

<b>II. Program-Specific Recovery Plan for Recovery.gov (Q 2.8 of Guidance)</b>	
<b>DOL Agency MAX ID and name: Office of Federal Contract Compliance Programs (OFCCP)</b>	
<b>Recovery Program: Federal Contract Compliance Programs</b>	
Does this program align with an existing CFDA program?	No
<b>1. Objectives:</b>	
Program Purpose	The Office of Federal Contract Compliance Programs (OFCCP) administers and ensures compliance with two equal employment opportunity (EEO) laws and one executive order that prohibit Federal contractors and subcontractors from discriminating on the basis of race, color, religion, sex, national origin, disability, and protected veterans' status. The laws are: Section 503 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. The executive order is Executive Order 11246.
Public Benefits	Through fair and effective enforcement of these laws, OFCCP seeks to ensure that Federal contractors provide equal opportunity to applicants and employees; and that American workers employed by federal contractors are protected from discrimination.
<b>2. Projects and Activities:</b>	
Kinds and scope of projects and activities to be performed	Federal contractors in receipt of Recovery Act funds must be compliant with EEO laws and regulations and ensure fairness in employment activities. Through compliance evaluations and outreach activities, OFCCP will increase contractors' awareness of their roles and responsibilities with its EEO laws and regulations.
Enforcement Activities	<p>OFCCP conducts compliance evaluations of construction contractors in receipt of Recovery Act funding and grants. The majority of federal contractors are recipients of direct or federally-assisted funds for construction projects. Consequently, OFCCP is placing a special emphasis on the construction industry.</p> <p>OFCCP is also conducting compliance evaluations of supply and service contractors in receipt of federal contracts through Recovery Act funding.</p> <p>The agency determined whether currently scheduled compliance evaluations include contractors receiving Recovery Act funding to determine eligibility for additional reviews. OFCCP conducted a limited number of pre-award reviews of new supply and service contractors with contracts of \$10 million or more; and evaluated compensation practices of Recovery Act contractors.</p> <p>OFCCP recommends enforcement for contractors where discrimination is identified or access denied, and conciliation efforts have failed. If OFCCP is denied access to a facility or is unable to reach an agreement with a contractor after being found non-compliant, such contractor will be referred for litigation.</p>
Outreach	OFCCP conducted a series of Webinars for companies seeking government contracts and recent contract recipients under the Recovery Act. OFCCP held compliance assistance seminars at bidders' conferences explaining the requirements to achieve and maintain full compliance with OFCCP-administered laws. Consequently, this effort will increase the number of federal contractors in compliance.

	OFCCP worked with GSA and state contracting agencies to participate in pre-construction conferences with general or prime contractors. This effort included meetings with union representatives to communicate requirements that must be adhered to by general or prime contractors. General/prime contractors have the responsibility of communicating EEO requirements to all subcontractors. OFCCP provides assistance in preparing these notifications.
<b>3. Characteristics:</b>	
Types of Financial Awards to be used	J Provision of Specialized Services K Advisory Services and Counseling N Investigation of Complaints
Type of Recipient	Federal
Type of Beneficiary	Federal; Individual
<b>4. Major Planned Program Milestones:</b>	
Compliance Events	OFCCP hosted 120 compliance events, reaching at least 500 contractors, to educate the public and interested parties about EEO requirements in federal contracts. The agency hosted 9 national and 6 Webinars targeted to federal construction contractors, new federal contractors, and contracting officers. Additionally, OFCCP hosted 93 regional compliance events; and one national and 11 regional public forums.
	Completed: April 30, 2010
Amend Construction Scheduling Guidelines	OFCCP mended its current construction scheduling guidelines to ensure that priority is given to RECOVERY ACT-related construction evaluations.
	Completed: June 30, 2009
Amend Pre-Awards Scheduling Guideline	Prior to the award federal contract in the amount of \$10M or more, OFCCP receives pre-award EEO clearance requests from potential contractors. OFCCP will amend its pre-awards guideline to ensure that priority consideration is being provided to potential contractors in receipt of ARRA funding.
	Completed: June 30, 2009
Training for Federal Contracting Officers	OFCCP will educate 100 Federal contracting officers in at least 10 different agencies to provide information related to pre-award clearances procedures and EEO requirements.
	Completed: December 31, 2009
Develop and Maintain 21 <sup>st</sup> Century Recovery Act Webpage	OFCCP drafted, reviewed and update the content of the 21 <sup>st</sup> Century Recovery Act Webpage on an ongoing basis. OFCCP continues to maintain the Webpage.
	Expected Completion Date: Ongoing through September 30, 2010
Conduct 450 Compliance Evaluations	OFCCP is conducting at least 360 construction reviews and at least 90 supply and service reviews, targeting at least 10% first-time federal contractors. OFCCP has scheduled 150 reviews each quarter, beginning July 1, 2009.
	Expected Completion Date: Ongoing through September 30, 2010

**5. Monitoring and Evaluation:**

Performance monitoring and evaluation occur on a quarterly basis. The OFCCP-designated Recovery Act coordinator is responsible for conducting the review. The coordinator evaluates performance, risk, and the impact on program effectiveness, reporting results to the Acting Director.

This process involves all regions charged with funds use, which are required to submit information to the Recovery Act coordinator to support the review. The periodic evaluation includes a review of actual expenditures versus planned expenditures, performance toward milestones, and to-date performance on measures identified in section 6.

To aid in the execution of Recovery Act funds utilization, OFCCP develops a program review template. This template allows for the description of the Recovery Act activity, identifies the responsible office, documents both planned and actual expenditures, lists to-date performance on milestones and performance measures, and contains a register of risks. The risk register enumerates each risk's probability of occurrence, the potential impact, appropriate mitigation strategy, necessary contingency plans, identifies who is required to take action for mitigation and by what time period that mitigation must occur to prevent the risk's realization. All offices responsible for Recovery Act funds used were trained in the use of the template.

The Recovery Act coordinator conducts reviews of all activities using data gathered from submitted templates evaluating performance, risk, and impact on program effectiveness through predetermined rating criterion. The coordinator immediately escalates issues of high-risk and low performance to the Acting Director, while delivering a report four weeks after review that includes the final evaluation of each activity.

**6. Measures:**

OFCCP is developing a new set of performance measures in support of Government Performance and Results Act (GPRA) planning and reporting requirements. The activities tracked through the output measures are expected to support the results tracked through these GPRA outcome measures.

Measure Text	Percent of non-compliant Recovery Act contractors, identified through completed reviews, brought into compliance
Measure Type	Outcome
Measure Frequency	Quarterly
Direction of Measure	Increasing
Unit of Measure	Non-compliant Recovery Act Contractors
Explanation of Measure	This performance measure tracks whether Recovery Act contractors achieve compliance with EEO requirements at the completion of the compliance evaluation. Contractors reach compliance through a binding agreement detailing specific commitments to resolve identified violations. OFCCP guidance includes a process to monitor contractors found to be non-compliant. The conciliation agreement includes a monitoring period (lasting a minimum of six months and maximum on 3 years, depending on the severity of the violation), where a contractor is required to submit progress report(s). As a result, OFCCP is able to monitor the continued compliance of contractors. The actual reported below is as of April 27, 2010.
Year	2009

Original Program Target	NA (new measure)
Revised Full Program Target	80
Targeted ARRA Increment	NA
Actual	100
Goal Lead	Lorenzo Harrison, Deputy Director, OFCCP
Measure Text	Number of construction compliance evaluations conducted
Measure Type	Output
Measure Frequency	Quarterly
Direction of Measure	Increasing
Unit of Measure	Compliance evaluations
Explanation of Measure	The emphasis on infrastructure spending under the Recovery Act is expected to increase construction contracts. These types of contracts may represent roughly 80% of all Federal contracts under the Recovery Act. To best ensure EEO compliance, OFCCP will target the construction industry. OFCCP will increase the number of construction compliance evaluations conducted to accommodate this increase in new and/or expanded contracts funded through the Recovery Act. In FY 2008, OFCCP completed 204 construction reviews with a workforce of approximately 400 compliance officers that focused on supply and service reviews. Under the Recovery Act, OFCCP will focus on construction contractors by utilizing 50 FTE to complete 360 compliance evaluations by September 30, 2010. Achieving this target necessitates timely completion of evaluations. To ensure those compliance evaluations meet OFCCP standards, OFCCP will continue conducting quality audits of at least 10% of completed compliance evaluations quarterly. The actual reported below is as of April 27, 2010.
Year	2009
Original Program Target	204
Revised Full Program Target	360
Targeted ARRA Increment	156%
Actual	125
Goal Lead	Lorenzo Harrison, Deputy Director, OFCCP
Measure Text	Number of compliance evaluations of supply and service contractors
Measure Type	Output
Measure Frequency	Quarterly
Direction of Measure	Increasing
Unit of Measure	Compliance Evaluations
Explanation of Measure	OFCCP plans to conduct 450 compliance evaluations as a result of the Recovery Act funding. Since the

	universe of Recovery Act construction contractors will be much greater than supply and service contractors, OFCCP will not be able to conduct proportionately as many supply and service reviews as it has done in the past. Therefore, OFCCP will select approximately 90 supply and services contractors from a Recovery Act supply and service contractors' listing identified from various sources. As part of the normal practice, OFCCP will continue to conduct quality audits of at least 10% of completed compliance evaluations quarterly to ensure conformity to OFCCP standards. The actual reported below is as of April 27, 2010.
Year	2009
Original Program Target	3,900
Revised Full Program Target	3,990
Targeted ARRA Increment	90
Actual	116
Goal Lead	Lorenzo Harrison, Deputy Director, OFCCP
Measure Text	Number of contractors trained through outreach events
Measure Type	Output
Measure Frequency	Quarterly
Direction of Measure	Increasing
Unit of Measure	Outreach Events
Explanation of Measure	The purpose of this measure is to educate Recovery Act contractors of their EEO obligations in order to increase compliance. The actual reported below is as of April 27, 2010.
Year	2009
Original Program Target	900
Revised Full Program Target	1,400
Targeted ARRA Increment	500
Actual	8,872
Goal Lead	Lorenzo Harrison, Deputy Director, OFCCP
<b>7. Transparency and Accountability:</b>	
As discussed in section 5, performance data collection occurs on a quarterly basis with reports completed four (4) weeks after the close of each quarter. OFCCP posts the aggregated reports to the Department's website at <a href="http://www.dol.gov/esa/ofccp/">http://www.dol.gov/esa/ofccp/</a> .	
Each OFCCP region, headed by a Senior Executive Service Administrator, developed regional deliverables based on national goals. Each, with the assistance of the National Office, prepared a work plan to ensure that regional targets are met. Each region is held accountable for both the enforcement and outreach initiatives under the Recovery Act. All activities are continuously monitored by the Recovery Act Coordinator.	
<b>8. Federal Infrastructure Investments:</b>	
NA	

**9. Barriers to Effective Implementation:**

OFCCP encountered barriers in completing ARRA related construction compliance evaluations. When scheduling contractors for evaluations, the agency discovered that a number of the construction activities had not begun to allow an effective evaluation. In addition, numerous construction activities were suspended due to the difficult winter of 2010. However, OFCCP did redirect its resources to an extensive outreach program, resulting in providing assistance to over 8000 contractors in comparison to the 500 planned.

**10. Environmental Review Compliance:**

NA