

Conciliation Agreement  
Between the  
U.S. Department of Labor Office of Federal Contract Compliance Programs  
And  
CenCore, LLC  
1602 Village Market Boulevard, SE  
Leesburg, Virginia 20175

**PART I: GENERAL PROVISIONS**

1. This Agreement is between the U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP), and CenCore, LLC, 1602 Village Market Boulevard, SE, Leesburg, Virginia 20175 (hereinafter "CenCore").
2. The violations identified in this Agreement were found during a complaint investigation of CenCore, which began on April 19, 2019 and were specified in a Notification of Results of Investigation that was issued on November 21, 2019. OFCCP alleges that CenCore has violated Section 503 of the Rehabilitation Act of 1973, 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 CenCore of any violation of Section 503 of the Rehabilitation Act of 1973, as amended, and the implementing regulations.
4. The provisions of this Agreement will become part of CenCore's affirmative action program (AAP). Subject to the performance by CenCore of all promises and representations contained herein and in its AAP, all named violations in regard to the compliance of CenCore with all OFCCP programs will be deemed resolved. However, CenCore 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. CenCore 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 CenCore's compliance. CenCore shall permit access to its premises during normal business hours for these purposes.
6. Nothing herein is intended to relieve CenCore 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. CenCore 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 CenCore has violated any portion of this Agreement during the term of this Agreement, CenCore 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 CenCore 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 CenCore 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 CenCore to sanctions set forth in 41 CFR 60-741.66 and/or other appropriate relief.

## **PART II: SPECIFIC PROVISIONS**

1. VIOLATION: At least during the period of December 14, 2018 through August 22, 2019, CenCore unlawfully used qualification standards and selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, in violation of 41 CFR 60-741.21(a)(7)(i). Specifically, CenCore asked applicants questions about mental disabilities that could discourage individuals with disabilities from applying.

REMEDY: Effective immediately, CenCore will not use qualification standards and selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability.

2. VIOLATION: At least during the period of December 14, 2018 through August 22, 2019, CenCore made pre-offer inquiry as to the existence, nature, or severity of an applicant's disability (other than as required by 41 CFR 60-741.42), in violation of 41 CFR 60-741.23(a). Specifically, CenCore asked applicants questions about mental disabilities that were unrelated to their ability to perform the job.

REMEDY: Effectively immediately, CenCore will not make pre-offer inquiry as to the existence, nature, or severity of an applicant's disability (other than as required by 41 CFR 60-741.42), in accordance with 41 CFR 60-741.23(a). CenCore may make pre-offer inquiries into the ability of an applicant to perform job-related functions, and may ask an applicant to describe or to demonstrate how, with or without reasonable accommodation, the applicant will be able to perform job-related functions.

3. **VIOLATION:** At least during the period December 14, 2018 through September 5, 2019, CenCore failed to invite its applicants for employment to voluntarily self-identify as an individual with a disability, using the OMB-approved form for this purpose, in violation of 41 CFR 60-741.42(a)(1) and (b)(1). Specifically, CenCore failed to invite self-identification pre-job offer and post-job offer but prior to employment.

**REMEDY:** Effective immediately, CenCore shall invite its applicants for employment to voluntarily self-identify as an individual with a disability, in accordance with 41 CFR 60-741.42. All invitations to self-identify must be made using the OMB-approved form for this purpose (available on the OFCCP website). More specifically, CenCore shall invite each of its applicants for employment, prior to an offer of employment, to voluntarily inform it whether the applicant believes that he or she is an individual with a disability, as that term is defined in 41 CFR 60-741.2(g)(1)(i) or (ii). CenCore shall also invite each of its applicants for employment, after an offer of employment has been made and before the applicant begins work, to voluntarily inform it whether the applicant believes that he or she is an individual with a disability. CenCore must keep all self-identification information confidential and maintain it in a separate data analysis file, rather than in its personnel or medical files, in accordance with 41 CFR 60-741.42(e).

### **PART III: REPORTING**

1. CenCore 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. CenCore agrees to furnish the OFCCP/Baltimore District Office at 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201 with the following reports:
  - A. CenCore will submit the first progress report by January 15, 2020, and it will include copies of all application forms and questionnaires used by job applicants to demonstrate that medical and disability-related questions are not asked.
  - B. CenCore will submit the second and final progress report by January 15, 2021, and it will include the following data for the period of January 1, 2020 through December 31, 2020:
    - 1) The number of applicants who self-identified as individuals with disabilities pursuant to § 60-741.42(a), or who are otherwise known to be individuals with disabilities;
    - 2) The total number of job openings and total number of jobs filled;
    - 3) The total number of applicants for all jobs;
    - 4) The number of applicants with disabilities hired; and
    - 5) The total number of applicants hired.

3. This Conciliation Agreement shall remain in effect until the review and acceptance by OFCCP of CenCore's final progress report.

**PART IV: SIGNATURES**

This Conciliation Agreement is hereby executed by and between the Office of Federal Contract Compliance Programs and CenCore, LLC, 1602 Village Market Boulevard, SE, Leesburg, Virginia 20175.

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

ADAM FIFE  
Chief Executive Officer  
CenCore, LLC

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

TOM G. WELLS  
District Director  
OFCCP Baltimore District Office

DATE: 12/6/19

DATE: December 11, 2019