opportunity Commission (EEOC), the Department of Justice (DOJ), the Department of Labor (DOL), and the Office of Personnel Management (OPM).

4. **FILING INSTRUCTIONS:**

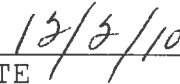
Holders of ADM and LEG Binders only: File this Notice behind the "SEL" tab in your Administrative Practices Binder.

District and Area Office EOSs and EOAs only:
File this Notice behind the tab for ADM Directives in your FCCM Binder.

5. **OBSOLETE DATA:** Directive Number 285, issued September 17, 2008. Subject: Active Case Management.
6. **DISTRIBUTION:** A, B (both hard copy and electronically); C (hard copy only)
7. **EXPIRATION DATE:** This directive remains in effect until rescinded or modified.



PATRICIA A. SHIU
Director
Office of Federal Contract Compliance



DATE