

January 29, 2024

VIA ELECTRONIC MAIL

William E. Coughlin
Investigative Analyst, Compliance and Investigations
Veterans' Employment and Training Service
U.S. Department of Labor
200 Constitution Ave., N.W., Room S-1325
Washington, DC 20210

Re: Comments of the Center for Workplace Compliance on the Veterans' Employment and Training Service's Federal Contractor Veterans' Employment Report (OMB Control Number 1293-0005)

Dear Mr. Coughlin:

The Center for Workplace Compliance ("CWC") appreciates the opportunity to submit these comments regarding the Veterans' Employment and Training Service's ("DOL-VETS") proposed extension of the Federal Contractor Veterans' Employment Report ("VETS-4212"), notice of which was published in the *Federal Register* on November 28, 2023.¹

The VETS-4212 collects from employers a "snapshot" profile of a company's workforce by protected veteran status, location, and the job categories used in the annual Employer Information Report ("EEO-1") administered by the Equal Employment Opportunity Commission ("EEOC"). In addition to workforce snapshot data, employers report the number of protected veteran new hires for the preceding 12-month period.

We understand that DOL-VETS intends to seek formal approval from the White House Office of Management and Budget ("OMB") to extend this requirement for an additional three years, without change. As discussed in more detail below, we support DOL-VETS's plan to continue the VETS-4212 without change.

Statement of Interest

CWC² is the nation's leading nonprofit association of employers dedicated exclusively to helping its member companies develop practical and effective programs for ensuring workplace compliance, including full compliance with the nondiscrimination and affirmative action requirements applicable to federal contractors. Founded in 1976, CWC's membership includes approximately 200 major U.S. employers, collectively providing employment to millions of workers. CWC's directors and officers include many of industry's leading experts in the fields of fair employment, workplace compliance, and risk management. Their combined experience gives CWC a unique depth of understanding of the practical, as well as legal, considerations relevant to the proper interpretation and application of workplace rules and regulations.

Nearly all CWC members are federal contractors and subcontractors subject to the nondiscrimination and affirmative action requirements of Executive Order ("E.O.") 11246, Section 503 of the Rehabilitation Act of

¹ 88 Fed. Reg. 83,161 (November 28, 2023).

² Formerly the Equal Employment Advisory Council ("EEAC").

1973 (“Section 503”), Section 4212 of the Vietnam Era Veterans’ Readjustment Assistance Act (“VEVRAA”), and their implementing regulations. CWC’s members have a significant interest in ensuring that the Department of Labor’s programs, policies, and initiatives efficiently and effectively accomplish their underlying policy objectives.

CWC Supports the Extension of the VETS-4212 Report

VEVRAA requires qualifying federal contractors and subcontractors, specifically, any company that had one or more contracts or subcontracts with the federal government in the preceding calendar year that totaled \$150,000 or more, to report:

- the numbers of employees protected veterans in the workforce, by job category and hiring location;
- the numbers of new hires and protected veteran hires during the period covered by the report; and
- the maximum number and the minimum number of employees during the period.

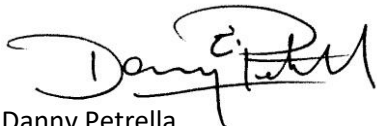
DOL-VETS developed the VETS-4212 as the means for federal contractors to report these data to the Labor Department. The VETS-4212 collects from these employers a “snapshot” profile of the company’s workforce, reflecting the total numbers of employees and protected veterans by location and EEO-1 category. Covered entities also use the VETS-4212 to report by location the total numbers of hires and protected veteran hires for the preceding 12-month period. Covered contractors with multiple establishments must file a VETS-4212 for each establishment (or “hiring location”) employing 50 or more persons. Establishments with fewer than 50 employees may submit their own separate VETS-4212 report or consolidate these locations with other under-50 locations in the same state.

Nearly all CWC members are subject to these requirements, and they have reported to us that the current VETS-4212 — in conjunction with DOL-VETS’s current filing system and procedures — represent a simple and efficient means for satisfying VEVRAA’s requirements. As such, we support DOL-VETS’s proposal to extend the VETS-4212 without change for an additional three years.³

Conclusion

CWC appreciates the opportunity to offer these comments regarding DOL-VETS’s proposal to extend the VETS-4212 for another three years, without change. Please do not hesitate to contact us if we can provide further assistance.

Sincerely,



Danny Petrella
Senior Vice President, Compliance and Assistant General Counsel

³ Please note that over the past two years, some federal agencies, including the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Programs, have moved away from mandating the collection of Dun & Bradstreet data from federal contractors, in favor of alternative classification systems. While we do not believe that such a change is necessary in this instance, it is conceivable this issue may arise when DOL-VETS seeks OMB approval.