

FY 2024

CONGRESSIONAL BUDGET JUSTIFICATION

**OFFICE OF FEDERAL CONTRACT COMPLIANCE
PROGRAMS**

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OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

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OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

APPROPRIATION LANGUAGE

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs,
[\$110,976,000] \$151,462,000, to remain available until September 30, 2025.
(Department of Labor Appropriations Act, 2023.)

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EXPLANATION OF LANGUAGE CHANGE

The Department requests two-year availability to increase flexibility for program execution. The annual uncertainty in the appropriations timing results in delayed hiring and rushed execution of contracts. The multi-year availability would reduce the impact of short-term continuing resolutions at no cost to the annual appropriations bill. This change would also enhance staff oversight of the programs they are administering.

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AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2022 Revised Enacted		FY 2023 Revised Enacted		FY 2024 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	451	\$108,476	495	\$110,976	620	\$151,462
<i>Subtotal Appropriation</i>	<i>451</i>	<i>\$108,476</i>	<i>495</i>	<i>\$110,976</i>	<i>620</i>	<i>\$151,462</i>
B. Gross Budget Authority Before Committee	451	\$108,476	495	\$110,976	620	\$151,462
C. Budget Authority Before Committee	451	\$108,476	495	\$110,976	620	\$151,462
D. Total Budgetary Resources	451	\$108,476	495	\$110,976	620	\$151,462
FTE and Unobligated Balance Expiring	-24	-\$142	0	\$0	0	\$0
E. Total, Estimated Obligations	427	\$108,334	495	\$110,976	620	\$151,462

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2023 Revised Enacted	FY 2024 Request	Net Change
Budget Authority			
General Funds	\$110,976	\$151,462	+\$40,486
Total	\$110,976	\$151,462	+\$40,486
Full Time Equivalents			
General Funds	495	620	125
Total	495	620	125

Explanation of Change	FY 2024 Change							
	FY 2023 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	495	\$57,481	0	\$0	0	\$2,644	0	\$2,644
Personnel benefits	0	\$21,052	0	\$0	0	\$983	0	\$983
Employee health benefits	0	\$0	0	\$0	0	\$0	0	\$0
Moving allowance	0	\$0	0	\$0	0	\$0	0	\$0
Federal Employees' Compensation Act (FECA)	0	\$0	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$41	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$877	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$0	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$6,200	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$90	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$20	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$0	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$1,563	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$14,803	0	\$0	0	\$794	0	\$794
Other Federal sources (DHS Charges)	0	\$707	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$7,261	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$200	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$0	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$335	0	\$0	0	\$0	0	\$0
Equipment	0	\$20	0	\$0	0	\$0	0	\$0

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FY 2024 Change

Explanation of Change	FY 2023 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Grants, subsidies, and contributions	0	\$0	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$25	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	495	+\$110,675	0	\$0	0	+\$4,421	0	+\$4,421
B. Programs:								
Expand Workforce and Technological Capacity for Mega Construction Projects Program	0	\$0	0	\$0	36	\$10,225	36	\$10,225
Rebuilding OFCCP's Workforce Building Workforce and Technological Capacity for Data Analytics	0	\$0	0	\$0	54	\$9,468	54	\$9,468
Increasing Capacity to Develop and Resolve Systemic Discrimination	0	\$0	0	\$0	24	\$7,662	24	\$7,662
Compliance Management System	0	\$0	0	\$0	11	\$3,200	11	\$3,200
Enhance the Contractor Portal to Support Data Analytics	0	\$0	0	\$0	0	\$3,020	0	\$3,020
Programs Subtotal	0	\$0	0	\$0	125	+\$36,075	125	+\$36,075
Total Increase	495	+\$110,675	0	\$0	125	+\$40,496	125	+\$40,496
Decreases:								
A. Built-Ins:								
To Provide For:								
Federal Employees' Compensation Act (FECA)	0	\$301	0	\$0	0	-\$10	0	-\$10
Built-Ins Subtotal	0	+\$301	0	\$0	0	-\$10	0	-\$10
B. Programs:								
Total Decrease	0	+\$301	0	\$0	0	-\$10	0	-\$10
Total Change	495	+\$110,976	0	\$0	125	+\$40,486	125	+\$40,486

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2022 Revised Enacted		FY 2023 Revised Enacted		FY 2024 Request		Diff. FY24 Request / FY23 Revised Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Office of Federal Contract Compliance Programs	427	108,476	495	110,976	620	151,462	125	40,486
General Funds	427	108,476	495	110,976	620	151,462	125	40,486
Total	427	108,476	495	110,976	620	151,462	125	40,486
General Funds	427	108,476	495	110,976	620	151,462	125	40,486

NOTE: FY 2022 reflects actual FTE.

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BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
	Full-Time Equivalent				
	Full-time Permanent	451	495	620	125
	Total	451	495	620	125
	Average ES Salary	\$195,450	\$204,588	\$215,227	\$10,639
	Average GM/GS Grade	12	12	12	0
	Average GM/GS Salary	\$111,294	\$107,571	\$113,165	\$5,594
11.1	Full-time permanent	51,672	56,418	74,041	17,623
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	1,062	1,063	1,348	285
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	52,734	57,481	75,389	17,908
12.1	Civilian personnel benefits	19,252	21,353	28,004	6,651
13.0	Benefits for former personnel	41	41	41	0
21.0	Travel and transportation of persons	322	877	1,127	250
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	6,243	6,200	6,200	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	105	90	97	7
24.0	Printing and reproduction	5	20	20	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	551	1,563	2,291	728
25.3	Other goods and services from Federal sources 1/	15,012	22,771	37,713	14,942
25.4	Operation and maintenance of facilities	300	200	200	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	12,486	0	0	0
26.0	Supplies and materials	374	335	335	0
31.0	Equipment	976	20	20	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	75	25	25	0
	Total	108,476	110,976	151,462	40,486
	1/Other goods and services from Federal sources				
	Working Capital Fund	14,372	14,803	15,597	794
	DHS Services	640	707	707	0
	Services by DOL Agencies	0	7,261	7,261	0

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AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
PUB. L. 93-112	Rehabilitation Act of 1973, as amended.	29 U.S.C. 793			N/A
PUB. L. 93-508	Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended.	38 U.S.C. 4212			N/A
PUB. L. 101-336	Americans with Disabilities Act, as amended.	42 U.S.C. 12101 et seq.			N/A

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APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2014					
Base Appropriation	\$108,467			\$104,976	683
2015					
Base Appropriation	\$107,903			\$106,476	621
2016					
Base Appropriation	\$113,687	\$100,500	\$96,000	\$105,476	615
2017					
Base Appropriation	\$114,169			\$104,476	556
2018					
Base Appropriation	\$88,000	\$94,500		\$103,476	514
2019					
Base Appropriation...1/	\$91,100		\$103,476	\$103,476	500
2020					
Base Appropriation...2/ 3/	\$103,576	\$120,000		\$105,976	472
2021					
Base Appropriation...3/	\$106,412			\$105,976	451
2022					
Base Appropriation...4/	\$140,732	\$140,732		\$108,476	451
2023					
Base Appropriation	\$147,051			\$110,976	495
2024					
Base Appropriation	\$151,462				620

1/ This bill was passed by the Senate. It was passed out of the House Subcommittee but was not reported out of the House Committee or by the full House.

2/ This bill was passed by the House. It was not taken up by the Senate Appropriations Subcommittee or full Appropriations Committee.

3/ FTE for FY 2020 and FY 2021 reflect the Shared Services Realignment.

4/ This bill was passed by the House. It was not taken up by the Senate Appropriations Subcommittee or the full Senate Appropriations Committee.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

OVERVIEW

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) is charged with protecting America's workers by ensuring that those who do business with the federal government fulfill the promise of equal employment opportunity. OFCCP's mission and budget priorities set forth in this proposal align with: 1) the President's Management Agenda priorities of strengthening and empowering the federal workforce; delivering excellent, equitable, and secure federal services and customer experience; and managing the business of government to build back better; 2) the Secretary of Labor and Deputy Secretary's priorities, including enhancing our enforcement efforts and centering work around equity and around those who need it the most; and 3) the Departmental Management Priority of focusing on and measuring how we improve the lives of the most vulnerable and hardest-to-reach workers.

OFCCP administers and enforces three equal employment opportunity authorities: Executive Order 11246, as amended (Executive Order); Section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 793 (Section 503); and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212 (VEVRAA). Collectively, these legal authorities make it unlawful for contractors and subcontractors doing business with the federal government to discriminate in employment because of race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or status as a protected veteran. In addition, they prohibit contractors and subcontractors from discriminating against applicants or employees because they inquire about, discuss, or disclose their compensation or that of others, subject to certain limitations, and from retaliating against applicants or employees for engaging in protected activities. These legal authorities also require that federal contractors make affirmative efforts to advance equal employment opportunity through proactive barrier analysis. By conducting compliance evaluations of contractors and investigating worker complaints, OFCCP addresses barriers to employment opportunity, including in hiring, compensation, and promotion.

OFCCP has jurisdiction over approximately 25,000 firms with 120,000 contractor establishments, which employ more than 20% of the American workforce. The landmark federal investments in our economy including the Bipartisan Infrastructure Law (BIL), the Inflation Reduction Act, and the Creating Helpful Incentives to Produce Semiconductors (CHIPS) and Science Act will increase the number of contractors, workers, and projects under OFCCP's jurisdiction. As our country invests in its infrastructure and economy, OFCCP plays a vital role in ensuring that our historic federal investments create access to good jobs that provide equal opportunity to all.

Additional resources will build OFCCP's capacity to effectively oversee the growing number of contractors, projects, and workers under its purview. In order to meet these demands, in FY 2024, OFCCP will build its workforce and modernize its technology to strengthen enforcement, and launch robust hiring initiatives to help workers access good jobs and employers to fully utilize the talent across their communities. As a result, the requested funding will enable OFCCP to grow its presence in communities across America, to serve workers and contractors most in need of assistance. In the area of technology, these investments will fund specialized expertise and technology upgrades to help OFCCP respond and adapt to the increasingly sophisticated systems that employers use to track, analyze, and produce data on hiring, pay, promotion,

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termination, and other key equal opportunity issues. OFCCP will also leverage technology and data analytics to more expeditiously and effectively evaluate contractors' employment practices across multiple establishments to remove barriers to opportunity and improve its risk-based methodology to schedule contractors for review.

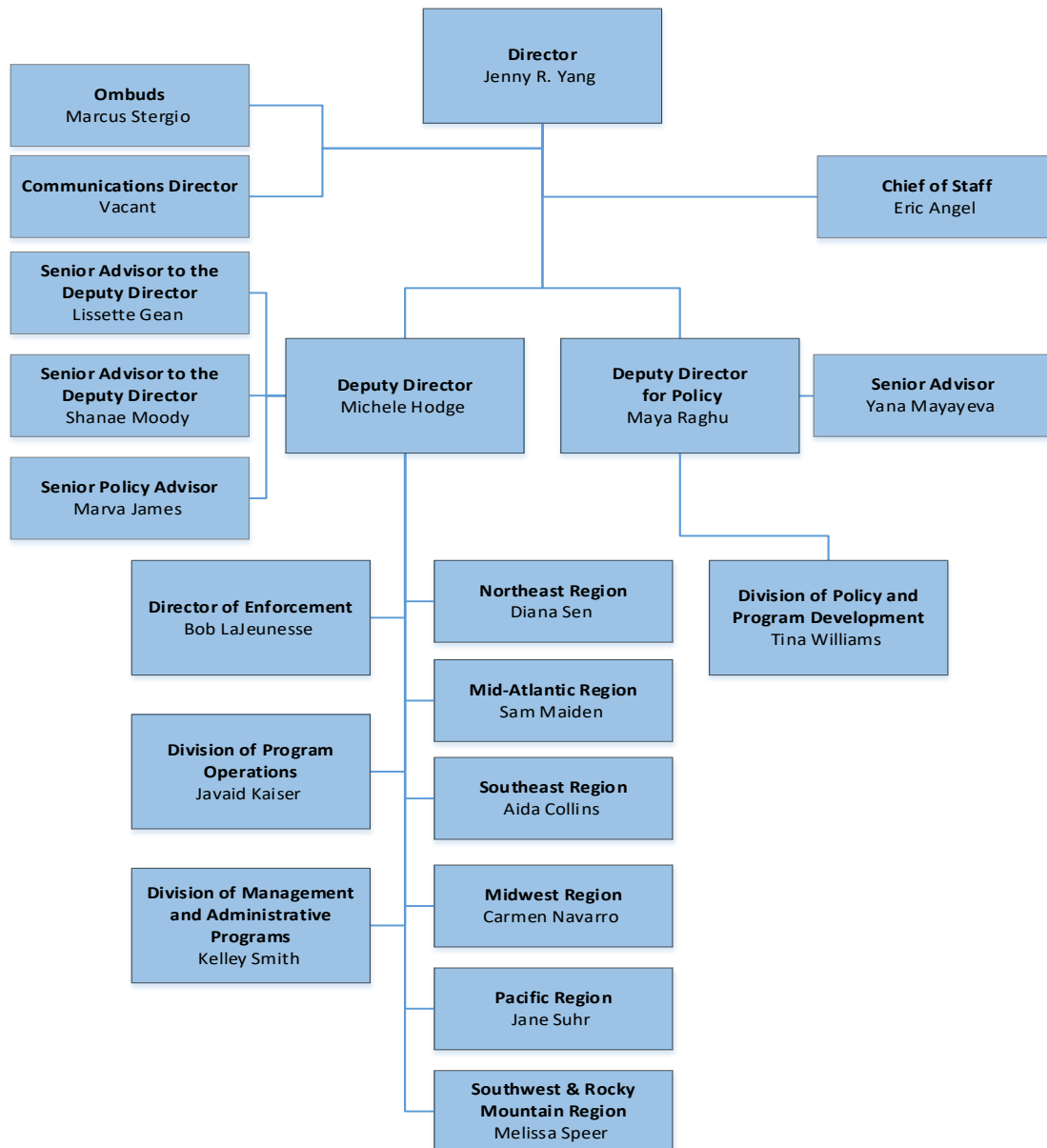
OFCCP plays a powerful role in advancing President Biden's Management Agenda by promoting equal employment opportunity for all. OFCCP will focus on industries that are vital to our economy, including construction, manufacturing, and technology, and on reaching workers from underrepresented communities to connect them with good jobs with federal contractors.

1. To expand access to new, good jobs, OFCCP has prioritized removing hiring barriers to enable workers across all communities to contribute to federal contracts across industries, including manufacturing, technology, and construction.
2. To adapt its enforcement strategy to the evolution of work, as employers utilize rapidly evolving technology to hire, analyze workforce data, and transition to remote work structures, OFCCP has made it a priority to strengthen its technological capacity and expertise. More advanced analyses of employment practices drive more accurate findings during compliance reviews, allowing the agency to better identify and remove barriers to opportunity.
3. To strengthen its engagement with workers through outreach and education and to promote best practices that can prevent discrimination, OFCCP will develop robust collaborations with organizations serving both workers and contractors, to ensure that workers know their rights and report workplace concerns and that contractors have the tools they need to understand and faithfully meet their equal employment opportunity obligations.

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ORGANIZATION CHART

OFCCP is comprised of a national office headquartered in Washington, D.C. with three divisions and an Office of Enforcement. In addition, OFCCP has six regional offices with district and area offices distributed nationwide. The regional offices are located in Atlanta, Georgia (Southeast); Chicago, Illinois (Midwest); Dallas, Texas (Southwest and Rocky Mountain); New York City, New York (Northeast); Philadelphia, Pennsylvania (Mid-Atlantic); and San Francisco, California (Pacific).



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BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	108,476	110,976	151,462	40,486
FTE	427	495	620	125

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 451.

Introduction

To achieve greater progress in advancing equal opportunity, OFCCP must continue to rebuild staffing levels. After reaching the agency’s lowest level of staffing in decades, OFCCP worked actively to hire and onboard over 100 new employees in FY 2022, including 68 field compliance officers, bringing the agency’s onboard staff total to 486 (427 FTE). The FY 2023 Enacted level funded 495 FTE, giving OFCCP additional resources with which to promote compliance and protect America’s workers.

The requested FY 2024 funding of \$151,462,000 and 620 FTE will enable the agency to further its three key priorities of creating access to good jobs, strategically enhancing enforcement, and broadening outreach and education to reach workers and contractors. OFCCP will play a critical role in the implementation of BIL, CHIPS and Science Act, and Inflation Reduction Act to ensure equal employment opportunity in the large infrastructure projects supported by this funding.

As our nation makes landmark investments in the economy and infrastructure, many more businesses will become federal contractors and subcontractors. The requested FY 2024 funding will support the substantially increased enforcement responsibility over this growing number of contractors and provide assistance to federal agencies to promote equal opportunity in their procurement and grantmaking processes.

OFCCP will remove barriers to hiring and promote access to good jobs by strengthening the Mega Construction Project (Megaproject) Program, which is launching in FY 2023 to provide enhanced compliance assistance and oversight on infrastructure projects that have the greatest potential to make a positive economic impact on a community. Megaproject engagement can provide on-the-ground impact on contractor and subcontractor recruitment, hiring and employment practices in the construction trades. From the earliest stages of a designated Megaproject, OFCCP engages a wide range of stakeholders, including worker advocates, community-based organizations, and local recruitment sources, to build robust applicant pools that include talented workers from historically underrepresented backgrounds.

In FY 2024, in addition to investing in its Megaproject Program, OFCCP will focus on helping workers access good jobs with federal contractors and assisting employers in addressing hiring challenges by facilitating connections between federal contractors and qualified workers from diverse backgrounds. OFCCP will also strengthen its data analytics capacity to provide effective

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oversight over evolving employment practices. In addition, OFCCP will expand outreach to workers, contractors, and other stakeholders to widen access to good jobs and focus resources on areas of greatest need. To support these efforts, OFCCP will continue to rebuild its workforce to expand capacity through robust training and hiring: 1) field staff to serve workers and contractors in communities across America; 2) staff with specialized expertise to advance strategic enforcement as workplaces evolve; and 3) staff to support expanded outreach to workers and compliance assistance to contractors. In addition, OFCCP will invest in vital upgrades to modernize its technology and streamline its operations.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$103,476	500
2020	\$105,976	472
2021	\$105,976	451
2022	\$108,476	451
2023	\$110,976	495

FY 2024

The FY 2024 OFCCP funding request is \$151,462,000 and 620 FTE. This includes a program increase in the amount of \$36,075,000 and 125 FTE to expand access to new, good jobs, enhance enforcement to remove barriers to opportunity for workers, and significantly expand outreach to those workers who need help the most. The request also includes \$4,411,000 for inflationary built-in increases.

Expanding Access to Good Jobs in Construction and Across Industries

To expand access to new, good jobs, OFCCP has prioritized removing hiring barriers so that federal contractors can fully utilize the talent in our communities across industries, including manufacturing, technology, and construction. As America rebuilds our roads and bridges, upgrades public transit, and provides affordable, high-speed internet, these new federal projects provide an important opportunity for OFCCP to assist federal contractors in addressing hiring challenges by strengthening their connections with a robust pool of qualified workers.

To account for an increased number of contractors and contracts under OFCCP's jurisdiction from FY 2024 BIL implementation, as well as the CHIPS and Science Act and Inflation Reduction Act, OFCCP will build its workforce and technological capacity to expand opportunity in construction, and in particular through the Megaproject special initiative. Through this program, OFCCP focuses resources on construction projects valued at \$35 million or more that have the greatest potential to make a positive economic difference in a community. When OFCCP designates a construction project as a Megaproject, it offers the contractor and its subcontractors extensive, no-cost compliance assistance at early stages of the project, evaluates compliance, and helps those contractors build long-term partnerships across the public and private sectors in that community. Thus, OFCCP engagement can have an immediate impact on

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contractor and subcontractor recruitment and hiring practices in the construction trades, and help build robust applicant pools that include talented workers from historically underrepresented backgrounds.

After launching the Megaproject Program in FY 2023 with an initial list of BIL-funded projects, in FY 2024 OFCCP will continue to work with federal agencies awarding BIL, CHIPS and Science Act, and Inflation Reduction Act funds to strengthen interagency collaboration, clarify the mechanisms and instruments by which qualified construction projects will be identified and selected, and ultimately broaden the pool of construction projects participating in the program. In the initial stages of each Megaproject, OFCCP will focus on providing intensive compliance assistance and strategic outreach with a goal of removing barriers to equal employment opportunity and increasing access to new jobs created on those projects. Once ground has broken on a Megaproject and the work has progressed for several months, OFCCP, through a neutral process, will schedule contractors for compliance evaluations. To support this work, OFCCP will hire 36 employees, including Megaproject Regional Coordinators, Megaproject Leads (district level), Megaproject Liaisons with funding agencies, Industry Specialists with knowledge of key industries and trades, and Data Scientists. OFCCP is particularly interested in recruiting individuals with expertise in the construction industry, including knowledge of hiring and recruitment practices for different trades and regions.

OFCCP also will build on its efforts to identify and address barriers to recruitment and hiring through the Hiring Initiative to Reimagine Equity (HIRE), launched in FY 2022 in collaboration with the Equal Employment Opportunity Commission (EEOC). A multi-year effort, HIRE is engaging a broad array of stakeholders to expand access to good jobs for workers from underrepresented communities and help address key hiring and recruiting challenges. In FY 2024, OFCCP will continue to work with a wide range of stakeholders to identify and promote promising practices to assist employers to provide equal opportunity to quality jobs and advancement opportunities. HIRE will develop and provide resources to employers to deploy these strategies, including skills-based hiring, and the responsible use of automated technologies in recruitment and hiring.

Building OFCCP's Enforcement Capacity to Adapt to the Evolution of Work

In FY 2024, OFCCP will strengthen its workforce to enhance enforcement and adapt to the evolution of work. The pandemic accelerated changes to workplace structures, including the increased reliance on remote work. Contractors' employment selection and pay systems are also rapidly evolving, deploying advances in technology and data analytics to become more sophisticated. Technology such as human resource information systems (HRIS) – software that creates a centralized repository to collect and store data on an organization's employees – provides opportunities for employers to better analyze workforce patterns to remove barriers to opportunity. Employers increasingly use some form of automated tool as part of their hiring process, including those that rely on artificial intelligence (AI) or algorithms to screen and sort workers -- raising significant equal opportunity considerations.

The growing complexity of employers' workforce systems, coupled with the anticipated increase in federal contractors and contracts under OFCCP's jurisdiction from federal investments, means

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that OFCCP must strengthen its operations and understanding of a broad range of rapidly evolving technological systems that impact hiring, pay, promotion, and other key equal opportunity issues across industries. The agency must provide effective oversight over automated hiring tools to ensure they do not create barriers to equal opportunity. Today, the most prevalent use of automated employment technology is in sourcing candidates and making hiring decisions, and employers are increasingly using or considering AI-enabled tools across the full employment lifecycle including promotions, compensation, and workplace surveillance and monitoring. OFCCP will continue the work of its internal Fairness in Technology Task Force to protect workers' rights and assist employers with complying with civil rights protections as they use automated employment tools.

Investment in its data analytics capacity will also enable OFCCP to better analyze and evaluate the impact of its work, identify common problem areas, and provide employers with resources to prevent equal opportunity barriers. OFCCP will utilize this expertise and analysis to strengthen its scheduling methodology, which is the foundation for its compliance reviews. By utilizing broader sets of data and information to identify risk factors for noncompliance, the agency will focus its resources where problems are most likely to exist, such as repeat violators.

In addition, OFCCP will build on its efforts to modernize its traditional review of single "establishments" to align with the evolving reality of the workplace where employers no longer rely primarily on paper-based records in a physical establishment but store and analyze data electronically company-wide. This requires taking a more comprehensive approach to evaluating contractors' employment practices and coordinating compliance reviews across multiple establishments.

The requested FY 2024 funding will enable OFCCP to grow its specialized expertise, including data scientists, labor economists, statisticians, and industrial organizational psychologists. These new hires will enable OFCCP to expand its data analytics and technological capacity to promote effective compliance reviews of evolving employer systems, provide employers with resources for proactive prevention, and develop more advanced risk-based scheduling methodology.

The funding will also enable OFCCP to invest in robust training for its compliance officers and managers. This includes training on HRIS systems and automated hiring tools to strengthen the agency's ability to analyze data efficiently and evaluate these systems during compliance reviews. Additionally, the agency will provide training for staff on approaches to identify hiring barriers that rely on criteria that is not job related and evaluate a pattern or practice of discrimination in similar jobs across establishments.

Enhancements in Technology to Increase the Agency's Efficient Identification and Resolution of Barriers to Equal Employment Opportunity

Substantial improvements to OFCCP's technology are also essential to the agency's ability to modernize its operations and increase its effectiveness. The proposed technology enhancements will allow field staff to spend less time on manual tasks and efforts to reconcile data from different databases, and more time identifying and resolving violations and providing contractors with compliance assistance.

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The agency's Compliance Management System (CMS) requires new modules and enhancements to automate the agency's business processes that are not currently integrated to improve consistency in operations across regions and provide a single location where all case information is stored. For instance, enhancements are needed to develop a CMS module to coordinate multiple compliance reviews of a single contractor to ensure consistency in compliance reviews and resolution of findings as well as to create a new workflow for contractor establishments that agree to early resolutions. Other changes would help OFCCP staff more efficiently track contractor activity (class members, remedy, employee training, policy initiatives, etc.) during the monitoring period after the conciliation agreement has been signed; create an interface between CMS and the Contractor Portal to view data such as AAPs in CMS; and functionality to produce weekly, monthly, and quarterly reports to monitor OFCCP's progress toward established goals. The complaint module covering intake, investigation, adjudication, and reconsideration is a high priority for FY 2024. Another priority for FY 2024 is to develop a new Quality Assurance Module to identify opportunities to expedite and increase the effectiveness of our compliance reviews.

To drive more efficient compliance evaluations, OFCCP also intends to develop a Global Contractor database that compiles relevant and current contractor information from USAspending.gov, SAM.gov, EEO-1 filings, and OFCCP systems (CMS, Contractor Portal, NCAP) and makes it available in one location. The agency will use the compiled information for both scheduling and enforcement and can make it available to other DOL agencies to promote efficiencies. The work on this effort started in FY 2023 but will conclude in FY 2024 pending availability of funds.

OFCCP's proposed technological upgrades are critical to enhancing the agency's impact as it moves towards a more comprehensive approach to equal opportunity compliance. These technology upgrades will significantly improve accuracy and conserve considerable staff time. They will also enable the agency to assess and analyze data across a contractor's multiple facilities and develop more sophisticated data analytics tools to assess contractor data, identify patterns of inequality, propose actionable solutions, and strengthen enforcement. OFCCP will enhance its database production, software expertise, and research capabilities to support stronger coordinated enforcement. Investing in technology to analyze key data produced by contractors and to track the agency's metrics more effectively will inform strategic enforcement and advance workers' rights. The upgrades to the new Contractor Portal will utilize technology to advance efficiency for stakeholders.

Preventing and Remediating Discrimination Through Outreach and Education to Workers and Contractors

The FY 2024 funding request will support OFCCP in expanding outreach to workers and strengthening compliance assistance to the growing number of federal contractors. OFCCP will implement a new strategic plan to build on its stakeholder engagement and education campaign launched in FY 2023 to expand outreach to organizations serving workers, including particularly vulnerable workers. This will enhance OFCCP's ability to identify important problem areas for investigation and flag issues where greater employer education and assistance would be valuable.

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In FY 2024, OFCCP will continue to enhance its Stakeholder Database to include a broader, searchable repository of information on stakeholders the agency can collaborate with to increase outreach to workers about their rights.

OFCCP will advance worker-focused outreach and stakeholder engagement at the national, regional, and local levels that center its work around those who need it the most. OFCCP will strengthen its robust community relationships by organizing local outreach events to connect women, veterans, workers with disabilities, and other underrepresented communities with federal contractors. This engagement will include development of new materials, where needed, and the agency will ensure that its materials are available in multiple languages.

In addition, as new businesses become federal contractors and existing contractors expand the scope of their work, OFCCP will provide employers with additional resources to support compliance and promote proactive self-analysis to remove barriers to opportunity. OFCCP will continue to invest in robust compliance assistance through its help desk; webinars; an online video training library; and online resources, such as FAQs, technical assistance guides, and templates. OFCCP's compliance assistance efforts will include targeted assistance for small businesses to support their equal opportunity efforts. By strengthening its relationships with contractors and worker organizations, OFCCP will promote hiring practices that provide access to quality jobs and advancement opportunities in the construction industry as well as for supply and service contractors.

Investments in OFCCP Staff Development and Centering Equity in OFCCP's Hiring and Work

OFCCP is committed to fostering a workforce that reflects the diversity of the American people and models a culture of respect, equity, inclusion, and accessibility where every employee feels heard, supported, and empowered. OFCCP will prioritize retention, advancement, and employee well-being. Central to this work is a commitment to diversity, equity, inclusion, and accessibility (DEIA).

As OFCCP invests in its existing workforce and builds capacity through hiring, the agency will continue its commitment to creating a model workplace to advance the DOL's DEIA Strategic Plan. To strengthen OFCCP's recruitment of people with disabilities, OFCCP will continue to promote the active use of the Workforce Recruitment Program (WRP), a model hiring strategy recognized by OPM and co-sponsored by DOL's Office of Disability Employment Policy and the Department of Defense. OFCCP also has updated trainings planned regarding Megaprojects, desk audits, as well as hiring and compensation issues. As part of this effort, OFCCP will continue to engage in the following practices: 1) review recruitment packages for new hires (position descriptions, recruitment checklist, job analysis and competency-based questions) to ensure that they incorporate inclusive language and eliminate any unnecessary barriers, including unnecessary degree requirements; 2) increase outreach and recruitment to underserved communities; 3) maintain a network of recruitment champions; 4) institutionalize DEIA in performance plans; 5) increase participation in leadership and career development training; 6) ensure the use of inclusive language; 7) analyze FEVS data and implement a strategic plan to address feedback; 8) review documents posted online for section 508 compliance; 9) recruit and

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promote qualified diverse talent, 10) retain talent through onboarding engagement; and; 11) retain talent through training and opportunities for advancement.

OFCCP is also committed to preparing the next generation of agency leadership. In FY 2024, OFCCP will invest in addressing the competency gaps identified in its succession plan to provide leadership development services to OFCCP.

FY 2023

OFCCP's FY 2023 Revised Enacted funding level is \$110,976,000 and 495 FTE, an increase of \$2.5 million over FY 2022 Revised Enacted.

Enhancing Efficient Enforcement

Contractors' workforce structures and employment selection and pay systems are becoming more sophisticated and complex. In addition, the pandemic accelerated changes to workplace structures, including the increased reliance on remote work. In FY 2023, OFCCP increased its capacity to strengthen its investigation and resolution of compliance reviews by hiring more than 60 employees with needed skillsets. After onboarding four new labor economists in FY 2022, the agency hired a number of field managers, outreach specialists, technical experts, and operational and administrative support staff in FY 2023, as well as recruited nine new data scientists. By hiring employees with relevant statistical, analytical, enforcement, and technical expertise, OFCCP is better equipped to lead and support a more coordinated and cross-regional nationwide approach to identifying and investigating systemic discrimination in contractor workplaces.

OFCCP also enhanced its database production, software expertise and research capabilities to support stronger coordinated enforcement. This capacity furthered OFCCP's efforts to align its traditional review of single "establishments" with the evolving reality of the workplace, including taking a multi-establishment approach where appropriate to evaluate contractors' employment practices.

In FY 2023, OFCCP published and implemented a final rule to modify a 2020 rule, "Nondiscrimination Obligations of Federal Contractors and Subcontractors: Procedures to Resolve Potential Employment Discrimination." The final rule modifies certain provisions set forth in the 2020 final rule and makes other related changes to the pre-enforcement notice and conciliation process. The final rule promotes effective enforcement through OFCCP's regulatory procedures.

In FY 2023, OFCCP proposed and adopted changes to its Scheduling Letter and Itemized Listing, an information collection used to initiate compliance reviews of federal contractors. The changes promote the use of technology for exchanging information during the compliance review, clarify existing requirements that are under OFCCP's current guidance and regulations, and requests new information to more efficiently and effectively determine whether the contractor has satisfied its equal employment opportunity obligations.

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In 2023, OFCCP published a rulemaking proposal to update and modernize its supply and service regulations to streamline its process and strengthen the agency's enforcement.

Technology Modernization

In FY 2023, OFCCP made major enhancements to its Compliance Management System (CMS) to increase its efficiency and impact. OFCCP enhanced its systems in preparation of the launch of its Mega Construction Project Program, including creating a workflow of multiple compliance evaluations of prime and subcontractors originating from a single Megaproject. The agency also added VEVRAA Benchmark enhancements pursuant to a GAO recommendation. OFCCP added the Financial Remedy Analysis Tool to CMS for use in all Supply & Service cases. It tracks the types of remedies collected for affected workers by demographic group, as well as any salary adjustments the contractor made during the case monitoring period after signing the conciliation agreement. In addition, OFCCP added an enhancement that allows staff to upload contractors' progress reports to allow the agency to more efficiently monitor contractors' efforts to address violations following a conciliation agreement.

OFCCP added two enhancements to the Contractor Portal, an online application launched in FY 2022, that allows Supply & Service contractors and subcontractors to register and certify that they have developed a written Affirmative Action Program (AAP) annually for each of their establishments and functional units. The first enhancement allows contractors to enter the start date of their AAP, which allows contractors to certify their compliance on a more timely basis, and provides the agency with more accurate information about contractors' AAP practices. The second enhancement allows contractors to upload up to three AAP documents and related workforce data to the Contractor Portal to satisfy Executive Order 11246, Section 503 and VEVRAA requirements. This feature provides for quicker and more efficient information exchange between contractors and OFCCP. The agency posted a user guide, instructional material, and how-to videos on the Portal landing page to assist users, as well as Help Desk support. OFCCP also added an enhancement in the Notification of Construction Award Portal (NCAP) (launched in FY 2022), allowing federal procurement officers, States, and construction contractors and subcontractors to bulk upload multiple construction awards electronically.

Promoting Equal Employment Opportunity and Access to Good Jobs

In FY 2023, as part of its work to ensure equal opportunity in the construction industry, OFCCP is launching the Megaproject Program, which fosters equal opportunity in the construction trades workforce of federal contractors and subcontractors on large federal construction projects. Projects eligible for designation as Megaprojects are valued at \$35 million or more in funding, some part of which must be federal funding, and are expected to last for at least one year.

Through the program, OFCCP focuses its resources on construction projects that have the greatest potential to make a positive economic difference in a community. When OFCCP designates a construction project as a Megaproject, OFCCP offers contractors and subcontractors extensive free compliance assistance, conducts compliance evaluations, and fosters collaboration across the public and private sectors. OFCCP engagement can provide immediate, front-end impact on contractor and subcontractor recruitment and hiring practices in the construction trades

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and can help build robust applicant pools that include talented workers from underrepresented backgrounds.

Throughout FY 2023, OFCCP worked with DOL's Good Jobs Initiative and federal agencies granting BIL funds to secure commitments to participate in the Megaprojects Program in Memoranda of Understanding and Notices of Funding Opportunities (NOFOs). For instance, the US Department of Transportation included in several NOFOs language that committed grant recipients to participate in the Megaprojects Program if the project was selected by OFCCP to be a Megaproject.

In December 2022, OFCCP entered into a Memorandum of Understanding with the U.S. General Services Administration (GSA), Public Buildings Service. The Memorandum of Understanding establishes GSA's commitment to participation in the Megaprojects Program, and procedures that will ensure that OFCCP receives prompt notification of Megaprojects in compliance with the Federal Acquisition Regulation, as well as information about such projects in the planning and pre-solicitation stages. In addition, this MOU clarifies the roles of each agency.

In FY 2023, OFCCP developed a pool of BIL-funded construction projects and, within that, applied neutral criteria to develop an initial, smaller list of BIL-funded Megaprojects. In FY 2024 and subsequent years, OFCCP will continue to designate groups of significant infrastructure projects as Megaprojects.

Through its joint initiative with the EEOC, the HIRE initiative, OFCCP convened key stakeholders working to remove barriers to opportunity and develop promising practice resources to examine and promote organizational policy and practices that expand opportunity in recruitment and hiring. HIRE developed promising practices resources to assist employers to advance equal employment opportunity, including those provided in the four public roundtables held in 2022 addressing racial equity; examining the impact of employer screening for gaps in employment; skills-based hiring; and the barriers and potential benefits of using automated technologies to recruit and hire.

In addition, consistent with the Executive Order to Strengthen Racial Equity, OFCCP convened an internal Fairness in Technology Task Force to examine and address equal opportunity concerns raised by the use of AI in recruitment, screening, hiring, and compensation decisions. In FY 2023, OFCCP enhanced its capacity to review employers' AI-enabled tools to safeguard workers' rights and help employers navigate the application of existing civil rights protections to the use of automated employment tools.

OFCCP administers the provisions under Executive Order 11246 governing the exemption from nondiscrimination requirements available to federal contractors and subcontractors that identify as religious entities. In FY 2023, the agency rescinded a prior rule on the agency's religious exemption provision. The rescission preserved the religious exemption in Executive Order 11246 and returned OFCCP to its longstanding approach of aligning the Executive Order 11246 religious exemption with Title VII case law as applied to the facts and circumstances of each situation.

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Strategic Outreach and Engagement with Workers

In FY 2023, OFCCP invested in expanding stakeholder outreach activities and materials that serve underrepresented workers. The agency increased language access through the translation of vital worker documents and utilized technology to make it easier for workers to access information about their employment rights. The agency also developed a strategic outreach and engagement plan to strengthen its outreach to potential recruitment resources for federal contractors, such as state workforce agencies, local vocational rehabilitation agencies, non-profit organizations, and minority-serving institutions. By doing so, OFCCP strengthened its ability to identify key issues for investigation as well as areas where greater employer education and assistance is needed.

In FY 2023, OFCCP also proposed and implemented changes to its complaint intake process. The changes improve the efficiency of OFCCP's process, increase the ease of use of OFCCP forms, and benefit workers by allowing them to contact the agency to discuss concerns and obtain information before filing a formal complaint. The changes have the additional benefit of aligning more closely to the complaint intake process utilized by the U.S. Equal Employment Opportunity Commission (EEOC).

Rebuilding and Investing in OFCCP's Workforce

In FY 2023, OFCCP continued the process of rebuilding its staffing levels while emphasizing efficiency, productivity, and accountability throughout the organization. Specifically, OFCCP onboarded more than 60 mission critical positions, including assistant district director, district director, outreach specialist, data scientist, training specialist, policy specialist, program analyst, and compliance officers. In addition, OFCCP continued the use of its Onboarding Employee Engagement Plan to introduce new employees to DOL, OFCCP, and its mission. OFCCP also continued its annual OFCCP Service Excellence Awards Program to recognize the accomplishments of OFCCP employees by their peers.

In FY 2023, OFCCP increased investments in internal training programs to ensure its employees were well equipped to investigate discrimination cases and complaints. Training focused on strengthening compliance officers' skills in developing anecdotal evidence; recognizing and addressing issues of intimidation, retaliation, or other interference; interviewing techniques; and use of statistical tools to build cases. OFCCP also completed the development of new courses that support its curriculum for new compliance officer training, and developed topical training courses that implemented new policy, programmatic and regulatory initiatives.

FY 2022

OFCCP's FY 2022 Revised Enacted funding level was \$108,476,000 and 451 FTE.

Promoting Equal Employment Opportunity

In FY 2022, OFCCP undertook a number of steps to advance equal employment opportunity. OFCCP administers the provisions under Executive Order 11246 governing the exemption from

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nondiscrimination requirements available to federal contractors and subcontractors that identify as religious entities. In November 2021, the agency published a regulatory proposal to return to OFCCP's previous practice of analyzing religious exemption claims on a case-by-case basis, consistent with Title VII precedent and other applicable law.

In January 2022, OFCCP and the EEOC launched an initiative regarding reimagining hiring and recruitment practices in ways that advance equal employment opportunity and help provide access to good jobs for workers. The HIRE Initiative is a multi-year collaborative effort that engages a broad array of stakeholders to expand access to good jobs for workers from underrepresented communities and help address key hiring and recruiting challenges. In FY 2022, HIRE hosted various convenings listening sessions and four public roundtables to examine and promote organizational policy and practices that expand opportunity in hiring, including examining the impact of employer screening for gaps in employment; skills-based hiring; and the barriers and potential benefits of using automated technologies to recruit and hire.

Promoting Contractor Compliance

OFCCP is committed to ensuring greater contractor compliance with their obligations, including the requirement to develop and maintain an Affirmative Action Program (AAP). A contractor's AAP is a foundational document containing information about contractors' employment practices and workforce that helps contractors monitor, and OFCCP assess, their efforts to provide equal employment opportunity.

In FY 2022, OFCCP developed and launched the Contractor Portal, a new online application that allows Supply & Service contractors and subcontractors to register and certify that they have developed a written Affirmative Action Program (AAP) annually for each of their establishments and functional units. The Contractor Portal opened for registration on February 1, 2022; the first annual cycle of certification started March 31 and ended on June 30. OFCCP created a landing page that provided written guidance, instructional videos, and frequently asked questions to assist contractors and subcontractors to register and provide certification. OFCCP also established a help desk to assist Portal users.

OFCCP developed the Contractor Portal in response to a 2016 GAO audit which concluded that close to 85 percent of evaluated contractor establishments did not submit their AAPs within 30 days of OFCCP's request during compliance evaluations, undermining the agency's effectiveness. GAO observed that OFCCP's significant reliance on voluntary compliance by federal contractors cannot ensure that contractors are complying with requirements like developing and maintaining an AAP, which undermines the agency's ability to accomplish its mission and objectives. GAO recommended OFCCP develop a mechanism to monitor AAPs from covered federal contractors on a regular basis. In one year, 20,161 users representing 11,636 contractors have certified 105,953 establishments/functional units. The portal website received 1.2 million hits. As a result of these efforts, GAO closed the recommendation.

On August 26, 2022, OFCCP completed and deployed the Notification of Construction Contract Award Portal (NCAP) to support the agency's construction enforcement. NCAP was a new online application that allowed contracting officers, contractors, subcontractors, and applicants to

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submit required construction award notifications to OFCCP in a secure electronic way. Previously, these notifications were sent to individual district offices via mail, fax, or e-mail. These electronic notifications provide OFCCP more timely and complete information on federal construction contracts, and enable OFCCP to more efficiently schedule and perform compliance reviews to ensure that companies doing business with the federal government fulfill their equal employment opportunity commitments. OFCCP provided several resources for users, including a user guide, FAQs, how-to videos and a public webinar.

On March 31, 2022, OFCCP issued Directive 2022-02, “Effective Compliance Evaluations and Enforcement.” Directive 2022-02 advances OFCCP’s objective to positively impact more workers by increasing federal contractor compliance with nondiscrimination and affirmative action responsibilities. Additionally, the directive explains that as part of its strategic enforcement, OFCCP will strengthen the effectiveness of compliance evaluations and promote greater contractor compliance.

In FY 2022, OFCCP also issued guidance on pay equity. Issued first in March and revised on August 18, 2022, Directive 2022-01, Revision 1 “Advancing Pay Equity Through Compensation Analysis,” clarifies its guidance and explains that to determine that a contractor has satisfied its obligation to conduct a compensation analysis, OFCCP requires certain documentation to demonstrate compliance. It also promotes greater contractor attention to federal contractors’ longstanding obligation to analyze compensation systems and document compliance.

As announced in its regulatory agenda, OFCCP began developing a rulemaking proposal to update and modernize its supply and service regulations to streamline its process and strengthen the agency’s enforcement. This effort included listening sessions with various stakeholder groups on different topics related to the agency’s supply and service program. The agency also reauthorized its information collection related to the Functional Affirmative Action Program (FAAP) in September 2022. Supply and service contractors subject to affirmative action program (AAP) requirements may request an FAAP agreement, which permits the development and use of AAPs based on functional or business units.

Investing in OFCCP’s Workforce

In FY 2022, OFCCP began rebuilding its staffing levels to support the agency in advancing its mission through enforcement, outreach and education, stakeholder engagement, and compliance assistance while emphasizing efficiency, productivity, and accountability throughout the organization. Specifically, OFCCP filled more than 100 mission critical positions, including assistant district director, district director, regulatory analyst, policy specialist, program analyst, and compliance officer. In addition, OFCCP developed an Onboarding Employee Engagement Plan for new employees to introduce them new employees to DOL, OFCCP and its mission. OFCCP also launched its annual OFCCP Service Excellence Awards Program.

In FY 2022, OFCCP developed and deployed an in-depth training program for new compliance officers. The interactive training program will be updated and offered more regularly, utilizing a blend of self-paced and live instruction. OFCCP also made trainings with other agencies available to its staff. Generally, the courses include instruction on how to conduct thorough

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compliance evaluations and complaint investigations to ensure federal contractors comply with their equal employment opportunity obligations. OFCCP also made trainings with other agencies available to its staff.

Reinvigorating Construction Enforcement

In FY 2022, OFCCP further reinvigorated its compliance program for federal construction contractors and subcontractors and federally assisted construction contractors and subcontractors. This effort has been an important step for the Department to ensure equal employment opportunities for good jobs in the construction industry. OFCCP developed comprehensive guidance and training for OFCCP staff and stakeholders and scheduled several hundred construction compliance reviews based on a list released in September 2021. OFCCP's new construction review process allows the agency to examine data and information to determine whether potential compliance issues exist, and then use its resources strategically during on-site reviews. This allowed the agency to focus on indicators of potential systemic discrimination and other potential problem areas that may not have been apparent without the data. OFCCP developed new tools with statistical tests to aid the field in these desk audit analyses. OFCCP also launched an outreach and education campaign to advance equity in construction contractor workplaces and to educate workers of their rights under the mandates enforced by OFCCP, including a series of listening sessions with key stakeholder groups representing different interests in the construction industry to inform future agency decision-making.

As noted above, OFCCP prepared to launch its Mega Construction Project Program to foster equal opportunity in the construction trades workforce for federal contractors and subcontractors working on large federal construction projects. Following ongoing compliance assistance and stakeholder engagement, prime contractors on Megaprojects will be scheduled for compliance evaluations.

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
		Target	Result	Target	Target
Office of Federal Contract Compliance Programs					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.2 - Protect workers' rights.					
OFCCP-01	Median Days to Process Supply Service Cases Without Discrimination Violations	250	312	250	250
OFCCP-10b	Median Days to Process Desk Audits – Construction	--	--	[base]	TBD
OFCCP-13	Percent of Education and Outreach Events Focused on Workers' Rights	[base]	49%	50%	50%
OFCCP-17	Percent of Complaints Perfected Within Standard Timeframe (15 Days)	--	--	90%	90%
OFCCP-18	Percent of Complaints Investigated Within Standard Timeframe (120 or 180 Days if Closed With CA)	--	--	[base]	TBD
OFCCP-02	Median Days to Process Supply Service Cases with Discrimination Violations, Prior to Enforcement Referral	950	1,294	1,200	1,200
OFCCP-03	Median Days to Process Construction Cases Without Discrimination Violations	[base]	184	[base]	TBD
OFCCP-04	Median Days to Process Construction Cases with Discrimination Violations, Prior to Enforcement Referral	[base]	--	[base]	TBD
OFCCP-07	Percent of Cases Without Major Deficiencies	95%	85%	95%	95%
OFCCP-08	Percent of Cases Without Technical Deficiencies	90%	78%	90%	90%
OFCCP-09	Percent of Aged Supply Service Compliance Evaluations Open	15%	11%	15%	15%

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WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
	Target	Result	Target	Target
OFCCP-10a Median Days to Process Desk Audits Supply Service	40	40	40	40

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

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Workload and Performance Narrative

In FY 2022, OFCCP continued its commitment to tackling long-standing employment practices that create barriers to opportunity and perpetuate inequality in our social and economic systems for underrepresented workers, including workers of color, women, LGBTQ+ individuals, workers with disabilities, and veterans. OFCCP completed 899 compliance evaluations and 67 complaint investigations resulting in 131 conciliation agreements settled, including 34 discrimination cases totaling \$11.8 million in monetary recoveries for 9,890 victims of discrimination and 320 negotiated job opportunities. The agency recovered an additional \$8.6 million in salary adjustments for 1,022 affected class members, bringing the total FY 2022 monetary recoveries to \$20.4 million for 10,912 victims of discrimination. Additionally, OFCCP enhanced the construction contractor compliance evaluation process, moving from compliance checks to full compliance evaluations of federal construction contractors and federally-assisted construction contractors and subcontractors, performing desk audits prior to going onsite.

Performance highlights include completing desk audits within 40 days, completing 89 percent of complaints within the standard timeframe, and an aged case rate below 15 percent. OFCCP fell significantly below target on its timeliness measures for median days to process S&S cases without discrimination violations and median days to process S&S cases with discrimination violations, prior to enforcement referral, at 312 and 1,294 days, respectively. This was due to several factors including staffing levels, contractor delays in providing requested information, and unprecedented complexity of several discrimination cases. Because of these factors, OFCCP has increased the FY 2023 target to 1,200 for median days to process S&S cases with discrimination violations, prior to enforcement referral. Additionally, in order to enhance the process in reviewing the percent of cases without major deficiencies and percent of cases without technical deficiencies, in FY 2022 OFCCP updated and improved its quality audit tools, including the manual and forms to audit closed construction and S&S compliance evaluations and complaint investigations. Finally, to improve tracking, reporting, and training, OFCCP has separated its complaint measure into two measures to capture the timeliness of complaint perfection and investigations independently.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	51,672	56,418	74,041	17,623
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	1,062	1,063	1,348	285
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	52,734	57,481	75,389	17,908
12.1	Civilian personnel benefits	19,252	21,353	28,004	6,651
13.0	Benefits for former personnel	41	41	41	0
21.0	Travel and transportation of persons	322	877	1,127	250
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	6,243	6,200	6,200	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	105	90	97	7
24.0	Printing and reproduction	5	20	20	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	551	1,563	2,291	728
25.3	Other goods and services from Federal sources 1/	15,012	22,771	37,713	14,942
25.4	Operation and maintenance of facilities	300	200	200	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	12,486	0	0	0
26.0	Supplies and materials	374	335	335	0
31.0	Equipment	976	20	20	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	75	25	25	0
	Total	108,476	110,976	151,462	40,486
	1/Other goods and services from Federal sources				
	Working Capital Fund	14,372	14,803	15,597	794
	DHS Services	640	707	707	0
	Services by DOL Agencies	0	7,261	7,261	0

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CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$2,644
Personnel benefits	983
Employee health benefits	0
Moving allowance	0
Federal Employees' Compensation Act (FECA)	-10
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	794
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$4,411**

Net Program **\$36,075**

Direct FTE **125**

	Estimate	FTE
Base	\$115,387	495
Program Increase	\$36,075	125
Program Decrease	\$0	0