



January 20, 2023

Tina T. Williams,
Director, Division of Policy and Program Development
Office of Federal Contract Compliance Programs
U.S. Department of Labor
200 Constitution Avenue NW, Room C-3325
Washington, DC 20210

Submitted via regulations.gov

Re: Comments on Supply and Service Program; Proposed Approval of Information Collection Requirements; FR Doc. 2022–25311

Dear Ms. Williams,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 230 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, we write in support of the Office of Federal Contract Compliance Programs' (OFCCP) request for reauthorization of its compliance review scheduling letter, and its proposal that the scheduling letter collect more detailed and complete information at the outset of a compliance review.

Working people across the United States experience employment discrimination that robs them of employment opportunities, economic security, and dignity on the job. The cost of discrimination for people of color, women, LGBTQ+ people, people with disabilities, veterans, and other marginalized and multi-marginalized groups is significant.¹ Workplace discrimination can prevent access to a job or a promotion, cause a hostile working environment, or lower pay. Companies that contract with the federal government agree to both refrain from discrimination and take affirmative steps to promote employment opportunities for individuals who are members of certain underrepresented groups. These affirmative steps include proactively monitoring workplace equal employment opportunity and pay equity, making a meaningful effort to recruit qualified applicants from underrepresented groups, and breaking down barriers to equal opportunity for veterans and individuals with disabilities. Federal contractors subject to these requirements have better

Officers
Chair
Judith L. Lichtman
National Partnership for
Women and Families
Vice Chairs
Derrick Johnson
NAACP
Thomas A. Saenz
Mexican American Legal
Defense and Educational Fund
Secretary
Fatima Goss Graves
National Women's Law Center
Treasurer
Lee A. Saunders
American Federation of State,
County and Municipal Employees

Board of Directors
Gloria L. Blackwell
AAUW
Ray Curry
International Union, UAW
Jocelyn Frye
National Partnership for
Women and Families
Jonathan Greenblatt
Anti-Defamation League
Mary Kay Henry
Service Employees International Union
Damon Hewitt
Lawyers' Committee for
Civil Rights Under Law
David H. Inoue
Japanese American Citizens League
Benjamin Jealous
People for the American Way
Virginia Kase Solomón
League of Women Voters of the
United States
Samer E. Khalaf
American-Arab
Anti-Discrimination Committee
Joni Madison
Human Rights Campaign
Marc Morial
National Urban League
Janet Murguía
UnidosUS
Janai Nelson
NAACP Legal Defense and
Educational Fund, Inc.
Christian F. Nunes
National Organization for Women
Rabbi Jonah Pesner
Religious Action Center
of Reform Judaism
Rebecca Pringle
National Education Association
Lisa Rice
National Fair Housing Alliance
Anthony Romero
American Civil Liberties Union
Liz Shuler
AFL-CIO
Fawn Sharp
National Congress of American Indians
Maria Town
American Association of
People with Disabilities
Randi Weingarten
American Federation of Teachers
John C. Yang
Asian Americans Advancing Justice |
AAJC

President and CEO
Maya Wiley

¹ U.S. Equal Employment Opportunity Commission, *Enforcement and Litigation Statistics*, <https://www.eeoc.gov/data/enforcement-and-litigation-statistics-0>; Office of Federal Contract Compliance Programs, *OFCCP By the Numbers*, <https://www.dol.gov/agencies/ofccp/about/data/accomplishments>

records when it comes to equal employment opportunity for Black workers,² as well as women and workers of color broadly,³ than employers who are not federal contractors.

Through compliance reviews, OFCCP can proactively identify, investigate, and remedy patterns of discrimination, even in the absence of an individual complaint, and can evaluate contractors' compliance with affirmative action obligations. OFCCP uses its scheduling letter to notify contractors that they have been selected to undergo a compliance review and identifies the initial information those contractors must provide. Updating the letter to obtain critical information at the beginning of the compliance review will support OFCCP's goal of strengthening the effectiveness of its compliance evaluations, promoting greater contractor compliance and employer self-auditing, and ultimately benefiting more workers. These changes will speed the pace of reviews, conserve agency resources, provide additional clarity for employers, and enable OFCCP to identify potential problem areas more quickly and accurately.

Thank you for your consideration of our views. Please reach out to Josh Boxerman, senior policy analyst, at boxerman@civilrights.org with any questions.

Sincerely,



Jesselyn McCurdy
Executive Vice President for Government Affairs

² Conrad Miller, *The Persistent Effect of Temporary Affirmative Action*, 9 Am. Econ. J.: Applied Econ., 152 (2017), <https://www.aeaweb.org/articles?id=10.1257/app.20160121>.

³ Fidan Kurtulus, *Affirmative Action and the Occupational Advancement of Minorities and Women During 1973–2003*, 51 Indus. Rel.: J. of Econ. and Soc'y 213, (2012), <https://doi.org/10.1111/j.1468-232X.2012.00675.x>