



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:

Tradeswomen Inc. appreciates the opportunity to comment on the Office of Federal Contract Compliance Programs' (OFCCP) request for reauthorization of its compliance review scheduling letter. We wholeheartedly support the proposal that the scheduling letter collect more detailed and complete information at the outset of a compliance review. This change is essential for OFCCP to conduct more efficient, consistent, and effective reviews of federal contractors' compliance with nondiscrimination and equal employment opportunity requirements. As Director Yang has concluded, enhancing the effectiveness of these compliance reviews will "positively impact more workers" through increased contractor compliance.

Tradeswomen Inc., a community based non-profit organization based in California, supports women in the skilled trades through outreach, recruitment, retention and leadership development services. We also work closely with construction contractors, building trades unions, and apprenticeship programs to enhance their capacity to recruit and retain women in the trades. Our clients regularly work on federally funded construction job sites. The individual women in construction are at such a low percentage that there is no anonymity in making complaints of harassment and discrimination, incidents of which are unfortunately routine occurrences. Tradeswomen rely on the OFCCP to help create more equal and respectful work sites.

OFCCP is unique in being able to conduct systemic compliance reviews as part of its enforcement authority. 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. The scheduling letter, which OFCCP now proposes to revise, is the document OFCCP uses to notify

contractors that they have been selected to undergo a compliance review and identifies the initial information those contractors must provide.

OFCCP proposes that its scheduling letter request more detailed and specific information from contractors at the outset of compliance reviews. Updating the scheduling 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 ultimately benefiting more workers. It will also encourage employers to self audit the employment systems referenced in OFCCP's updated requests (e.g., technology-based employment systems) to identify potential EEO issues *before* they are selected for a compliance review by the OFCCP. If authorized as proposed, these changes will speed the pace of reviews, conserve scarce agency resources, provide additional clarity for employers as to their obligations, and enable OFCCP to more quickly and accurately identify both potential problem areas and successes.

OFCCP has tailored the proposed changes to the scheduling letter to minimize the additional burden on contractors. As the agency explains, the new scheduling letter would reduce contractor uncertainty over what documentation is sufficient for the review and enhance review efficiency for both the contractor and OFCCP. And it would have minimal impact on small businesses, given limited recordkeeping and reporting requirements for contractors with relatively few employees.

Accordingly, we enthusiastically support OFCCP's requested authorization of the enhanced compliance review scheduling letter and encourage the agency to finalize it without change. A more streamlined and efficient process will support tradeswomen working on federally funded construction projects to work with contractors to create and sustain safer working conditions, more respectful work sites, and longer and more fulfilling careers in the trades.

Sincerely,



Meg Vasey
Executive Director