

FY 2025

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, \$116,132,000, to remain available until September 30, 2026.

Note.--A full-year 2024 appropriation for this account was not enacted at the time the Budget was prepared; therefore, the Budget assumes this account is operating under the Continuing Appropriations Act, 2024 and Other Extensions Act (Division A of Public Law 118-15, as amended). The amounts included for 2024 reflect the annualized level provided by the continuing resolution.

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ANALYSIS OF APPROPRIATION LANGUAGE

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.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2023 Enacted		FY 2024 Estimate		FY 2025 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	495	\$110,976	492	\$110,976	492	\$116,132
<i>Subtotal Appropriation</i>	<i>495</i>	<i>\$110,976</i>	<i>492</i>	<i>\$110,976</i>	<i>492</i>	<i>\$116,132</i>
B. Gross Budget Authority Before Committee	495	\$110,976	492	\$110,976	492	\$116,132
C. Budget Authority Before Committee	495	\$110,976	492	\$110,976	492	\$116,132
D. Total Budgetary Resources	495	\$110,976	492	\$110,976	492	\$116,132
FTE and Unobligated Balance Expiring	-8	-\$84	0	\$0	0	\$0
E. Total, Estimated Obligations	487	\$110,892	492	\$110,976	492	\$116,132

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2024 Estimate	FY 2025 Request	Net Change
Budget Authority			
General Funds	\$110,976	\$116,132	+\$5,156
Total	\$110,976	\$116,132	+\$5,156
Full Time Equivalents			
General Funds	492	492	0
Total	492	492	0

Explanation of Change	FY 2025 Change							
	FY 2024 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	492	\$60,481	0	\$0	0	\$3,050	0	\$3,050
Personnel benefits	0	\$21,730	0	\$0	0	\$1,792	0	\$1,792
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	\$0	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$469	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$0	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$5,900	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	\$25	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	\$370	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$14,732	0	\$0	0	\$377	0	\$377
Other Federal sources (DHS Charges)	0	\$710	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$5,888	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$25	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$0	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$220	0	\$0	0	\$0	0	\$0
Equipment	0	\$20	0	\$0	0	\$0	0	\$0

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

FY 2025 Change

Explanation of Change	FY 2024 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	492	+\$110,685	0	\$0	0	+\$5,219	0	+\$5,219
B. Programs:								
Total Increase	492	+\$110,685	0	\$0	0	+\$5,219	0	+\$5,219
Decreases:								
A. Built-Ins:								
To Provide For:								
Federal Employees' Compensation Act (FECA)	0	\$291	0	\$0	0	-\$63	0	-\$63
Built-Ins Subtotal	0	+\$291	0	\$0	0	-\$63	0	-\$63
B. Programs:								
Total Decrease	0	+\$291	0	\$0	0	-\$63	0	-\$63
Total Change	492	+\$110,976	0	\$0	0	+\$5,156	0	+\$5,156

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2023 Enacted		FY 2024 Estimate		FY 2025 Request		Diff. FY25 Request/ FY24 Estimate	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Office of Federal Contract Compliance Programs	487	110,976	492	110,976	492	116,132	0	5,156
General Funds	487	110,976	492	110,976	492	116,132	0	5,156
Total	487	110,976	492	110,976	492	116,132	0	5,156
General Funds	487	110,976	492	110,976	492	116,132	0	5,156

NOTE: FY 2023 reflects actual FTE.

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BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2023 Enacted	FY 2024 Estimate	FY 2025 Request	Diff. FY25 Request / FY24 Estimate
	Full-Time Equivalent				
	Full-time Permanent	495	492	492	0
	Total	495	492	492	0
	Average ES Salary	\$204,588	\$219,915	\$224,313	\$4,398
	Average GM/GS Grade	12	12	12	0
	Average GM/GS Salary	\$107,571	\$117,355	\$120,899	\$3,544
11.1	Full-time permanent	56,418	59,079	62,267	3,188
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	1,063	1,402	1,478	76
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	57,481	60,481	63,745	3,264
12.1	Civilian personnel benefits	21,353	22,021	23,209	1,188
13.0	Benefits for former personnel	41	0	0	0
21.0	Travel and transportation of persons	877	469	400	-69
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	6,200	5,900	5,900	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	90	90	75	-15
24.0	Printing and reproduction	20	25	10	-15
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	1,563	370	220	-150
25.3	Other goods and services from Federal sources 1/	22,771	21,330	22,303	973
25.4	Operation and maintenance of facilities	200	25	25	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	335	220	200	-20
31.0	Equipment	20	20	20	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	25	25	25	0
	Total	110,976	110,976	116,132	5,156
	1/Other goods and services from Federal sources				
	Working Capital Fund	14,732	14,732	15,109	377
	DHS Services	707	710	713	3
	Services by DOL Agencies	7,332	5,538	5,835	297
	GSA Services	0	350	646	296

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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

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
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...5/	\$151,462		\$110,976		492
2025					
Base Appropriation	\$116,132				492

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.

5/ The full-year FY 2024 appropriation was not enacted at the time the budget was prepared.

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 Acting Secretary's priorities, including enhancing our enforcement efforts and centering work around equity and protecting the most marginalized and underserved workers; 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 the country grows its investments in infrastructure and the clean energy economy, OFCCP will continue to play a vital role in ensuring that these historic federal investments create access to good jobs that provide equal opportunity to all.

Maintaining resources will support OFCCP's ability to effectively oversee the growing number of contractors, projects, and workers under its purview. To meet these demands, in FY 2025, OFCCP will maintain its workforce and support enforcement and 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 serve workers and contractors most in need of assistance. OFCCP will also leverage technology and data analytics to evaluate contractors' employment practices more expeditiously and effectively across multiple establishments to remove barriers to equal employment opportunity and improve its risk-based methodology to schedule contractors for review.

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OFCCP plays a powerful role in advancing the President's Management Agenda by promoting equal employment opportunity for all. In FY 2025, OFCCP will focus on industries that are vital to the economy and will benefit from new federal investments, including construction, manufacturing, and technology, as well as low-wage industries that employ the most marginalized workers. OFCCP will also focus on reaching workers from underrepresented communities to connect them to good jobs with federal contractors.

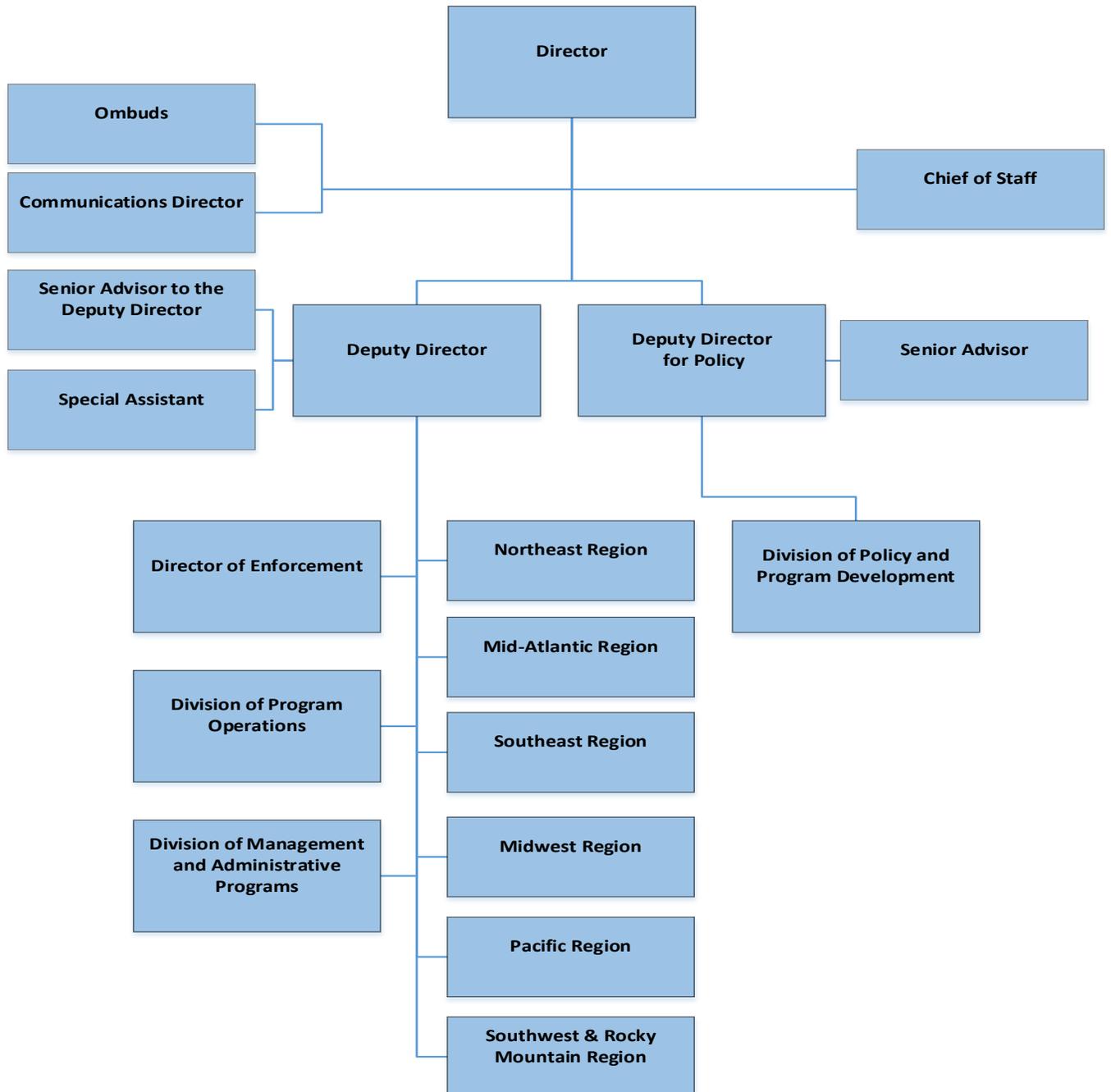
To guide our work, OFCCP has established three key priorities:

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. Through the Mega Construction Project Program, OFCCP fosters equal opportunity in the construction trades workforce of federal contractors by offering funding recipients on-the-ground assistance, education, and outreach to strengthen recruitment, hiring, and employment practices.
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 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 four divisions. 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 2023 Enacted	FY 2024 Estimate	FY 2025 Request	Diff. FY25 Request / FY24 Estimate
Activity Appropriation	110,976	110,976	116,132	5,156
FTE	487	492	492	0

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 495.

Introduction

To achieve greater progress in advancing equal opportunity, OFCCP must maintain the staffing levels achieved over the past two years through its hiring surge efforts. After reaching the agency’s lowest level of staffing in decades, OFCCP actively worked to hire and onboard over 75 new employees in FY 2023, including nearly 50 field hires, bringing the agency’s onboard staff total to 513. The FY 2024 Estimate will fund 492 FTE, allowing OFCCP to maintain resources necessary to promote compliance and protect America’s workers.

The FY 2025 funding request of \$116,132,000 and 492 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 workers and contractors. OFCCP will play a critical role in the implementation of the BIL, the CHIPS and Science Act, and the Inflation Reduction Act to ensure equal employment opportunity in the large infrastructure projects supported by this funding.

As the nation makes major investments in infrastructure and the clean energy economy, many more businesses will become federal contractors and subcontractors. The requested FY 2025 funding will support the substantially increased enforcement responsibility over this growing number of contractors and the assistance to federal agencies to promote equal opportunity in their procurement and grantmaking processes.

OFCCP will continue to remove barriers to hiring and promote access to good jobs by strengthening the Mega Construction Project (Megaproject) Program, which launched in FY 2023, and continue to provide enhanced compliance assistance and oversight on infrastructure projects. 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. OFCCP engages a wide range of stakeholders, starting in the earliest stages of a Megaproject, to build robust applicant pools that include talented workers from historically underrepresented backgrounds. Stakeholder groups include worker advocates, community-based organizations, and local recruitment sources. By facilitating connections between contractors and qualified workers from diverse backgrounds, OFCCP assists workers in accessing good jobs and employers in addressing hiring challenges.

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

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advocates, community-based organizations, and local recruitment sources, to build robust applicant pools that include workers from historically underrepresented groups. In FY 2025, OFCCP will also 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 seeks appropriate relief for workers impacted by discriminatory practices. To this end, the agency will continue to foster strategic partnerships with the Solicitor’s Office, Department of Justice, and Equal Employment Opportunity Commission to identify cases for litigation where informal efforts to conciliate violations prove ineffective. OFCCP will also enforce its right to access information relevant to determining compliance with the non-discrimination provisions of the Executive Order, VEVRAA, and Section 503. OFCCP will continue to build upon its analytical tools and resources to ensure compliance reviews are conducted in a manner that is consistent with the legal precedent and coincides with changing employer practices and procedures, including utilizing data analysis techniques and accounting for the proliferation of the use of artificial intelligence (AI) and other data management applications.

To expand access to good jobs and focus resources on areas of greatest need, OFCCP will continue to broaden its outreach to workers, contractors, and other stakeholders. To support these efforts, OFCCP will continue 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.

Additionally, OFCCP will continue to prioritize effectiveness and efficiency in its operations. Consequently, the agency will continue to 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>
2020	\$105,976	472
2021	\$105,976	451
2022	\$108,476	451
2023	\$110,976	495
2024	\$0	492

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

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FY 2025

OFCCP's FY 2025 requested funding level is \$116,132,000 and 492 FTE. The request includes \$5.156 million over the FY 2024 Estimate for inflationary costs.

Continuing to Build the Mega Construction Project Program

OFCCP will remove barriers to hiring and promote access to good jobs in construction by continuing to build the Megaproject Program, which launched in FY 2023.

In FY 2025, OFCCP will begin conducting compliance evaluations of the construction contractors that OFCCP identified will participate in the Megaproject Program. OFCCP anticipates that the robust "front-end" outreach and compliance assistance it provides prior to the start of work on the Megaprojects will lead to increased diversity on the Megaprojects and increased contractor compliance with their equal opportunity obligations. The agency will also continue promoting jobs on projects that will make the greatest impacts in underserved communities. OFCCP will evaluate the impact of its efforts under the Megaproject Program to identify strategies to replicate opportunities for improvement.

Strategic Enforcement

OFCCP will focus on the development of strong systemic cases, with an emphasis on hiring and a strategic approach to pursuing compensation indicators. Through the active management of its compliance reviews, the agency will continue to improve its tools and techniques to prioritize those matters with the strongest evidence of systemic discrimination and the greatest potential to help workers. This will include periodic assessment of the agency's triaging techniques relative to agency metrics, and the adjustments to thresholds and parameters applied by field staff to meet enforcement priorities in FY 2025. OFCCP will utilize new information and data submitted by contractors under review to streamline and improve its analysis of contractor employment and compensation data. Data scientists will assist field staff with structuring and analyzing data during the desk audit to identify patterns worthy of further investigation, including evidence of use of artificial intelligence or other technology in employment decisions. They will also collaborate with other OFCCP social scientists to develop and sophisticate the desk audit and triage tools used by the staff in the field.

OFCCP seeks appropriate relief for workers impacted by discriminatory practices. To this end the agency will continue to sophisticate its analytical assessments of contractor employment data. The agency will also foster its collaboration with the Department of Justice, to identify cases for potential litigation where informal efforts to conciliate violations prove ineffective. Additionally, OFCCP will enforce its right to access information relevant to determining compliance with the non-discrimination provisions of the Executive Order, VEVRAA, and Section 503.

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Strategic Enforcement in Construction Program

In FY 2025, OFCCP will enhance its construction enforcement program, including implementing updated data collections, such as the revised construction scheduling letter. The data collection will strengthen OFCCP's construction program by clarifying what type of payroll data should be submitted by contractors and in what format for OFCCP to make the most efficient and effective assessment of the neutrality of employment decisions. This will be supported by the investments made in new analytical tools, techniques, and data analysis. These innovations will allow the field to make more efficient and extensive use of payroll data to ensure that disparities in pay, promotion, assignment, and other opportunities are not veiled by convoluted data disclosures.

Enhancing Outreach and Stakeholder Engagement

In FY 2025, OFCCP will expand outreach to workers, contractors, and other stakeholders to widen access to good jobs and focus resources on areas of greatest need. At the national and regional level, OFCCP will continue conducting outreach to workers, job seekers, and worker-focused organizations to educate them about workplace rights. OFCCP through its compliance assistance and outreach efforts will continue to work to connect training programs; including, apprenticeship and pre-apprenticeship programs with federal contractors seeking to recruit individuals from underserved communities. Additionally, OFCCP's Megaproject Program provides "front-end" assistance to link federal construction contractors with training programs that can provide qualified individuals when work begins on projects that will have significant economic impacts in underserved communities.

OFCCP will continue to improve its language access by translating material into multiple languages to ensure access both to vital documents as well as informational content. OFCCP will continue to increase the agency's social media presence and enhance its repository of stakeholder information.

OFCCP will also expand the scope of its outreach and develop relationships with community-based organizations. The agency will measure the impact of its outreach program, including its efforts to reach individuals with Limited English Proficiency, to continue enhancing the program.

Strengthening and Empowering OFCCP's Workforce

Over the past three years, OFCCP has invested in rebuilding its workforce as the agency had reached an all-time low in staffing levels. In FY 2025, the \$5.156 million increase in discretionary funding will allow OFCCP to prioritize maintaining 492 FTE by backfilling vacancies as they occur, while accounting for inflationary costs. This will allow the agency to continue strengthening its workforce while remaining committed to creating a model workplace with high employee engagement, with a commitment to respect workers' right to organize and bargain collectively, and with strong systems to hire, retain, and develop the people needed to deliver agency missions. That includes having a workforce – at every level – that looks like America.

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Maintaining a Robust Training Program

To support all its equal employment opportunity efforts, in FY 2025 OFCCP will continue to maintain a robust training program. In addition to training staff on all new rules, policies, and procedures, OFCCP will maintain a vigorous training program for all new compliance officers who conduct compliance evaluations of contractors. Also, OFCCP will continue to build intermediate and advanced training for its compliance officers to equip them with the skills necessary to conduct the most accurate and consistent compliance evaluations under the three legal authorities that OFCCP enforces. Similarly, OFCCP will create training for its stakeholder community on regulations, policies, and practices to ensure that they are equipped to understand their rights and obligations and that contractors can successfully comply with OFCCP's regulations.

FY 2024

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation had not been enacted at the time the budget was produced.

OFCCP's FY 2024 Estimate funding level is \$110,976,000 and 492 FTE, level with the FY 2023 Revised Enacted funding level.

Expanding Access to Good Jobs in Construction and Across Industries

To expand access to good jobs, in FY 2024 OFCCP prioritized removing hiring barriers so that federal contractors could fully utilize the talent in our communities across industries, including manufacturing, technology, and construction. OFCCP continued to assist federal contractors in addressing hiring challenges by strengthening their connections with a robust pool of qualified workers as America has continued to rebuild its roads and bridges, upgrade public transit, and provide affordable high-speed internet through the BIL, the CHIPS and Science Act, and the Inflation Reduction Act.

To account for an increased number of contractors and contracts under OFCCP's jurisdiction from FY 2024 implementation of these new federal funding sources, OFCCP built its workforce and technological capacity to expand opportunities in construction, and particularly through the Megaproject Program.

After launching the Megaproject Program in FY 2023 with an initial list of BIL-funded projects, in FY 2024 OFCCP continued 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 FY 2024, the agency designated additional Megaprojects and provided intensive compliance assistance and strategic outreach with the goal of removing barriers to equal employment opportunity and increasing access to new jobs created on those projects.

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OFCCP also updated its program for all construction contractors within OFCCP's jurisdiction. The construction enforcement program updates included enhanced data collections that the agency utilizes to analyze contractor workforce participation rates, employment activity, compensation, policies, practices, and construction subcontract notification.

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

In FY 2024, OFCCP operationalized the Branch of Validation and Analytics (BVA) within the Division of Enforcement. OFCCP developed its specialized expertise, including the training and deployment of recently hired data scientists and labor economists. These new hires enabled 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 predictive modeling for use in operations or scheduling. For example, BVA built tools that identify potential disparities in promotions, as well as a web-based construction compensation tool. BVA also assisted field offices with complex data manipulation tasks, analyzing employment screens and test, including AI systems, and other important data and analytical services.

OFCCP also strengthened its workforce to enhance enforcement and adapt to the evolution of work. To address the increasing number of employers who use some form of automated tool as part of their hiring process, including those that rely on AI or algorithms to screen and sort workers, OFCCP released guidance and promising practices to help stakeholders navigate potential issues and challenges stemming from use of AI in employment decision-making. OFCCP continued to align its processes and procedures related to AI with those of other federal agencies for consistency across the government.

In FY 2024, new data collections in supply and service and construction improved OFCCP's ability to detect systemic discrimination by broadening reviews of campus-like settings, analyzing additional years of data, and coordinating compliance reviews across multiple establishments.

OFCCP also invested in robust training for its compliance officers and managers. This included training on human resource information systems (HRIS) and automated hiring tools to strengthen the agency's ability to analyze data efficiently and evaluate these systems during compliance reviews to prioritize cases. Additionally, the agency provided 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.

Complaint Process Enhancements

In FY 2024, OFCCP implemented a worker-focused complaint process that was approved by OMB in FY 2023. The new process includes a pre-complaint inquiry form and a two-step intake process where the agency can assess the allegations at the pre-complaint inquiry stage, prior to the filing of a formal complaint, which triggers a notice to the employer. The pre-complaint inquiry stage provides an opportunity for OFCCP to explain to the potential complainant whether the allegations are timely and covered by the authorities the agency enforces. OFCCP can also

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inform potential complainants about their protections from retaliation. OFCCP promoted awareness of the new process among individual workers, worker organizations, and other stakeholders, with a particular focus on workers in industries with a significant representation of federal contractors and vulnerable communities.

Maintaining a Robust Training Program

In FY 2024, OFCCP developed training courses for staff and public stakeholders. OFCCP concluded a tiered training program for new compliance officers and provided various other trainings to ensure the success of the staff. OFCCP also provided a successful training program for its stakeholders. Such stakeholder training included online courses on OFCCP's learning management platform, webinars on regulations, policies and practices, as well as live compliance assistance and compliance assistance resources.

Technology Modernization

In FY 2024, OFCCP continued to enhance current IT Systems capabilities to automate and streamline manual processes and allow for an increase in responsiveness, resolution, and reporting. This included completing new modules and enhancements in OFCCP's Compliance Management System (CMS). Of note, OFCCP completed and deployed modules for processing complaint investigations and megaprojects. In addition, OFCCP continued to make enhancements to its Contractor Portal to improve functionalities for contractors such as deploying the AAP Submission feature where scheduled contractors may submit AAPs through the Contractor Portal. OFCCP also enhanced reporting capabilities to support OFCCP's enforcement and compliance efforts.

To drive more efficient compliance evaluations, OFCCP deployed the Global Contractor Database which compiles relevant and current contractor information and makes it available in one location. The agency will use the compiled information for scheduling and enforcement purposes.

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

The FY 2024 funding supported OFCCP in expanding outreach to workers and strengthening compliance assistance to the growing number of federal contractors. OFCCP implemented 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 and individuals with Limited English Proficiency (LEP). This enhanced OFCCP's ability to identify important problem areas for investigation and flag issues where greater employer education and assistance would be valuable.

OFCCP advanced worker-focused outreach and stakeholder engagement at the national, regional, and local levels and centered its work around those who needed it the most. OFCCP strengthened and established new, robust community relationships by organizing local outreach events connecting women, veterans, workers with disabilities, individuals with LEP and other

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underrepresented communities with federal contractors. This engagement included the development of new materials and updates to existing resources, where needed. The agency ensured that the materials were available in multiple languages. Additionally, OFCCP continued its efforts to engage training programs, apprenticeship programs and minority serving institutions and connect them with federal contractors seeking to attract diverse candidates. This included the facilitation of joint events where contractors and training programs discussed how they could work together to advance opportunities for underrepresented communities.

In addition, OFCCP expanded its outreach to new federal contractors and provided employers with additional resources to support compliance and promote proactive self-analysis to remove barriers to opportunity. OFCCP invested 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 included targeted assistance for construction contractors and small businesses to support their equal opportunity efforts. By strengthening its relationships with contractors and worker organizations, OFCCP promoted 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 remained 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 prioritized retention, advancement, and employee well-being. Central to this work is a commitment to diversity, equity, inclusion, and accessibility (DEIA).

The agency also committed to preparing the next generation of agency leadership. In FY 2024, OFCCP addressed the competency gaps identified in its succession plan to provide leadership development services to OFCCP. The agency also updated trainings regarding Megaprojects, desk audits, as well as hiring and compensation issues.

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

In FY 2023, OFCCP increased its capacity to strengthen its investigation and resolution of compliance reviews by hiring more than 75 employees with needed skillsets. 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. The agency also conducted training to aid the field in prioritization of reviews related to hiring, compensation, and promotion issues.

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OFCCP successfully formed an unprecedented strategic partnership with the Department of Justice to collaborate on the investigation and litigation of systemic cases. This cooperation has greatly enhanced the agency's ability to resolve reviews by leveraging investigation authorities and resources as well as litigation options across enforcement agencies. Further cultivation of this partnership will improve the efficiency and effectiveness of civil rights enforcement across the whole of government.

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. A multi-establishment approach provides a more holistic view of the contractor and aids OFCCP in identifying any systemic problem areas that might not be apparent in a single establishment review.

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.

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.

Technology Modernization

In FY 2023 OFCCP continued to prioritize the modernization of its technology to promote greater employer compliance while maximizing the agency's efficiency.

OFCCP enhanced CMS to further enhance data entry processes and add system validations to ensure accurate data is being entered by users. In addition, OFCCP added tools to CMS to better facilitate with staff and improve tracking and reporting of discrimination and non-discrimination cases. OFCCP also strengthened the connection between the Contractor Portal and CMS to report which federal contractors have complied with the AAP regulations by certifying that they have established AAP for each of their establishments.

OFCCP also made enhancements to the Contractor Portal requiring contractors to report AAP coverage period ensuring that there is no gap in contractors' compliance with their obligation. These enhancements support increased efficiencies in enforcement and compliance efforts.

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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 launched the Megaproject Program, which fosters equal opportunity in the construction trades workforce of federal contractors and subcontractors on large federal construction projects. 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.

Throughout FY 2023, OFCCP worked with DOL's Good Jobs Initiative and federal agencies granting BIL and CHIPS funds to secure commitments to participate in the Megaproject 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 Megaproject 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 Megaproject 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 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 using 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. In addition, OFCCP began the development of frequently asked questions and promising practices to help stakeholders navigate matters related to AI in FY 2023.

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.

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

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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 rebuilt its outreach staff in the national and regional offices to form a comprehensive team of outreach subject matter experts to support OFCCP's rebranding of outreach activities. This rebranding entailed focused, intentional outreach and tracking outcomes to ensure that outreach activities have a great impact on underserved communities.

OFCCP also proposed changes to its complaint intake process that were approved by OMB. The changes proposed to 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 had the additional benefit of aligning more closely to the complaint intake process utilized by the EEOC.

Rebuilding and Investing in OFCCP's Workforce

In FY 2023, OFCCP continued to rebuild its staffing levels while emphasizing efficiency, productivity, and accountability throughout the organization. In addition to onboarding more than 75 mission critical positions, the agency continued the use of its Onboarding Employee Engagement Plan to introduce new employees to DOL, OFCCP, and its mission. In addition, the agency launched an internal mentorship program and developed a succession plan to help inform OFCCP's hiring, retention and training needs. OFCCP also continued its annual OFCCP Service Excellence Awards Program to recognize the accomplishments of OFCCP employees by their peers.

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.

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2023 Enacted		FY 2024 Estimate	FY 2025 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 Compliance Evaluations Without Discrimination Violations	250	346	250	250
OFCCP-02	Median Days to Process Supply Service Compliance Evaluations with Discrimination Violations, Prior to Enforcement Referral	1,200	1,189	1,200	1,200
OFCCP-03	Median Days to Process Construction Compliance Evaluations Without Discrimination Violations	[base]	300	[base]	TBD
OFCCP-04	Median Days to Process Construction Compliance Evaluations with Discrimination Violations, Prior to Enforcement Referral	[base]	--	[base]	TBD
OFCCP-07	Percent of Case Elements Without Major Deficiencies	95%	94%	95%	95%
OFCCP-08	Percent of Case Elements Without Technical Deficiencies	90%	87%	90%	90%
OFCCP-09	Percent of Aged Supply Service Compliance Evaluations Open	15%	10%	15%	15%
OFCCP-10a	Median Days to Process Desk Audits Supply Service	40	36	40	40
OFCCP-10b	Median Days to Process Desk Audits – Construction	[base]	43	[base]	TBD
OFCCP-13	Percent of Education and Outreach Events Focused on Workers' Rights	50%	58%	50%	50%
OFCCP-17	Percent of Complaints Processed Within Standard Timeframe	--	--	90%	90%
OFCCP-20	Average Number of Days to Respond to Telephone Inquiries Received by CSHD	--	--	2	2

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2023 Enacted		FY 2024 Estimate	FY 2025 Request
		Target	Result	Target	Target
OFCCP-21	Average Number of Days to Respond to Written Inquiries Received by CSHD	--	--	3	3
OFCCP-22	Average Number of Days to Respond to LEP Telephone Inquiries by CSHD	--	--	3	3
OFCCP-23	Average Number of Days to Respond to LEP Written Inquiries Received by CSHD	--	--	4	4

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 2023, 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 854 compliance evaluations and processed 26 complaint investigations resulting in 151 conciliation agreements settled, including 17 discrimination cases totaling \$6.5 million in monetary recoveries for 1,845 victims of discrimination and 260 negotiated job opportunities. The agency recovered an additional \$7.25 million in salary adjustments for 781 affected class members, bringing the total FY 2023 monetary recoveries to \$13.7 million for 2,626 victims of discrimination. Additionally, OFCCP continued to conduct full compliance evaluations of federal and federally-assisted construction contractors and subcontractors, performing desk audits prior to going onsite.

Performance highlights include completing desk audits within 40 days, processing 94 percent of complaints within the standard timeframe, and exceeding the target number of stakeholder events, including those focused on workers' rights. OFCCP processed Supply Service (S&S) compliance evaluations with discrimination violations within 1,255 median days, just shy of the FY 2023 target of 1,200 median days. Additionally, OFCCP fell significantly below its 250 target on the timeliness measure for median days to process S&S compliance evaluations without discrimination violations, at 369 days. This was due to several factors including inadequate staffing levels, the addition of significant new staff, a focus on onboarding and training those new staff, the learning curves associated with reimplementing of construction reviews, implementation of the Megaproject program, increased outreach goals, and contractor delays in providing requested information. As new staff grow in their positions and newly introduced triaging principles are fully implemented, OFCCP expects processing times to return to the 250-day goal during FY 2024.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2023 Enacted	FY 2024 Estimate	FY 2025 Request	Diff. FY25 Request / FY24 Estimate
11.1	Full-time permanent	56,418	59,079	62,267	3,188
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	1,063	1,402	1,478	76
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	57,481	60,481	63,745	3,264
12.1	Civilian personnel benefits	21,353	22,021	23,209	1,188
13.0	Benefits for former personnel	41	0	0	0
21.0	Travel and transportation of persons	877	469	400	-69
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	6,200	5,900	5,900	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	90	90	75	-15
24.0	Printing and reproduction	20	25	10	-15
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	1,563	370	220	-150
25.3	Other goods and services from Federal sources 1/	22,771	21,330	22,303	973
25.4	Operation and maintenance of facilities	200	25	25	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	335	220	200	-20
31.0	Equipment	20	20	20	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	25	25	25	0
	Total	110,976	110,976	116,132	5,156
	1/Other goods and services from Federal sources				
	Working Capital Fund	14,732	14,732	15,109	377
	DHS Services	707	710	713	3
	Services by DOL Agencies	7,332	5,538	5,835	297
	GSA Services	0	350	646	296

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CHANGES IN FY 2025

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$3,050
Personnel benefits	1,792
Employee health benefits	0
Moving allowance	0
Federal Employees' Compensation Act (FECA)	-63
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	377
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 **\$5,156**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$116,132	492
Program Increase	\$0	0
Program Decrease	\$0	0