DEPARTMENT OF LABOR

Office of Federal Contract Compliance Programs

41 CFR Part 60–741

RIN 1250–AA02

Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Individuals With Disabilities

AGENCY:

ACTION:

SUMMARY:

DATES:

ADDRESSES:

- *Federal eRulemaking Portal: http://www.regulations.gov*
- *Fax:*
- *Mail:*

http://www.regulations.gov

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

Background

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See

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Table A. Employment status of the civilian noninstitutional population by disability status and age, 2009 and 2010 annual averages, *http://www.bls.gov/news.release/disabl.a.htm*

Federal Register

http://www.regulations.gov.

http://www.spb.ca.gov/WorkArea/showcontent.aspx?id=5634

see

[illegible]

[illegible] http://www.dol.gov/odep.

www.census.gov/acs.

Affirmative Action for People with Disabilities—Volume I: Data Sources and Models,

Affirmative Action for People with Disabilities—Volume I: Data Sources and Models,

http://www.opm.gov/forms/pdf_fill/sf256.pdf.

i.e.,

Regulatory Flexibility Act and Executive Order 13272 (Consideration of Small Entities)

et seq.,

Journal of Economic Literature, *http://www.wid.org/about-wid*

www.sba.gov/advo/research/data.html#us

A Guide for Government Agencies: How To Comply With the Regulatory Flexibility Act,

• *60–741.44*

• *60–741.45*

• *60–741.46*

Comparing incumbency to the goal:

Action-oriented programs.

• *60–741.60*

• *60–741.80*

• *60–741.81*

TABLE 1 REPORTING, RECORDKEEPING, AND THIRD PARTY DISCLOSURE BURDEN

B	S	O	R	R
C B (4 EO C).	60 741.5	.....	.....	10 20,175.
C EEO (7 EO C). [N : B].	60 741.5	5 14,273.		
C EEO F OFCCP (.5( )) [N : B & OFCCP].	60 741.5	5 14,273.		
C (.42( ) ( )). [N : B OFCCP].	60 741.42	5 14,273.		

TABLE 1 REPORTING, RECORDKEEPING, AND THIRD PARTY DISCLOSURE BURDEN C

B	S	O	R	R
C (.44( )).	60 741.44	.....	60 . T H 171,275.	
C (.45( )).	60 741.45	.....	30 . T 85,638.	
C (.45( )).	60 741.45	5 T H 143.		
C (.45( ).	60 741.45	15 . T H 42,819.		
C (.45( )).	60 741.45	.....	5 . T H 14,273.	
C (.46)	60 741.46	5 ( ). S H 14,273. 60 ( ). S 171,275.	30 ( ). S 85,638, T 271,186.	
T R	1,425,145			
T R				
T P	53,352			
T	1,478,497			

O -T C :	
M . P . 285,602 × .52 × $50.07 = ...	$7,436,048
A . S . 285,602 × .48 × $22.67 = ...	3,107,807
O & M C ( )	0
T = ...	10,543,855
R E : $10,543,855/171,275 = ...	62
C :	
M . P . 1,192,895 × .52 × $50.07 = ...	31,058,691
A . S . 1,192,895 × .48 × $22.67 = ...	12,980,606
O & M C ( )	1,820,859
T = ...	45,860,156
T E : $ 45,860,156/171,275 = ...	268
C :	
M . P . 1,478,497 × .52 × $50.07 = ...	38,494,739
A . S . 1,478,497 × .48 × $22.67 = ...	16,088,413
O & M C ( )	1,820,859
T = ...	56,404,011
E : $56,404,011/171,275 = ...	329

Operations and Maintenance Costs

60–741.5

60–741.42

60–741.44

60–741.44

TABLE 3 OPERATIONS AND MAINTENANCE COSTS

C EO (4 EO C)	60 741.5	$0
C B EO (4 EO C)	60 741.5	0
C B (.42( )( )( ))	60 741.42	1,644,240
C B AA (.44( ))	60 741.44	171,275
C AAP (.44)	60 741.44	$5,344
T O&M C		1,820,859

Type of Review:

Agency:

Title:

OMB ICR Reference Number:

Affected Public:

Estimated Number of Annual Responses:

Frequency of Response:

Estimated Total Annual Burden Hours:

Estimated Total Annual Burden Cost (Start-up, capital, operations, and maintenance): $

Small Business Regulatory Enforcement Fairness Act of 1996

Unfunded Mandates Reform Act of 1995

Executive Order 13132 (Federalism)

Executive Order 13084 (Consultation and Coordination With Indian Tribal Governments)

Executive Order 13045 (Protection of Children)

Individual with a disability

Linkage agreement

Record of such impairment

Examples of predictable assessments.

Undue hardship In general. Undue hardship

Factors to be considered.

United States,

§ 60–741.3 Exceptions to the definitions of ''disability'' and ''qualified individual.''

Current illegal use of drugs In general.

''Drug'' defined.

''Illegal use of drugs'' defined. illegal use of drugs

Construction.

disability qualified individual

Duties of contracting agencies.

Subpart B—Discrimination Prohibited

§ 60–741.20 Covered employment activities.

§ 60–741.21 Prohibitions.

discrimination

Disparate treatment.

Limiting, segregating and classifying.

Contractual or other arrangements In general.

Contractual or other arrangement defined. contractual or other arrangement or relationship

Application.

Standards, criteria or methods of administration.

Relationship or association with an individual with a disability.

Not making reasonable accommodation.

Qualification standards, tests and other selection criteria In general.

Qualification standards and tests related to uncorrected vision.

Administration of tests.

Compensation.

See

Reasonable accommodation to physical and mental limitations.

Harassment.

External dissemination of policy, outreach, and positive recruitment. Required outreach efforts.

all employment openings

except

http://www.yourtickettowork.com/endir and

http://www.earnworks.com

http://www.va.gov/landing2_locations.htm

http://www.nationalresourcedirectory.gov/employment/employer_resources

Suggested outreach efforts.

§ 60–741.45 Reasonable accommodation procedures.

Development and implementation.

Designation of responsibility.

Dissemination of procedures.

Required elements of reasonable accommodation procedures.

Responsible official contact information.

Requests for reasonable accommodation.

Recurring requests.

e.g.,

Submission of request.

Requests made by applicants.

Written confirmation of receipt.

Timeframe for processing requests.

Delay in responding to request.

Description of process.

Supporting medical documentation.

Denial of reasonable accommodation.

Confidentiality.

Training.

§ 60–741.46 Utilization goals.

Goal.

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Purpose.

Periodic review of goal.

Utilization analysis Purpose.

Grouping jobs for analysis.

Annual evaluation.

Action-oriented programs.

§ 60–741.47 Providing priority consideration in employment.

§ 60–741.48 Sheltered workshops.

Subpart D—General Enforcement and Complaint Procedures

§ 60–741.60 Compliance evaluations.

Place and time of filing.

Contents of complaints. *Lo mpTjgaint da*

§ 60–741.65 Enforcement proceedings.

General.

Hearing practice and procedure.

§ 60–741.70 Disputed matters related to compliance with the act.

e.g.,

e.g.,

e.g.,

BILLING CODE 4510–45–P