



We understand that you will act as a project sponsor for, or will be, a contractor or subcontractor performing work on a federal contract, subcontract, or federally assisted contract or subcontract. This letter describes the non-discrimination and affirmative action obligations contractors and subcontractors will have if chosen to perform work on such a contract or subcontract.

The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) is responsible for enforcing those obligations. OFCCP offers resources and assistance to ensure full compliance with non-discrimination and affirmative action requirements and to assist you in your work to advance equal employment opportunity. Federal contractors and subcontractors have an important responsibility to ensure nondiscrimination and to proactively evaluate employment practices for barriers to opportunity for the duration of the contract.

### **Equal Employment Opportunity Requirements for Federal Construction Contractors**

Federal contractors are strictly prohibited from discriminating because of race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or status as a protected veteran. Federal contractors must also take affirmative action to promote equal employment opportunity, including outreach and recruitment as well as employee development and training. Federal contractors are further prohibited from taking adverse employment actions against applicants and employees for asking about, discussing, or sharing information about their pay or the pay of their co-workers, subject to certain limitations.

In addition, covered federal contractors are required to take steps including, but not limited to:

- Retaining personnel and employment records
- Granting OFCCP access to employees, employment records, and the worksite during a compliance evaluation or complaint investigation
- Prominently posting the [Know Your Rights](#) poster as well as the Employee Rights under the [National Labor Relations Act](#) poster.
- Posting the Pay Transparency Nondiscrimination [Provision](#) either physically or electronically and including it in contractors' employee handbook or manual
- Providing notice to subcontractors of their nondiscrimination and affirmative action obligations by incorporating equal opportunity clauses into subcontracts and purchase orders
- Meeting affirmative action obligations for protected veterans under VEVRAA and individuals with disabilities under Section 503, when contractors have a [direct federal construction contract](#) that meets the coverage threshold requirements as explained in [this infographic](#). These obligations are set forth at [41 CFR Part 60-300](#) (VEVRAA) and [41 CFR Part 60-741](#) (Section 503)

### **Enforcement and Compliance**

OFCCP conducts compliance evaluations, to determine whether a federal contractor is complying with the nondiscrimination and affirmative action employment obligations outlined in [41 CFR Chapter 60](#). OFCCP also investigates complaints filed by individuals or organizations

alleging employment discrimination or other equal opportunity violations. When OFCCP finds violations, OFCCP seeks to resolve them by requiring the contractor to take remedial action. OFCCP can require the provision of back pay to impacted workers and the correction of policies and procedures to ensure the violations do not reoccur. If a contractor refuses to remedy the violations, OFCCP pursues litigation, and contractors may also face debarment – the loss of a business’ federal contracts and the ability to receive federal contracts in the future. Please refer to OFCCP’s [Federal Contract Compliance Manual](#) for more information on the [compliance evaluation process](#) and the [complaint investigation process](#).

### OFCCP Compliance Assistance

OFCCP offers free live and recorded [compliance assistance webinars](#), in addition to a [Contractor Compliance Institute](#) with online training. Contractors may also request compliance assistance from local district offices. Contact information for local offices can be found on our [Regional Office Directory](#). OFCCP’s website contains extensive [compliance assistance](#) materials for contractors, including a [Construction Technical Assistance Guide](#), [Small Contractor Technical Assistance Guide](#), [Posting and Notices Guide & Checklist](#), [Recordkeeping Guides](#), [Frequently Asked Questions](#), and [Best Practices and Resources](#). Additionally, you may contact OFCCP’s Help Desk for general inquiries about OFCCP, either by telephone (1-800-397-6251) or by submitting an inquiry online through the [OFCCP Public Intake Form](#).

We look forward to working to ensure your workers have the full reach of their non-discrimination and affirmative action rights at work and we appreciate your commitment to these obligations.

Sincerely,

A handwritten signature in blue ink, appearing to read "J.R. Yang", with a long horizontal flourish extending to the right.

Jenny R. Yang  
Director