

**CONCILIATION AGREEMENT  
BETWEEN  
THE U. S. DEPARTMENT OF LABOR  
OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS  
AND  
SYSTEMS APPLICATION & TECHNOLOGIES, INC.  
47758 RANCH ROAD  
PATUXENT RIVER, MARYLAND 20670**

**PART I: GENERAL PROVISIONS**

1. This Agreement is between the U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP), and Systems Application & Technologies, Inc., 47758 Ranch Road, Patuxent River, Maryland 20670 (hereinafter SA-TECH).
2. The violations identified in this Agreement were found during a compliance evaluation of SA-TECH which began on June 7, 2018, and they were specified in a Notice of Violation that was issued on March 20, 2019. OFCCP alleges that SA-TECH has violated Executive Order 11246, as amended; and implementing regulations at 41 CFR Chapter 60 due to the specific violations cited in Part II below.
3. This Agreement does not constitute an admission by SA-TECH of any violation of Executive Order 11246, and the implementing regulations.
4. The provisions of this Agreement will become part of SA-TECH's Affirmative Action Program (hereinafter "AAP"). Subject to the performance by SA-TECH of all promises and representations contained herein and in its AAP, all named violations in regard to the compliance of SA-TECH with all OFCCP programs will be deemed resolved. However, SA-TECH is advised that the commitments contained in this Agreement do not preclude future determinations of noncompliance based on a finding that the commitments are not sufficient to achieve compliance.
5. SA-TECH agrees that OFCCP may review compliance with this Agreement. As part of this review, OFCCP may require written reports, inspect the premises, interview witnesses, and examine and copy documents, as may be relevant to the matter under investigation and pertinent to SA-TECH's compliance. SA-TECH shall permit access to its premises during normal business hours for these purposes.
6. Nothing herein is intended to relieve SA-TECH from the obligation to comply with the requirements of Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, as amended, and/or the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (38 U.S.C. 4212), their implementing regulations, or any other equal employment statute or executive order or its implementing regulations.

7. SA-TECH agrees that there will be no retaliation of any kind against any beneficiary of this Agreement or against any person who has provided information or assistance, or who files a complaint, or who participates in any manner in any proceedings under Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, as amended, and/or the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (38 U.S.C. 4212).
8. This Agreement will be deemed to have been accepted by the Government on the date of the signature by the District Director for OFCCP.
9. If at any time in the future, OFCCP believes that SA-TECH has violated any portion of this Agreement during the term of this Agreement, SA-TECH will be promptly notified of that fact in writing. This notification will include a statement of the facts and circumstances relied upon in forming that belief. In addition, the notification will provide SA-TECH with 15 calendar days from receipt of the notification to respond in writing, except where OFCCP alleges that such a delay would result in irreparable injury.

Enforcement proceedings for violation of this Agreement may be initiated at any time after the 15-day period has elapsed or sooner, if irreparable injury is alleged, without issuing a Show Cause Notice.

Where OFCCP believes that SA-TECH has violated this Conciliation Agreement, OFCCP may seek enforcement of this Agreement itself and shall not be required to present proof of the underlying violations resolved by this Agreement.

Liability for violation of this Agreement may subject SA-TECH to sanctions set forth in Section 209 of the Executive Order and/or other appropriate relief.

## **PART II: SPECIFIC PROVISIONS**

**VIOLATION:** During the period August 1, 2016 through January 31, 2018, SA-TECH failed, for the personnel and employment records it maintains, to be able to identify where possible the gender, race and ethnicity of each applicant or Internet Applicant, as defined in 41 CFR 60-1.3, whichever was applicable to the particular position, as required by 41 CFR 60-1.12(c). Specifically, SA-TECH failed to maintain and provide to OFCCP accurate applicant data by race, ethnicity and gender.

**REMEDY:** Effective immediately, SA-TECH must be able to identify where possible, the gender, race and ethnicity of each applicant or Internet Applicant for the personnel and employment records it maintains.

### **PART III: REPORTING REQUIREMENTS**

1. SA-TECH agrees to retain records pertinent to the violations cited in Part II above, and to the reports submitted in compliance with Paragraph 2, below. These records shall include data and information underlying the required reports, specifically, but not limited to, all applications and personnel records. The records will be retained until the expiration of this Agreement or consistent with regulatory requirements, whichever is later.
  
2. SA-TECH agrees to furnish the OFCCP/Baltimore District Office, Attn: Tom Wells, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201 with the following reports:  
  

**The first report** shall be due no later than August 15, 2019, shall cover the period from April 1, 2019 through July 31, 2019, and shall include:

A roster of applicant and hire data by gender, race, and ethnicity (Hispanic or not Hispanic) for all job groups, to include date of application, date of hire, job title applied for, and job title hired into.

**The second report** shall be due no later than August 15, 2020, shall cover the period from August 1, 2019 through July 31, 2020, and shall include:

A roster of applicant and hire data by gender, race, and ethnicity (Hispanic or not Hispanic) for all job groups, to include date of application, date of hire, job title applied for, and job title hired into.
  
3. This Conciliation Agreement shall remain in effect until the review and acceptance by OFCCP of Systems Application & Technologies' final progress report.

**PART IV: SIGNATURES**

This Conciliation Agreement is hereby executed by and between the U.S. Department of Labor/  
Office of Federal Contract Compliance Programs and Systems Application & Technologies, Inc.,  
47758 Ranch Road, Patuxent River, Maryland 20670.

27 March 2019  
DATE

(b) (6), (b) (7)(C)

Timothy J. Adams  
President & CEO  
Systems Application & Tech  
Patuxent River, MD 20670

March 29, 2019  
DATE

(b) (6), (b) (7)(C)

Compliance Officer  
OFCCP/Baltimore District Office

March 29, 2019  
DATE

(b) (6), (b) (7)(C)

Tanya Bennett  
Assistant District Director  
OFCCP/Baltimore District Office

March 29, 2019  
DATE

(b) (6), (b) (7)(C)

Tom G. Wells  
District Director  
OFCCP/Baltimore District Office