

**U.S. Department of Labor**  
**Office of Federal Contract Compliance Programs**  
**Recordkeeping Requirements—38 U.S.C. 4212**  
**Vietnam Era Veterans’ Readjustment Assistance Act of 1974, As Amended**

**OMB Number 1250-0004**

This request is for Office of Management and Budget (OMB) reauthorization of the information collection implementing the recordkeeping and third-party disclosure requirements of the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212. These requirements apply to both supply and service and construction federal contractors and subcontractors who meet the appropriate thresholds as identified below.<sup>1</sup>

## **A. JUSTIFICATION**

### **1. Legal and Administrative Requirements**

The U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) is responsible for administering the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212 (VEVRAA), and its implementing regulations at 41 CFR part 60-300. Under VEVRAA, as applied by regulation, a business with a federal contract of \$200,000 or more is prohibited from discriminating against qualified protected veterans<sup>2</sup> in all employment practices. Covered contractors are also required to take affirmative action to employ and advance in employment qualified protected veterans.<sup>3</sup>

This information collection covers the VEVRAA recordkeeping and third-party disclosure requirements under 41 CFR part 60-300.<sup>4</sup> Below is a summary of key provisions from these regulations:

Section 60-300.5 describes the equal opportunity clause for qualified protected veterans. Each contractor is required to include the equal opportunity clause in each of its subcontracts of \$200,000 or more, although the clause may also be incorporated by reference or operation. Paragraphs 2 through 6 of the equal opportunity clause pertain to the mandatory job listing

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<sup>1</sup> Hereinafter, all references to “contractor” will include federal contractors and subcontractors unless otherwise stated.

<sup>2</sup> Protected veteran means a veteran who is protected under the non-discrimination and affirmative action provisions of VEVRAA; specifically, a veteran who may be classified as a “disabled veteran,” “recently separated veteran,” “active duty wartime or campaign badge veteran,” or an “Armed Forces service medal veteran.” See 41 CFR 60-300.2.

<sup>3</sup> Effective October 1, 2025, the coverage threshold under VEVRAA increased from \$150,000 to \$200,000, in accordance with the inflationary adjustment requirements in 41 U.S.C. 1908. See Federal Acquisition Regulation: Inflation Adjustment of Acquisition-Related Thresholds, 90 FR 41872 (Aug. 27, 2025).

<sup>4</sup> The reporting requirements under VEVRAA are not included in this information collection, but rather are included in the Construction Recordkeeping and Reporting Requirements ICR (OMB Control Number 1250-0001) and the Supply and Service Program ICR (OMB Control Number 1250-0003).

requirements. Each covered contractor must list all applicable job openings with the appropriate state or local employment service delivery system (ESDS) as well as provide and update as necessary information to the appropriate ESDS. This information includes:

- status as a Federal contractor;
- that the contractor desires priority referrals of protected veterans from the ESDS;
- the name and location of each hiring location within the state; and
- the contact information for the contractor official responsible for hiring at each location as well as any external job search organizations the contractor uses to assist in its hiring.

Section 60-300.40 requires contractors with 50 or more employees and a contract of \$200,000 or more to develop and maintain a VEVRAA Affirmative Action Program (AAP). Section 60-300.44 identifies the required elements of an AAP.

Section 60-300.42 requires covered contractors to invite job applicants at the pre-offer and post-offer stages to voluntarily self-identify as protected veterans. The invitations to self-identify must state that the contractor is a Federal contractor required to take affirmative action to employ and advance in employment protected veterans, that the information sought is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide the information will not result in any adverse treatment of the applicant, and that the information will not be used in a manner inconsistent with VEVRAA.

Section 60-300.45 requires contractors to either adopt a hiring benchmark equal to the national percentage of veterans in the civilian labor force or establish a hiring benchmark for protected veterans taking into account the five factors specified in the regulation.

Section 60-300.60 identifies the investigative procedures OFCCP may use to evaluate a contractor's compliance with the agency's regulations.

## **2. Use of Collected Material**

As discussed above, the equal opportunity clause located at section 60-300.5 requires contractors to list all applicable job openings with the appropriate state or local ESDS in a format permitted by the ESDS. The mandatory job listing requirement is a critical component to helping qualified protected veterans find work with Federal contractors. Providing the ESDS with the name and location of the contractor's hiring locations and contact information enables the ESDS to develop a centralized list of Federal contractors and ensures that they have appropriate contact information if there are any questions that need to be resolved in the job listing or priority referral process.

Section 60-300.42 outlines the requirements for contractors' obligations to invite individuals to self-identify as a protected veteran, as described above. This process enables the contractor and OFCCP to collect valuable data needed to track the number of protected veterans who apply for open positions and the number who are hired.

Section 60-300.44 describes the required contents of a contractor's AAP. Contractors maintain the AAP as a tool to ensure equal employment opportunity and to foster employment opportunities for protected veterans. Historically, OFCCP has conducted compliance evaluations to review contractors' compliance with the AAP requirements.

Section 60-300.45 requires contractors to set a benchmark for hiring protected veterans either by using the national average for the number of veterans in the civilian labor force which OFCCP provides (and periodically updates) on its public website, or by setting an individualized benchmark that takes into account the five factors described in this section. This requirement provides contractors and OFCCP with a yardstick by which they can objectively measure the effectiveness of equal employment opportunity efforts. Data collected through the voluntary self-identification process is a required factor for consideration for those contractors who elect to create a personalized benchmark.

### **3. Use of Information Technology**

In general, each contractor develops its own methods for collecting and maintaining VEVRAA information. Contractors have the option to use methods that best suit their needs as long as they can retrieve and provide OFCCP with the data upon request during a compliance evaluation or complaint investigation. The regulations at 41 CFR 60-300.81 require that, upon request, the contractor provide OFCCP information about all format(s), including specific electronic formats, in which the contractor maintains its records and other information. These regulations also require a contractor to "provide records and other information in any of the formats in which they are maintained, as selected by OFCCP." 41 CFR 60-300.81.

According to the Government Paperwork Elimination Act (GPEA, P.L. 105-277, 1998), by October 2003, government agencies must generally provide the option of using and accepting electronic documents and signatures, and electronic recordkeeping, where practicable. OFCCP fulfills its GPEA requirements by permitting contractors to submit AAPs and supporting documentation via e-mail or other electronic format.

### **4. Description of Efforts to Identify Duplication**

The recordkeeping requirements contained in this request result exclusively from the implementation of VEVRAA. This authority uniquely empowers the Secretary of Labor, and by a Secretary's Order, OFCCP, to require the collection, analysis, and reporting of data and other information pursuant to the VEVRAA authority. While contractors maintain other employment data in the normal course of business, AAPs under VEVRAA are unique in that contractors create them specifically to meet the regulatory requirements. This comprehensive document is not available from any other source. Therefore, no duplication of effort exists because no other government agency has these specific data collection requirements.

## **5. Impact on Small Businesses**

OFCCP's information collection does not have a significant economic impact on a substantial number of small entities. OFCCP minimizes the information collection and recordkeeping burden on a significant number of small businesses by exempting contractor establishments with fewer than 50 employees from the AAP requirement. However, once OFCCP's authority covers one contractor's establishment, all of its employees must be accounted for in an AAP whether or not each of the contractor's establishments meet the minimum 50-employee threshold.<sup>5</sup>

## **6. Consequences of a Less Frequent Collection**

The requirements outlined in this information collection request (ICR) ensure that covered contractors meet their equal opportunity obligations to protected veterans. Less frequent collection of this information could compromise OFCCP's enforcement of VEVRAA and its implementing regulations. Accurate determination of compliance requires analysis of contractor actions taken and results obtained, by both OFCCP and the contractor.

## **7. Special Circumstances**

There are no special circumstances for the collection of this information.

## **8. Consultation Outside the Agency**

Pursuant to the Paperwork Reduction Act of 1995, as amended (PRA), OFCCP invites the public to submit comments on this proposed information collection. The comments the agency receives will be during a subsequent 30-day public comment period. OFCCP also has a Help Desk where it provides compliance assistance to members of the public. This information helps inform OFCCP's administration of the VEVRAA program.

## **9. Gifts or Payments**

OFCCP provides neither payments nor gifts to respondents.

## **10. Confidentiality of Information**

OFCCP will treat records provided by the contractor as confidential to the maximum extent the information is exempt from public disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. 552. OFCCP will evaluate all information requests pursuant to the public inspection and disclosure provisions of FOIA and DOL's implementing regulations at 29 CFR part 70.

Additionally, OFCCP safeguards and protects personally identifiable information it receives from contractors to the maximum extent allowable under the law in accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a).

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<sup>5</sup> 41 CFR 60-300.40 – Applicability of the affirmative action program requirement.

## **11. Questions of Sensitive Nature**

The implementing regulations of VEVRAA require contractors to invite applicants to voluntarily self-identify as a protected veteran. There are four categories of protected veteran, one of which is “disabled veteran.” However, the regulations do not require contractors to capture category-specific information on the self-identification forms, nor are applicants required to disclose any information regarding the nature of a disability.

## **12. Information Collection Hour Burden**

The public impact of this information collection is broken down into recordkeeping and third-party disclosure burdens.

### **Recordkeeping Burden**

#### **Section 60-300.42 Invitation to self-identify**

Sections 60-300.42(a) and 60-300.42(b) require contractors to extend to applicants a pre-offer and post-offer invitation to self-identify as a “protected veteran.” OFCCP estimates that contractors working at the company level will take 1.5 hours to review and retrieve existing sample invitations to self-identify, adopt the sample “as is” or make revisions to their existing form, save the invitation to self-identify and incorporate the document in the contractor’s application process. The estimated burden in this information collection applies to only new contractor parent companies, or 1 percent of the 22,428 contractor parent companies.<sup>6</sup> The burden for this provision is 336 hours (224 new contractor companies  $\times$  1.5 hours = 336 hours).

OFCCP further estimates that it will take each contractor establishment 15 minutes to maintain self-identification forms. This time includes either manually storing the forms in a filing cabinet or saving them to an electronic database. The burden for this provision is 22,495 hours (89,978 contractor establishments<sup>7</sup>  $\times$  15 minutes/60 = 22,495 hours).

#### **Section 60-300.44 Required contents of the affirmative action program**

OFCCP estimates that it will take existing contractors approximately 7.5 hours to document and maintain material evidence of annually updating their AAPs and that it will take new contractors

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<sup>6</sup> To estimate the number of parent companies who meet the VEVRAA AAP requirement thresholds, OFCCP relied on available EEO-1 and USA Spending data. *See* EEO-1 Data Collections at <https://www.eeoc.gov/data/eeo-data-collections>; USA Spending information at <https://www.usaspending.gov/>.

<sup>7</sup> To estimate the number of establishments who meet the VEVRAA AAP requirement thresholds, OFCCP relied on available EEO-1 and USA Spending data. *See* EEO-1 Data Collections at <https://www.eeoc.gov/data/eeo-data-collections>; USA Spending information at <https://www.usaspending.gov/>.

18 hours to do these tasks. The total estimated burden for this requirement is 890,785 hours for existing contractors and 21,595 hours for new contractors.<sup>8</sup>

#### Section 60-300.44(f) External dissemination of policy, outreach and positive recruitment

Section 60-300.44(f)(4) requires contractors to document all outreach activities it undertakes for protected veterans and retain these documents for a period of 3 years. OFCCP estimates that it will take contractors 10 minutes (0.17 hours) to retain the required documentation. Retaining these records means storing the records generated either electronically or in hardcopy, consistent with the contractor's existing business practices for how to store records. The annual recordkeeping burden for this provision is 15,296 hours (89,978 contractor establishments  $\times$  0.17 hours = 15,296 hours).

#### Section 60-300.44(h) Audit and Reporting System

Section 60-300.44(h)(1)(vi) requires contractors to document the actions taken to meet the requirements of 60-300.44(h). OFCCP estimates that it will take contractors 10 minutes (0.17 hours) to document compliance with the provision to create an audit and reporting system. Documentation may include, as an example, the standard operating procedure of the system including roles and responsibilities, and audit and reporting timeframes and lifecycles. The annual recordkeeping burden of this provision is 15,296 hours (89,978 contractor establishments  $\times$  0.17 hours = 15,296 hours).

#### Section 60-300.44(k) Data Collection and Analysis

Section 60-300.44(k) requires contractors to collect and analyze certain categories of data. OFCCP believes that most contractors have the capability to conduct the required calculations electronically. However, some companies may have to calculate this information manually. Therefore, OFCCP estimates that the average time to conduct the analysis and maintain the relevant documentation would be 1 hour 25 minutes (1.42 hours). Relevant documentation may include the report or other written documentation generated by the calculations that explain the methodology, the data used, and the findings and conclusions; the data used to conduct the calculations for subsequent validation of the results; and other material used by the contractor for the calculations. The annual recordkeeping burden for this provision is 127,769 hours (89,978 contractor establishments  $\times$  1.42 hours = 127,769 hours).

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<sup>8</sup> In addition to VEVRAA, OFCCP also administers Section 503 of the Rehabilitation Act of 1973 (Section 503). Given that many contractors choose to prepare a joint VEVRAA and Section 503 AAP, OFCCP accounts for the 41 CFR 60-300.44 (VEVRAA) and parallel 41 CFR 60-741.44 (Section 503) burden for this requirement in this ICR. Based on EEO-1 and USA Spending data, the estimated universe for this requirement consists of the 89,978 contractors who meet both the Section 503 and VEVRAA AAP thresholds, and an additional 29,993 contractors who meet only the Section 503 AAP threshold (a total of 119,971 contractor establishments). OFCCP estimates that 99% of the universe will be existing contractors and 1% will be new contractors. Accordingly, the burden for existing contractors is  $[(.99 \times 119,971) \times 7.5 \text{ hours}] = 890,785 \text{ hours}$ . The burden for new contractors is  $[(.01 \times 119,971) \times 18 \text{ hours}] = 21,595 \text{ hours}$ .

### Section 60-300.45 Benchmarks for Hiring

Section 60-300.45 requires the contractor to establish a hiring benchmark in one of two ways. A contractor may use as its benchmark the national average number of veterans in the civilian labor force, which OFCCP will provide (and periodically update) on its public website. Alternatively, the contractor may establish its own individual benchmark using the five-factor method set forth in Section 60-300.45(b)(2)(i)–(v). OFCCP estimates that it will take contractors on average 10 minutes (0.17 hours) to maintain material evidence of compliance with this provision. The annual recordkeeping burden for this provision would be 15,296 hours (89,978 establishments  $\times$  0.17 hours = 15,296 hours).

### Section 60-300.81 Access to Records

Section 60-300.81 requires contractors who are the subject of a compliance evaluation or complaint investigation to specify all available record formats and allow OFCCP to select preferred record formats from those identified by the contractor during a compliance evaluation. Pursuant to 5 CFR 1320.4(a)(2), this information collection is excluded from the PRA requirements because it is related to an “administrative action, investigation, or audit involving an agency against specific individuals or entities.”

### Third-Party Disclosure Burden

#### Section 60-300.5 Equal Opportunity Clause

Paragraph 2 of the EO Clause requires contractors to list their job openings with the state or local ESDS. OFCCP estimates that gathering records and providing the job openings to the ESDS will take 25 minutes (0.42 hours) for approximately 15 vacancies per year. The burden is 566,861 hours (89,978 contractor establishments  $\times$  15 vacancies  $\times$  0.42 hours = 566,861 hours).

Paragraph 4 of the EO Clause requires contractors to provide the appropriate ESDS with the name and location of each of the contractor’s hiring locations, a statement of its status as a Federal contractor, the contact information for the hiring official at each location in the state, and a request for priority referrals of protected veterans. Paragraph 4 also requires contractors that use job search organizations to provide the ESDS with the contact information for each job search organization. These requirements apply to new contractors, which OFCCP estimates to be 1 percent of all covered contractors (or  $0.01 \times 89,978 = 900$  contractor establishments). OFCCP estimates a total of 15 minutes (0.25 hours) for a new contractor to ensure that its information is provided to the ESDS. The annual burden for this provision is 225 hours (900 new contractor establishments  $\times$  0.25 hours = 225 hours). OFCCP further estimates that 25 percent of new contractors, or 225, will use outside job search organizations and incur an additional 5-minute (0.08 hours) burden to notify the ESDS of the contact information for its outside job search organizations. The annual burden for this provision is 18 hours (225 contractor establishments  $\times$  0.08 hours = 18 hours). The total burden is 243 hours (225 hours + 18 hours = 243 hours).

The total third-party disclosure burden hours is 567,104 hours (566,861 hours + 243 hours).

Section 60-300.42(a) – Pre-offer invitation to self-identify and Section 60-300.42(b) – Post-offer invitation to self-identify

Applicants for available positions with covered contractors will incur a burden when they choose to self-identify as a protected veteran at either the pre-offer or post-offer stage. OFCCP estimates that there will be an average of 24 applicants per job vacancy and an average of 15 vacancies per year. OFCCP further estimates that it will take applicants approximately 5 minutes (.08 hours) to complete the form. If every applicant decides to self-identify at either the pre-offer or post-offer stage, the burden for this provision is 2,591,366 hours (89,978 contractor establishments  $\times$  15 vacancies  $\times$  24 applicants  $\times$  0.08 hours = 2,591,366 hours).<sup>9</sup>

Section 300.44(f)(1)(ii) – External dissemination of policy, outreach, and positive recruitment

Section 60-300.44(f)(1)(ii) requires contractors to send written notification of the company's affirmative action program policies to subcontractors, vendors, and suppliers. OFCCP estimates that contractors will take 15 minutes (0.25 hours) to prepare the notification and send it to subcontractors, vendors, and suppliers, and an additional 15 minutes (0.25 hours) to update email address changes in the company's email system. Likewise, the burden for any information technology assistance needed to send the written communication is estimated at 15 minutes (0.25 hours). The burden for this request is 67,484 hours (89,978 contractor establishments  $\times$  0.75 hours = 67,484 hours).

Based on the above, the total burden hours for this ICR is 4,334,822 hours:

	<u>Activity</u>	<u>Hours</u>
Recordkeeping Time Burden	Pre-offer invitation to self-identify; 60-300.42(a) and (b)	336
	Maintain self-ID forms; 60-300.42	22,495
	Annual update of AAP; 60-300.44	890,785
	Development of AAP; 60-300.44	21,595
	External dissemination of policy, outreach, and positive recruitment; 60-300.44(f)	15,296
	Audit and reporting system; 60-300.44(h)	15,296
	Data collection and analysis; 60-300.44(k)	127,769

<sup>9</sup> The estimated burden assumes that every applicant will self-identify at the pre-offer stage. Because self-identification is voluntary, this represents an overestimation. However, the estimate also takes into account applicants who receive an offer and who self-identify twice, at both the pre-offer and post-offer stage.

	Benchmarks for hiring; 60-300.45	15,296
Third Party Disclosure Burden	EO Clause; 60-300.5	567,104
	Pre-offer invitation to self-identify; 60-300.42(a)	2,591,366
	External dissemination of policy, outreach, and positive recruitment; 60-300.44(f)(1)(ii)	67,484
<b>Total Burden Hours</b>		<b>4,334,822</b>

### **Monetized Time Burden**

OFCCP estimates that the total recordkeeping burden hours translate to approximately \$95,750,752 in burden costs to contractors using data from the Bureau of Labor Statistics (1,108,868 hours x \$86.35).<sup>10</sup>

OFCCP estimates that the total third-party disclosure burden hours for contractors translates to approximately \$30,491,953 in burden costs using data from the Bureau of Labor Statistics ([567,104 + 67,484] hours x \$48.05).<sup>11</sup>

OFCCP estimates that the total third-party disclosure burden hours for non-contractors (*i.e.*, individuals self-identifying as a protected veteran) translates to approximately \$124,515,136 in burden costs using data from the Bureau of Labor Statistics (2,591,366 hours x \$48.05).

### **13. Information Collection Cost Burden**

OFCCP estimates that the contractor will have some operations and maintenance costs associated with the invitations to self-identify. The contractor must invite all applicants to self-identify at both the pre-offer and post-offer stage of the employment process. Given the increasingly widespread use of electronic applications, any contractor that uses such applications would not incur copy costs. However, to account for contractors who may still choose to use paper applications, OFCCP is including printing and/or copying costs in this estimate. Therefore, OFCCP estimates a single one-page form for both the pre- and post-offer invitation. Assuming 5 percent of contractor establishments will use a paper-based application system, an average of 24 applications per vacancy, and an average of 15 vacancies per establishment, the estimated total

<sup>10</sup> Bureau of Labor Statistics, Occupational Employment Statistics, Occupational Employment and Wages, May 2024, <https://data.bls.gov/oes/#/industry/000000> (last accessed Nov. 28, 2025). \$55.15 per hour for Management Analysts and \$77.15 per hour for Human Resource Managers. The calculation uses an 80/20 split between Management Analysts and Human Resource Managers, which equals \$59.55 plus 45 percent of wages for fringe benefits. \$59.55 x 1.45 = \$86.35.

<sup>11</sup> Bureau of Labor Statistics, Employer Costs for Employee Compensation, June 2025, <https://www.bls.gov/news.release/ecec.nr0.htm> (last accessed Nov. 28, 2025). \$48.05 per hour for civilian workers (includes wages and salaries + total benefits).

cost to contractors will be \$356,313 ( $[89,978 \text{ establishments} \times 5 \text{ percent}] \times 360 \text{ copies} \times \$0.22 = \$356,313$ ).<sup>12</sup>

#### **14. Cost to Federal Government**

OFCCP associates no unique federal costs with this information collection. OMB Control Numbers 1250-0001 and 1250-0003 cover the costs to the Federal government related to the VEVRAA program.

#### **15. Program Changes or Burden Adjustments**

OFCCP is requesting OMB approval of 4,334,822 burden hours. The 2023 clearance contained approval of 4,439,563 hours. This results in a decrease of 104,741 hours. The decrease in burden hours is primarily due to changes in the estimated number of contractor establishments since the last authorization.

#### **16. Publication of Data for Statistical Use**

There will be no publication of statistical analysis related to this collection.

#### **17. Approval Not to Display the Expiration Date**

OFCCP is not seeking approval to not display the expiration date of this collection.

#### **18. Exceptions to the Certification Statement**

OFCCP is not seeking exceptions to the certification statement of this collection.

### **B. STATISTICAL METHODS**

This information collection does not use statistical methods.

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<sup>12</sup> Based on the average copying cost at major paper supply stores.