

**Summary and Analysis of Compliance Cost Estimates for
OFCCP Proposed Rule Regarding Affirmative Action and Related Obligations
of Employers with Respect to Persons with Disabilities**

Executive Summary

This report examines the per-establishment and aggregate national compliance costs of the Department of Labor, Office of Federal Contract Compliance Programs' (OFCCP) proposed regulation regarding affirmative action obligations of covered employers under Section 503 of the Rehabilitation Act of 1973. The OFCCP estimates of compliance costs are compared side-by-side for each of the distinct elements of the regulation to the cost estimates derived from the results of a survey of 108 covered employers conducted by the U.S. Chamber of Commerce (USCC) and Equal Employment Advisory Council (EEAC) in February and March 2012.

OFCCP estimated that the proposed rule would cost between \$49.9 million and \$74.0 million per year across 36 distinct compliance elements, but provided no empirical evidence to justify its estimates of labor time or other direct costs associated with compliance. The USCC/EEAC analysis gathered detailed experience-based evidence of compliance labor time requirements and other direct costs from 108 companies that are government contractors covered by OFCCP's Section 503 regulation. The 108 companies surveyed employ altogether 4.5 million U.S. workers, 20.3% of the 22.2 million workers employed by companies covered by the proposed regulation. Analysis of compliance costs based on the survey results reveals significantly higher compliance costs than estimated by OFCCP. For the five most costly compliance elements identified by the survey, the comparison between first-year costs estimated by USCC/EEAC versus OFCCP estimates are as follows:

Top Five Costly Compliance Elements	First year Cost	
	OFCCP	USCC/EEAC
60-741.44(b): Parts 1-3 -- review personnel processes and provide statement of reasons, accommodations, etc.	\$5,393,630	\$83,439,469
60-741.44(b): Part 4 -- review physical and mental qualifications		\$80,942,355
60-741.42(a): Invite all applicants to self-identify	\$2,171,168	\$69,057,088
60-741.44(k): Ten Data Points	\$6,323,130	\$64,867,892
60-741.44(f)(1)(ii): Contractor must enter into 3 linkage agreements	\$20,335,136	\$51,317,326

For all regulation elements combined, results from the USCC/EEAC survey estimate the first year cost of the proposed regulation as at least \$510,415,418 and subsequent annually recurring costs of \$307,400,621, each several times greater than the \$74,074,722 first year and \$49,975,945 recurring yearly costs estimated by OFCCP.

The costs cited above for the USCC/EEAC survey analysis are based on the 171,275 number of covered establishments estimated by OFCCP in the agency's cost analysis. Subsequently, information obtained from the Department of Labor's Veterans Employment and Training Service (DOL-VETS) detailing tabulations of VETS-100A form filings indicates that the correct number of covered establishments (establishments of contractors with 50 or more total company employees) is 298,060. Based on the DOL-VETS count of covered establishments, the correct costs for each of

the regulation elements listed above would be 74% larger and the total annual compliance costs for the proposed rule would be \$888,246,501 in the first year and \$534,951,564 per year in each subsequent year.

The 108 companies that responded to the USCC/EEAC survey are larger in terms of employment and number of establishments operated than the typical Federal contractor company. To ensure that estimates of compliance costs are presented fairly and conservatively, the analysis reported here divides the company-based compliance costs calculated for the 108 survey respondents by the 78,555 total number of establishments operated by these companies to calculate a per establishment cost for each regulation element that is reasonable to extend to the broader universe of Federal contractors' establishments. To further ensure fairness and representativeness of data derived from the survey, the mean values for compliance hours and other direct costs used in these calculations are a reduced "trimmed" mean that was calculated by excluding the 10 highest and lowest responses for each item. In every case, the "trimmed mean" is a significantly smaller value than the full mean. Appendix A displays for each applicable survey question the number of valid responses, the full mean, median and trimmed mean values.

This report does not address in detail the putative benefits of the proposed regulation. OFCCP claims that the proposed rule would generate benefits by increasing employment of persons with disabilities, but OFCCP did not present any quantitative analysis to support that qualitative assertion. Given the significantly higher costs of compliance suggested by the USCC/EEAC survey, the question of monetized benefits in comparison to costs becomes a very important consideration. Further research could discover monetized estimates of the benefits of such a regulation and permit explicit comparison to costs for each regulation element. This is a task that OFCCP has not done and that should be done.

In the process of examining benefits in quantitative detail, OFCCP should consider the effect of compliance costs on the structure of the contractor universe. The fact that all establishments and employees of a Federal contractor are subject to OFCCP's rules, regardless of whether or not they directly work on Federal contract projects is an important factor affecting the benefits of OFCCP rules. This extends the protections of OFCCP rules to a significantly larger share of the U.S. labor force when larger and diverse companies participate in Federal contract work. The benefits of OFCCP rules are leveraged when companies with large non-Federal employment footprints are covered by these rules. However, companies with significant non-Federal activities must compete with other companies that are outside the Federal contractor community, both domestically and globally. Therefore, additional company-wide costs associated with Federal contractor status may be incorporated into the pricing of Federal contract bids. This will likely result in companies with relatively larger non-Federal workforces becoming at a competitive disadvantage in contract bidding compared to companies with workforces more concentrated in the Federal sector. The result could be a change in the structure of successful competitive bidders for Federal contractors toward companies with smaller non-Federal workforces and a consequent reduction in the total number of U.S. workers protected under the OFCCP regulatory umbrella. OFCCP should carefully consider whether compliance costs of proposed rules may paradoxically reduce the extent to which disabled persons are protected and reduce rather than increase the aggregate of social benefits produced.

**Summary and Analysis of Compliance Cost Estimates
for
OFCCP Proposed Rule
Regarding Affirmative Action and Related Obligations of
Employers with Respect to Persons with Disabilities**

**Comparison of OFCCP Calculation to Results from
USCC/EEAC Survey of Covered Employers**

**Prepared by Ronald Bird
March 18, 2013**

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OFCCP estimated that the proposed rule would cost between \$49.9 million and \$74.0 million per year across 36 distinct compliance elements, but provided no empirical evidence to justify its estimates of labor time or other direct costs associated with compliance. The USCC/EEAC analysis gathered detailed experience-based evidence of compliance labor time requirements and other direct costs from 108 companies that are government contractors covered by OFCCP's Section 503 regulation. The 108 companies surveyed employ altogether 4.5 million U.S. workers, 20.3% of the 22.2 million workers employed by companies covered by the proposed regulation. Analysis of compliance costs based on the survey results reveals significantly higher compliance costs than estimated by OFCCP. For the five most costly compliance elements identified by the survey, the comparison between first-year costs estimated by USCC/EEAC versus OFCCP estimates are as follows:

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The costs cited above for the USCC/EEAC survey analysis are based on the 171,275 number of covered establishments estimated by OFCCP in the agency's cost analysis. Subsequently, information obtained from the Department of Labor's Veterans Employment and Training Service (DOL-VETS) detailing tabulations of VETS-100A form filings indicates that the correct number of covered establishments (establishments of contractors with 50 or more total company employees) is 298,060. Based on the DOL-VETS count of covered establishments, the correct costs for each of the regulation elements listed above would be 74% larger and the total annual compliance costs for the proposed rule would be \$888,246,501 in the first year and \$534,951,564 per year in each subsequent year.

The 108 companies that responded to the USCC/EEAC survey are larger in terms of employment and number of establishments operated than the typical Federal contractor company. To ensure that estimates of compliance costs are presented fairly and conservatively, the analysis reported here divides the company-based compliance costs calculated for the 108 survey respondents by the 78,555 total number of establishments operated by these companies to calculate a per establishment cost for each regulation element that is reasonable to extend to the broader universe of Federal contractors' establishments. To further ensure fairness and representativeness of data derived from the survey, the mean values for compliance hours and other direct costs used in these calculations are a reduced "trimmed" mean that was calculated by excluding the 10 highest and lowest responses for each item. In every case, the "trimmed mean" is a significantly smaller value than the full mean. Appendix A displays for each applicable survey question the number of valid responses, the full mean, median and trimmed mean values.

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In the process of examining benefits in quantitative detail, OFCCP should consider the effect of compliance costs on the structure of the contractor universe. The fact that all establishments and employees of a Federal contractor are subject to OFCCP's rules, regardless of whether or not they directly work on Federal contract projects is an important factor affecting the benefits of OFCCP rules. This extends the protections of OFCCP rules to a significantly larger share of the U.S. labor force when larger and diverse companies participate in Federal contract work. The benefits of OFCCP rules are leveraged when companies with large non-Federal employment footprints are covered by these rules. However, companies with significant non-Federal activities must compete with other companies that are outside the Federal contractor community, both domestically and globally. Therefore, additional company-wide costs associated with Federal contractor status may be incorporated into the pricing of Federal contract bids. This will likely result in companies with relatively larger non-Federal workforces becoming at a competitive disadvantage in contract bidding compared to companies with workforces more concentrated in the

Federal sector. The result could be a change in the structure of successful competitive bidders for Federal contractors toward companies with smaller non-Federal workforces and a consequent reduction in the total number of U.S. workers protected under the OFCCP regulatory umbrella. OFCCP should carefully consider whether compliance costs of proposed rules may paradoxically reduce the extent to which disabled persons are protected and reduce rather than increase the aggregate of social benefits produced.

Section 1 of this report describes the background regarding the proposed regulation and the development of the USCC/EEAC survey.

Section 2 describes the USCC/EEAC survey and how its results were translated into establishment-level and national aggregate costs for each regulation element that are comparable to OFCCP estimates.

Section 3 addresses in detail the five most costly elements of the proposed regulations in terms of first-year costs derived from the USCC/EEAC survey and examines why OFCCP cost estimates are erroneous.

Four tables follow the text of this report and are referenced within the text: Table 1 shows for each of 36 regulation elements the first and subsequent (recurring) year costs of the proposed rule as estimated by OFCCP and as estimated based on the USCC/EEAC survey. Table 2 shows the detailed per establishment labor hour estimates, other direct cost estimates, and total costs by regulation element as calculated by OFCCP. Table 3 shows the detailed per establishment labor hour estimates, other direct cost estimates, and total costs by regulation element as calculated from the USCC/EEAC survey. Table 4 shows the comparison of OFCCP-based and USCC/EEAC survey-based costs for each regulation element when per establishment costs are multiplied by the larger number of covered establishments identified by DOL-VETS data (298,060).

Appendix A shows basic statistics for each question of the USCC/EEAC employer survey.

1. Background

The Department of Labor, Office of Federal Contract Compliance Programs has published a Notice of Proposed Rulemaking (NPRM) regarding Federal contractors' employment non-discrimination and affirmative action obligations under Section 503 of the Rehabilitation Act of 1973. OFCCP calculated compliance costs as being below the \$100 million per year threshold for an economically significant regulation under Executive Order 12866 and below the similar thresholds for major rules under the Small Business Regulatory Enforcement Fairness Act, the Unfunded Mandates Act and the Congressional Review Act.

In response to that NPRM, the U.S. Chamber of Commerce (USCC), the Equal Employment Advisory Council (EEAC), and others submitted comments in February 2012 pointing out the arbitrary and unfounded basis of OFCCP's calculation of estimated compliance time burdens and costs for the new regulatory requirements. Specifically, it was noted that OFCCP made numerous assumptions and assertions regarding the labor time and other costs that a typical contractor would incur to comply with the various new regulatory mandates, but OFCCP did not provide any empirical data from surveys, experiments or other credible sources to justify its assumptions and assertions. Furthermore, it was noted in comments that OFCCP had omitted consideration of significant cost elements.

During the public comment period, USCC and EEAC conducted a survey of member companies to ascertain their experience-based estimates of the costs of compliance with various elements of the proposed rule. Preliminary results of that survey were compiled and referenced in comments submitted by USCC and EEAC at that time, and showed that contrary to the sanguine compliance cost estimates published by OFCCP, the proposed rule would impose significant labor time burdens and direct cost burdens on contractors, and that the compliance costs of the proposed rule would clearly surpass the thresholds for economically significant and major regulations under the relevant Executive Order and statutes. The public comment period did not provide sufficient time for USCC and EEAC to compile and analyze all results from the employer survey, which was noted in comments submitted at that time. USCC and EEAC noted in comments that results of compiling and analyzing full survey responses would be offered for consideration when complete. This report summarizes the results of that full compilation and analysis of survey results. It also provides a side-by-side comparison with the calculations for each rule element made by OFCCP.

The OFCCP's proposed rule includes 36 discrete compliance items. OFCCP provided estimates of compliance costs for a "typical" contractor for 30 of these items. OFCCP provided estimates of one-time (startup) and annually recurring (maintenance/operations) labor time for each item. OFCCP also estimated one-time and recurring amounts for other direct (non-labor) costs, such as software modifications, equipment, forms, materials and supplies. Significantly, OFCCP identified non-labor direct cost for only three compliance items. As will be shown below, the failure to recognize the impact of its rulemaking on employers' automated information systems and organizational procedures was a major short-coming of the OFCCP analysis that was revealed by the USCC/EEAC employer survey.

OFCCP estimated that the typical contractor affected by the proposed regulation would incur a labor time burden of only 4.47 hours in one-time (start-up) effort and 7.88 hours of annually recurring labor time to comply with all 36 elements of the proposed regulation, for a total of 12.35 hours of effort the first year and 7.88 hours each subsequent year. OFCCP estimated one-time other (non-labor) direct costs of \$9.60 per contractor and recurring annual other direct costs of \$1.03 per year. Based on OFCCP's estimate that the compliance tasks could be accomplished by a blend of professional/managerial and administrative labor at a compensation cost of \$36.92 per hour and combined with the other direct costs, OFCCP estimated that the typical contractor would incur first year costs of \$432.49 and subsequent yearly costs of \$291.79 to fully comply with the proposed new rules. OFCCP applied these typical contractor cost estimates to its estimate of 171,275 covered contractors/establishments, resulting in estimated total economy-wide costs of \$74,074,722 for the first year and \$49,975,945 annual costs for future years.

2. USCC/EEAC Survey

The USCC/EEAC employer survey compiled detailed responses from 108 Federal contractor employers. In sum, the employers who responded to the survey employ 4.5 million workers, 20.3% of the estimated 22.2 million workers employed by covered Federal contractors (those with 50 or more total employment) according to estimates based on VETS Form 100A filings. Survey respondents ranged in total employment size from 81 to over 300,000. The mean total employment reported by survey respondents was 42,069 and the median was 22,541. It should be noted that OFCCP regulations regarding non-discrimination apply to all employment transactions of Federal contractors, regardless of whether or not the employee is directly involved in work under a Federal contract. The companies that responded to the USCC/EEAC survey reported operating 78,555 establishments, comprising 45.9% of the 171,275 establishments that OFCCP calculated as covered by the proposed regulation and 26.4% of the 298,060 covered

establishments based on VETS Form 100A data. The survey respondents reported 11,805 establishments with 50 or more employees, which comprised 15% of the total 78,555 establishments operated by the 108 companies.

The survey included detailed questions regarding both the labor time and other direct costs for initial compliance and for on-going compliance with specific elements of the proposed regulation. A list of the survey questions and summary of responses is attached to this report (Appendix A). For many items, the survey included questions to determine the extent to which employers are currently performing the actions that would be mandated by the proposed rule. Cost estimates derived from the USCC/EEAC employer survey were adjusted downward to reflect the estimated pre-rule compliance baseline. OFCCP did not provide any estimates of or adjustments for the pre-rule compliance baseline. Some Federal regulatory agencies have found that the strategy of issuing guidance prior to formal rulemaking results in voluntary action that increases the pre-rule compliance baseline and reduces the effective cost of eventual rulemaking. This strategy also facilitates evaluation research which provides the agency with useful information regarding the feasibility and effectiveness of various elements that may be considered for inclusion in an ultimate regulation. OFCCP does not appear to have considered such non-regulatory or pre-regulatory alternatives.

The survey asked companies to calculate compliance costs on a company-wide basis. This approach reflects the reality that some costs may be centralized and some dispersed across a large organization. The variations in responses reflected differences in total employment, numbers of discrete employment establishments, and differences in organization, centralization or decentralization of recruiting, hiring, records management, and other functions.

The 108 companies that responded to the USCC/EEAC survey are larger in terms of employment and number of establishments operated than the typical Federal contractor company. To ensure that estimates of compliance costs are presented fairly and conservatively, the analysis reported here divides the company-based compliance costs calculated for the 108 survey respondents by the 78,555 total number of establishments operated by these companies to calculate a per establishment cost for each regulation element that is reasonable to extend to the broader universe of Federal contractors' establishments. To further ensure fairness and representativeness of data derived from the survey, the mean values for compliance hours and other direct costs used in these calculations are a reduced "trimmed" mean that was calculated by excluding the 10 highest and lowest responses for each item. In every case, the "trimmed mean" is a significantly smaller value than the full mean. Appendix A displays for each applicable survey question the number of valid responses, the full mean, median and trimmed mean values.

- The 108 respondent companies reported average company-wide first year costs (one-time plus recurring) of \$2,167,603 per company, and altogether, for the 108 companies, these first-year costs amount to a grand total of \$234.1 million. This amount divided by the 78,555 establishments across the 108 companies, results in an average first year compliance cost of \$2,980 per establishment. This amount is in contrast to the \$432 amount per establishment calculated by OFCCP.
- The 108 respondent companies reported average company-wide recurring annual costs of \$1,305,451 per company, and altogether for the 108 companies, these recurring annual costs amount to a grand total of \$140.9 million. This amount divided by 78,555 establishment total results in an average annual recurring cost of \$1,795 per establishment. This amount is in contrast to the \$291.79 amount per establishment calculated by OFCCP.

Based on the OFCCP number of 171,275 covered establishments, the survey results of \$2,980 per establishment in first year costs and \$1,795 per year in annual recurring costs, result in total economy-wide compliance costs from survey estimates of

- **\$510,415,418 first year costs, and**
- **\$307,400,621 annual recurring costs.**

In addition, there were \$12,155,450 in first year costs and \$5,241,935 in recurring (subsequent year) costs that were identified by OFCCP for compliance elements that were not addressed by the USCC/EEAC survey. Adding these to the totals above brings the comprehensive cost total to \$522,570,868 for the first year and \$312,642,556 for each subsequent year.

The costs cited above for the USCC/EEAC survey analysis are based on the 171,275 number of covered establishments estimated by OFCCP in the agency's cost analysis. Subsequently, information obtained from the Department of Labor's Veterans Employment and Training Service (DOL-VETS) detailing tabulations of VETS-100A form filings indicates that the correct number of covered establishments (establishments of contractors with 50 or more total company employees) is 298,060. Based on the DOL-VETS count of covered establishments, the correct costs for each of the regulation elements listed above would be 74% larger and the total annual compliance costs for the proposed rule would be \$888,246,501 in the first year and \$534,951,564 per year in each subsequent year.

3. Five Most Costly Regulation Elements

For the five most costly compliance elements identified by the survey, the comparison between first-year costs estimated by USCC/EEAC versus OFCCP estimates are as follows:

Top Five Costly Compliance Elements	First year Cost	
	OFCCP	USCC/EEAC
60-741.44(b): Parts 1-3 -- review personnel processes and provide statement of reasons, accommodations, etc.	\$5,393,630	\$83,439,469
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60-741.44(f)(1)(ii): Contractor must enter into 3 linkage agreements	\$20,335,136	\$51,317,326

These five costliest elements of the proposed regulation account for \$34,223,064 (46.2%) of the first year compliance costs as calculated by OFCCP. They account for \$349,624,130 (68.5%) of the first year compliance costs as calculated based on the USCC/EEAC survey.

60-741.44(b): Parts 1-4 of the proposed regulation includes requirements for employers to annually review personnel processes with respect to the selection of persons with disabilities for job openings and training opportunities and accommodations granted or denied. To comply with Parts 1-3 of this requirement the employer must create and maintain files for each applicant and employee who is a person with disability to identify all positions or training opportunities for which the person was considered and reasons for non-selection. Accommodation requests granted and denied, with

reasons, must also be recorded. Part 4 requires the employer to annually review the physical and mental qualifications for each job.

OFCCP estimated the total compliance cost for Parts 1 through 4 at \$5,393,630, based on an estimate that for the typical covered employer establishment all of the positions for which all persons with disabilities (including job applicants and employees) had been considered and the reasons for rejecting them over the course of a year could be identified with only 30 minutes of labor effort and that the nature and types of accommodation requests could be determined in 21 minutes per contractor (i.e., .35 hours = 60,524 (the total hours calculated by OFCCP) divided by 171,275 covered establishments. Since OFCCP assumed that each accommodation request will require 30 minutes to process, this result implies that the typical contractor will process less than one accommodation request per year on average. For the combined tasks of the annual personnel process review, therefore, OFCCP estimated a total of 0.85 hours per year per contractor (146,162 total hours / 171,275 contractors).

The USCC/EEAC survey respondents on average estimated (survey questions 40- 43) that it would require 4.5 to 6.4 hours per year per person with disability to set up and maintain over the course of each year and analyze an individual file in which is identified each of the positions or opportunities for which the individual was considered. The lower value, 4.5 hours per person was used for these calculations. Based on the assumption that companies would attain the 7% target for employment of persons with disabilities, the number of persons for whom such records would annually be constructed was estimated as 1,965 per respondent company, equal to .07 times 28,079, the trimmed mean of survey respondent company employment. At 4.5 hours per person, total annual hours per respondent company was estimated as 8,756 hours per year, or 12 hours per establishment (8,756 x 108/78,555). Based on the OFCCP compensation rate of \$36.92 per hour and extended to 171,275 total covered establishments (the OFCCP estimate), the labor cost for compliance was estimated as \$69.7 million per year. In addition, survey respondents estimated one-time costs of \$63,320 per company for information systems and infrastructure modifications, resulting in a total first year cost including both recurring labor and systems costs of \$83.4 million for Parts 1 through 3 of the 60-741.44(b) requirement.

For the calculations above, it was assumed that the task creating, maintaining and analyzing records could be limited to the number of employees who are identified as having a disability, and that number was assumed to be 7% of average total employment. However, 73% of survey respondents (question 44) stated that it would be impossible to create and maintain such records only for the subpopulation of the workforce with a disability. In that case, it would be necessary to annually create and maintain such files, including identification of positions for which the employee was considered and the reasons for non-selection for EVERY employee. This could potentially multiply the annual cost by a factor of 14. Further, the computations made here were based only on employees and did not add in the additional costs of creating, maintaining and analyzing data for job applicants who were never hired.

60-741.44(b): Survey respondents were asked separately regarding the annual costs of review of job physical and mental requirements. On the company-wide basis the trimmed mean of respondent estimates of internal labor time for this task was 1,713 hours per year, reflecting the likely involvement of several human resource management staff members over several weeks. Respondents also estimated recurring annual other direct costs for consultants and specialized services averaging \$290,298 per company. On the per establishment basis these amounts were 2.4 hours and \$399 per establishment, resulting in aggregate costs for 171,275 establishments of \$80.9 million per year.

This annual review of physical and mental qualifications is an example of a requirement in the proposed regulation for which significant annual compliance burden reduction could be achieved by the simple expedient of making the review cycle multi-year instead of every year.

60-741.42(a). OFCCP estimated the cost of compliance with the requirement to extend an invitations to all applicants to self-identify as disabled to be \$2,171,168 as a one-time cost to modify forms and job application systems. This cost was based on the assumption that the typical establishment's forms and systems could be modified to extend the invitation in just 5 minutes. Respondents to the USCC/EEAC survey estimated that modification of systems to comply with the pre-offer invitation to each applicant as requiring 254 hours of internal labor effort to plan and implement company-wide changes in procedures and systems. In addition, the respondents estimated company-wide other direct costs of \$260,657 for information system modifications. On a per establishment basis, these survey results translated to \$350.56 per establishment or a national aggregate of \$60 million. In addition, survey respondents pointed out that there would be increased recurring costs to operate and maintain the modified systems to solicit self-identification information, including recording, analyzing and maintaining confidentiality of such personal information. These recurring costs were estimated as 15% of the initial cost, or \$9.0 million per year, resulting in a total first year cost for this element of \$69 million.

60-741.44(k): OFCCP estimated the cost of the requirement that employers make and record quantitative tabulations and comparisons of ten data points, including referral, applicant, hiring and openings data and maintain these records as \$6.3 million per year. This estimate was based on the assumption that this task could be accomplished for the typical covered establishment by one hour per year of labor effort. Respondents to the USCC/EEAC survey reported that compliance with this requirement entails considerable labor and other direct cost to create or modify information systems and procedures to track, compile and tabulate the required data items. On a company-wide basis, the survey results indicated 602 hours of one-time internal labor and \$219,569 in other direct costs for systems design, modification, and implementation. On a per establishment basis this translates to \$332 per establishment. In addition, recurring costs equivalent to 15% of the initial cost were estimated to cover system operation and maintenance. Altogether, the survey results estimated first year costs of \$64.8 million and recurring costs of \$8.5 million for this requirement.

60-741.44(f)(1)(ii). The requirement to enter into and maintain three linkage agreements for each establishment is an especially problematic element of the proposed rule. OFCCP estimated that the requirement would entail 3.22 hours per year of direct labor per establishment to set up and maintain three agreements. OFCCP's calculation of \$20,335,136 is large relative to the total cost for all elements computed by the agency: amounting to 27% of total first year costs calculated by OFCCP. The \$51.3 million first year cost for linkage agreements based on the USCC/EEAC survey represents 10% of costs derived from survey responses. The survey cost estimate includes separate components for linkage set up and for maintenance. The survey estimate of 6,254 hours per company for the initial set up (first year) of linkage agreement was calculated a 7.5 hours per agreement x 3 agreements x 277, the trimmed mean of number of establishments per respondent company. The recurring annual burden of 5,739 hours per company was calculated as 6.9 hours per agreement x 3 agreements x 277 establishments. On the per establishment basis, the survey cost for this item was calculated as \$299.62 per establishment for the initial year and \$274.95 per establishment each subsequent year, compared to OFCCP estimate of \$118.73.

Table 1: Total Compliance Cost

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	<i>Based on OFCCP estimate of 171,275 covered units</i>	OFCCP Estimate		USCC/EEAC Survey-based Estimate	
	Regulation Compliance element	First Year	Recurring Annually	First Year	Recurring Annually
1	60-741.44(f)(1)(ii): Contractor must enter into 3 linkage agreements with nearest SVRA, and one of each of two categories of listed organizations. Also includes documentation requirement and keeping records 5 years	\$20,335,136	\$20,335,136	\$51,317,326	\$47,092,327
2	self-review effectiveness of outreach efforts -- does not include documentation time (10 minutes) listed below separately as part of PWRA items -- includes distinct evaluation of each linkage agreement effectiveness	\$3,129,945	\$3,129,945	\$3,986,527	\$3,986,527
3	Annually document review outreach and recruiting efforts, evaluate effectiveness, and identify and implement further efforts if existing ineffective.	\$1,043,303	\$1,043,303		
4	60-741.44(g): Discuss affirmative action policy at employee orientation or training	\$2,105,602	\$526,928	\$24,858,926	\$23,825,899

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Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
5	Document training efforts and maintain documents -- relates to 44j general ee training re AAP and specif training for mgrs and others involved in recruiting, screening, hiring, promotion or discipline. 44 j includes documentation requirements.	\$526,928	\$526,928		
6	specific training for those involved in recruitment, screening, hiring, promotion and related activities	\$4,217,528	\$2,105,602	\$42,378,634	\$41,176,358
7	develop and implement specific reasonable accommodation policy as part of written affirmative action plan	\$11,381,672	\$0	\$30,835,534	\$12,240,784
8	Develop and implement reasonable accommodation procedures	\$3,161,565	\$3,161,565		
9	Identify responsible official for implementation of reasonable accommodation procedures	\$5,279	\$0		
10	Oversight of implementation of reasonable accommodation procedures by identified responsible official	\$0	\$0		

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	Regulation Compliance element	First Year	Recurring Annually	First Year	Recurring Annually
11	Disseminate reasonable accommodation procedures	\$1,580,783	\$0		
12	Acknowledge in writing requests for reasonable accommodations	\$0	\$0		
13	Provide written statement of reasons when reasonable accommodation request is denied	\$0	\$0		
14	Contractor must train managers and supervisors re reasonable accommodation	\$526,928	\$526,928		
15	on request for accommodation provide Brail, large print or other version of EO poster for visually impaired	\$744,821	\$744,821		
16	provide Braille (or other equivalent) copies of Affirmative Action policy statement to visually impaired persons	\$916,096	\$916,096		
17	posting notice for employees at sites other than contractor's physical location				
18	add individuals with disabilities to existing statement attached to all solicitations regarding EEO employers status	\$526,928	\$0		
19	include entire EEO clause verbatim in Federal contracts	\$526,928	\$0		

Table 1: Total Compliance Cost

Table 1: Total Compliance Cost					
<i>Based on OFCCP estimate of 171,275 covered units</i>		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
20	inform employees who do not work at contractor's physical location regarding availability of AAP for review				
21	60-741.42(a)&(b): Invite all applicants to self-identify as individuals with disabilities prior to and subsequent to offer of employment	\$2,171,168	\$0		
	60-741.42(a): Pre-offer invitation includes data maintenance system modifications			\$69,057,088	\$9,007,446
	60-741.42(b): Post-offer invitation includes data maintenance system modifications			\$10,682,505	\$1,393,370
22	annually survey of all employees to solicit self-identification of disability status	\$526,928	\$0	\$36,563,697	\$4,769,178
23	maintain self-identification data from applicants, offerees and employees--not including analysis of the data.	\$105,386	\$105,386		

Table 1: Total Compliance Cost

Based on OFCCP estimate of 171,275 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
		First Year	Recurring Annually	First Year	Recurring Annually
24	60-741.44(b): Parts 1-3 - review personnel processes re vacancies for which applicants and employees with disabilities were considered and provide (2) a statement of reasons persons with disability were rejected, including description of accommodations considered for those rejected, (3) describing accommodations for individuals with disabilities who WERE selected for hire, promotion or training,	\$5,393,630	\$5,393,630	\$83,439,469	\$69,771,833
	60-741.44(b): Part 4 -- review physical and mental qualifications			\$80,942,355	\$80,942,355
25	Contractor must list job openings with nearest one-stop center	\$0	\$0	\$4,663,912	\$4,663,912
26	Contractor must send written notification of company AAP policy to subcontractors, vendors and suppliers	\$526,928	\$526,928	\$69,603	\$69,603

Table 1: Total Compliance Cost

Table 1: Total Compliance Cost					
<i>Based on OFCCP estimate of 171,275 covered units</i>		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
27	if union workplace, contractor must hold meeting with union officials to inform them of AAP	\$388,857	\$388,857		
28	Undertake other efforts to internally disseminate EEO policy				
29	Document internal dissemination of AAP information and retain records	\$526,928	\$526,928		
30	Document actions taken to comply with audit and reporting system requirements and retain records.	\$526,928	\$526,928		
31	60-741.44(k): Ten Data Points. Make and record quantitative tabulations and comparisons of referral, applicant, hiring and openings data and maintain these records.	\$6,323,130	\$6,323,130	\$64,867,892	\$8,461,029
32	Contractor must set hiring goals consistent with the 7% target set by OFCCP	\$6,850,058	\$3,161,565		

Table 1: Total Compliance Cost

Based on OFCCP estimate of 171,275 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
		First Year	Recurring Annually	First Year	Recurring Annually
	Regulation Compliance element				
33	<i>Contractor must conduct annual utilization analysis to evaluate the representation of individuals with disabilities in each job group in comparison to the OFCCP established 7% utilization goal or higher goal if adopted by the employer.</i>				
34	<i>Institute action-oriented programs when the percentage of individuals with disabilities in one or more job groups is less than the utilization in accordance with 60-741.46(e)</i>				
35	Provide copy of AAP to OFCCP when requested for desk audit	\$5,344	\$5,344		
36	<i>Make on line job applic sys compatible w assistive technologies for persons with disabilities</i>			\$6,751,950	
	Total costs identified by USCC/EEAC survey	\$74,074,722	\$49,975,945	\$510,415,418	\$307,400,621
	Costs calculated by OFCCP and NOT covered by survey questions	\$12,155,450	\$5,241,935		
	Add costs calculated by OFCCP and not covered by survey to alternate cost computation			\$522,570,868	\$312,642,556

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1) regular face identified by OFCCP (2) boldface not identified by ofccp	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
1	Contractor must enter into 3 linkage agreements with nearest SVRA, and one of each of two categories of listed organizations. Also includes documentation requirement and keeping records 5 years	60-741.44(f)(1)(ii)		3.22		\$118.73			\$0.00	\$118.73	\$118.73
2	self-review effectiveness of outreach efforts --- does not include documentation time (10 minutes) listed below separately as part of PWRA items -- includes distinct evaluation of each linkage agreement effectiveness	60-741.44(f)(3)	0.00	0.49		\$18.27	\$0.00		\$0.00	\$18.27	\$18.27

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1) regular face identified by OFCCP (2) boldface not identified by ofccp	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
3	Annually document review outreach and recruiting efforts, evaluate effectiveness, and identify and implement further efforts if existing ineffective.	60-741.44(f)(3)		0.16		\$6.09			\$0.00	\$6.09	\$6.09
4	Discuss affirmative action policy at employee orientation or training	60-741, 44(g)	0.33	0.08	\$12.29	\$3.08			\$12.29	\$3.08	\$12.29
5	Document training efforts and maintain documents -- relates to 44j general ee training re AAP and specif training for mgrs and others involved in recruiting, screening, hiring, promotion or discipline. 44 j includes documentation requirements.	60-741.44(j)		0.08		\$3.08			\$0.00	\$3.08	\$3.08

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1) regular face identified by OFCCP (2) boldface <i>not identified by ofccp</i>	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
6	specific training for those involved in recruitment, screening, hiring, promotion and related activities	60-741.44(j)	0.67	0.33	\$24.62	\$12.29			\$24.62	\$12.29	\$24.62
7	develop and implement specific reasonable accommodation policy as part of written affirmative action plan	60-741.45	1.80		\$66.45				\$66.45	\$0.00	\$66.45
8	Develop and implement reasonable accommodation procedures	60-741.45(a)		0.50		\$18.46			\$0.00	\$18.46	\$18.46
9	Identify responsible official for implementation of reasonable accommodation procedures	60-741.4(c)	0.00		\$0.03				\$0.03	\$0.00	\$0.03
10	<i>Oversight of implementation of reasonable accommodation procedures by identified</i>										

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1)reg face identified by OFCCP (2) boldface not identified by ofccp	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
	<i>responsible official.</i>										
11	Disseminate reasonable accommodation procedures	60-741.45(c)	0.25		\$9.23				\$9.23	\$0.00	\$9.23
12	<i>Acknowledge in writing requests for reasonable accommodations</i>										
13	<i>Provide written statement of reasons when reasonable accommodation request is denied</i>										
14	Contractor must train managers and supervisors re reasonable accommodation	60-741.45(e)		0.08		\$3.08			\$0.00	\$3.08	\$3.08
15	on request for accommodation provide Brailled, large print or other version of EO poster for visually	60-741.5		0.12		\$4.35			\$0.00	\$4.35	\$4.35

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1) regular face identified by OFCCP (2) boldface <i>not identified by ofccp</i>	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
	impaired										
16	provide Braille (or other equivalent) copies of Affirmative Action policy statement to visually impaired persons	60-741.44(a)		0.12		\$4.35		\$1.00	\$0.00	\$5.35	\$5.35
17	posting notice for employees at sites other than contractor's physical location	60-741.5		0.00					\$0.00	\$0.00	\$0.00
18	add individuals with disabilities to existing statement attached to all solicitations regarding EEO employers status	60-741.5	0.08		\$3.08				\$3.08	\$0.00	\$3.08
19	include entire EEO clause verbatim in Federal contracts	60-741.5	0.08		\$3.08				\$3.08	\$0.00	\$3.08
20	inform employees who do not work at contractor's physical		0.00	0.00					\$0.00	\$0.00	\$0.00

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1)reg face identified by OFCCP (2) boldface not identified by ofccp	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
	location regarding availability of AAP for review										
21	invite all applicants to self identify as individuals with disabilities prior to and subsequent to offer of employment	60-741.42(a) &(b)	0.08		\$3.08		\$9.60		\$12.68	\$0.00	\$12.68
	Pre-offer invitation includes data maintenance sys										
	Post-offer invitation includes data maintenance sys										
22	annually survey of all employees to solicit self identification of disability status	60-741.42(c)	0.08	0.00	\$3.08				\$3.08	\$0.00	\$3.08
23	maintain self-identification data from applicants, offerees and employees--not including analysis of the data.	60-741.42€		0.02		\$0.62			\$0.00	\$0.62	\$0.62

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1) regular face identified by OFCCP (2) boldface not identified by ofccp	cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
24	annually review and analyze personnel processes to (1) identify vacancies for which applicants and employees with disabilities were considered and provide (2) a statement of reasons persons with disability were rejected, including description of accommodations considered for those rejected, (3) describing accommodations for individuals with disabilities who WERE selected for hire, promotion or training, (4) review physical and mental qualifications of all jobs to ensure and document job relatedness and	60-741.44(b)		0.85		31.49			0.00	31.49	31.49

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1)reg face identified by OFCCP (2) boldface not identified by ofccp	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
	consistent with business necessity, and (5) document any "direct threat" employment actions taken.										
25	Contractor must list job openings with nearest one-stop center	60-741.44(f)(1)(i)		0.00					\$0.00	\$0.00	
26	Contractor must send written notification of company AAP policy to subcontractors, vendors and suppliers	60.741.44(f)(1)(iii)		0.08		\$3.08			\$0.00	\$3.08	\$3.08
27	if union workplace, contractor must hold meeting with union officials to inform them of AAP	60-741-44(g)		0.06		\$2.27			\$0.00	\$2.27	\$2.27
28	<i>Undertake other efforts to internally disseminate EEO policy</i>										

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1) regular face identified by OFCCP (2) boldface <i>not identified by ofccp</i>	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
29	Document internal dissemination of AAP information and retain records	60.7 41.4 4(g)(3)		0.08		\$3.08			\$0.00	\$3.08	\$3.08
30	Document actions taken to comply with audit and reporting system requirements and retain records.	60-741.44(h)		0.08		\$3.08			\$0.00	\$3.08	\$3.08
31	TEN DATA POINTS Make and record quantitative tabulations and comparisons of referral, applicant, hiring and openings data and maintain these records.	60-741.44(k)		1.00		\$36.92			\$0.00	\$36.92	\$36.92
32	Contractor must set hiring goals consistent with the 7% target set by OFCCP	60-741.46	1.08	0.50	\$39.99	\$18.46			\$39.99	\$18.46	\$39.99

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1)reg face identified by OFCCP (2) boldface not identified by ofccp	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
33	<i>Contractor must conduct annual utilization analysis to evaluate the representation of individuals with disabilities in each job group in comparison to the OFCCP established 7% utilization goal or higher goal if adopted by the employer.</i>										
34	<i>Institute action-oriented programs when the percentage of individuals with disabilities in one or more job groups is less than the utilization in accordance with 60-741.46(e)</i>										
35	Provide copy of AAP to OFCCP when requested for desk audit							\$0.03	\$0.00	\$0.03	\$0.03
36	<i>Make on line job applic sys compatible w assistive technologies for</i>										

Table 2: OFCCP Compliance Cost Estimates

Item	Cost Elements (1) regular face identified by OFCCP (2) boldface <i>not identified by ofccp</i>	Cite	OFCCP Compliance Time estimate (hours)		OFCCP Dollar Value of Compliance Time		OFCCP Estimates of Other Direct Costs		Total OFCCP Compliance Cost Estimate		First year cost per OFCCP
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
	<i>persons with disabilities</i>										
	Total per establishment		4.47	7.88	\$164.93	\$290.76	\$9.60	\$1.03	\$174.53	\$291.79	\$432.49

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
		One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
60-741.44(f)(1)(ii): Contractor must enter into 3 linkage agreements with nearest SVRA, and one of each of two categories of listed organizations. Also includes documentation requirement and keeping records 5 years	5.6 %	8.6	7.9	\$317.42	\$291.29	\$0.00	\$0.00	\$317.42	\$291.29	\$299.62	\$274.95	\$299.62

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
		One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
<p>Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them</p>												
<p>2 self-review effectiveness of outreach efforts --- does not include documentation time (10 minutes) listed below separately as part of PWRA items -- includes distinct evaluation of each linkage agreement effectiveness</p>												
<p>3 Annually document review outreach and recruiting efforts, evaluate effectiveness, and identify and implement further efforts if existing ineffective.</p>	5.6 %	0.0	0.7	\$0.00	\$24.66	\$0.00	\$0.00	\$0.00	\$24.66	\$0.00	\$23.28	\$23.28

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them													
	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost	
		One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr	
4	discuss affirmative action policy at employee orientation or training	0.0 %	0.2	4.8	\$6.03	\$139.11	\$0.00	\$0.00	\$6.03	\$139.11	\$6.03	\$139.11	\$145.14
5	Document training efforts and maintain documents -- relates to 44j general ee training re AAP and specific training for mgrs and others involved in recruiting, screening, hiring, promotion or discipline. 44 j includes documentation requirements.	0.0 %	0.0	0.0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

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	Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
6	specific training for those involved in recruitment, screening, hiring, promotion and related activities	0.0 %	0.2	6.5	\$7.02	\$240.41	\$0.00	\$0.00	\$7.02	\$240.41	\$7.02	\$240.41	\$247.43
7	develop and implement specific reasonable accommodation policy as part of written affirmative action plan												
8	Develop and implement reasonable accommodation procedures	22.2%	0.3	2.5	\$9.64	\$91.89	\$129.94	\$0.00	\$139.59	\$91.89	\$108.57	\$71.47	\$180.04
9	Identify responsible official for implementation of reasonable accommodation procedures												

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

	Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
10	Oversight of implementation of reasonable accommodation procedures by identified responsible official												
11	Disseminate reasonable accommodation procedures												
12	Acknowledge in writing requests for reasonable accommodations												
13	Provide written statement of reasons when reasonable accommodation request is denied												

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

	Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
14	Contractor must train managers and supervisors re reasonable accommodation												
15	on request for accommodation provide Brail, large print or other version of EO poster for visually impaired												
16	provide Braille (or other equivalent) copies of Affirmative Action policy statement to visually impaired persons												
17	posting notice for employees at sites other than contractor's physical location												

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

	Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	
18	add individuals with disabilities to existing statement attached to all solicitations regarding EEO employers status												
19	include entire EEO clause verbatim in Federal contracts												
20	inform employees who do not work at contractor's physical location regarding availability of AAP for review												
21	invite all applicants to self identify as individuals with disabilities prior to and subsequent to offer of employment												

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
		One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them												
Pre-offer invitation includes data maintenance sys	5.6 %	0.3	0.1	\$12.87	\$1.93	\$358.36	\$53.75	\$371.23	\$55.68	\$350.60	\$52.59	\$403.19
Post-offer invitation includes data maintenance sys	53.7 %	0.2	0.0	\$8.17	\$1.23	\$108.97	\$16.35	\$117.15	\$17.57	\$54.24	\$8.14	\$62.37
2 2 annually survey of all employees to solicit self identification of disability status	8.3 %	0.5	0.1	\$18.72	\$2.81	\$183.72	\$27.56	\$202.44	\$30.37	\$185.63	\$27.85	\$213.48
2 3 maintain self-identification data from applicants, offerees and employees--not including analysis of the data.		0.0	0.0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
		One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
Parts 1-3 - review personnel processes re vacancies for which applicants and employees with disabilities were considered and provide (2) a statement of reasons persons with disability were rejected, including description of accommodations considered for those rejected, (3) describing accommodations for individuals with disabilities who WERE selected for hire, promotion or training,	8.3 %	0.0	12.0	\$0.00	\$444.40	\$87.05	\$0.00	\$87.05	\$444.40	\$79.80	\$407.37	\$487.17

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment													
	Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
			One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
	Part 4 -- review physical and mental qualifications	2.8 %	0.0	2.4	\$0.00	\$86.98	\$0.00	\$399.11	\$0.00	\$486.09	\$0.00	\$472.59	\$472.59
25	Contractor must list job openings with nearest one-stop center	60.2 %	0.0	1.9	\$0.00	\$68.39	\$0.00	\$0.00	\$0.00	\$68.39	\$0.00	\$27.23	\$27.23
26	Contractor must send written notification of company AAP policy to subcontractors, vendors and suppliers	16.7 %	0.0	0.0	\$0.00	\$0.49	\$0.00	\$0.00	\$0.00	\$0.49	\$0.00	\$0.41	\$0.41
27	if union workplace, contractor must hold meeting with union officials to inform them of AAP												

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them												
	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
		One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
28												
29												
30												
31	0.9%	0.8	0.1	\$30.54	\$4.58	\$301.87	\$45.28	\$332.41	\$49.86	\$329.34	\$49.40	\$378.74

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
		One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
3 2	Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them											
3 3	Contractor must set hiring goals consistent with the 7% target set by OFCCP											
3 3	Contractor must conduct annual utilization analysis to evaluate the representation of individuals with disabilities in each job group in comparison to the OFCCP established 7% utilization goal or higher goal if adopted by the employer.	0.0 %	0.0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Table 3: Survey Response Based Cost Estimates Per Respondent Establishment

Based on aggregate company-wide costs for the 108 respondent companies divided by 78,555 total establishments operated by them	Base line	Compliance Time Estimate Based on Employer Survey (hours)		Dollar Value of Compliance Time Based on Employer Survey		Other Direct Costs Based on Employer Survey		Total Compliance Cost Estimate Based on Employer Survey		Total Compliance Cost net of baseline compliance		First year compliance cost
		One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	One-time	Recurring	one+recurr
Total per establishment		11.1	38.9	\$410.42	\$1,398.16	\$1,251.87	\$542.05	\$1,662.29	\$1,940.21	\$1,460.27	\$1,794.78	\$2,980.09

Table 4: Total Compliance Cost -- Alternate Establishment Count

Based on VETS estimate of 298,060 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
1	Contractor must enter into 3 linkage agreements with nearest SVRA, and one of each of two categories of listed organizations. Also includes documentation requirement and keeping records 5 years	\$35,388,064	\$35,388,064	\$89,304,581	\$81,952,059
2	self-review effectiveness of outreach efforts --- does not include documentation time (10 minutes) listed below separately as part of PWRA items -- includes distinct evaluation of each linkage agreement effectiveness	\$5,446,863	\$5,446,863	\$6,937,524	\$6,937,524
3	Annually document review outreach and recruiting efforts, evaluate effectiveness, and identify and implement further efforts if existing ineffective.	\$1,815,599	\$1,815,599	\$0	\$0
4	discuss affirmative action policy at employee orientation or training	\$3,664,258	\$916,982	\$43,260,554	\$41,462,836

Table 4: Total Compliance Cost -- Alternate Establishment Count					
Based on VETS estimate of 298,060 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
5	Document training efforts and maintain documents -- relates to 44j general ee training re AAP and specif training for mgrs and others involved in recruiting, screening, hiring, promotion or discipline. 44 j includes documentation requirements.	\$916,982	\$916,982		
6	specific training for those involved in recruitment, screening, hiring, promotion and related activities	\$7,339,521	\$3,664,258	\$73,749,092	\$71,656,840
7	develop and implement specific reasonable accommodation policy as part of written affirmative action plan	\$19,806,867	\$0	\$53,661,300	\$21,301,930
8	Develop and implement reasonable accommodation procedures	\$5,501,890	\$5,501,890		
9	Identify responsible official for implementation of reasonable accommodation procedures	\$9,187	\$0		
10	<i>Oversight of implementation of reasonable accommodation procedures by identified responsible official</i>	\$0	\$0		

Table 4: Total Compliance Cost -- Alternate Establishment Count

Based on VETS estimate of 298,060 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
	Regulation Compliance element	First Year	Recurring Annually	First Year	Recurring Annually
11	Disseminate reasonable accommodation procedures	\$2,750,945	\$0		
12	<i>Acknowledge in writing requests for reasonable accommodations</i>	\$0	\$0		
13	<i>Provide written statement of reasons when reasonable accommodation request is denied</i>	\$0	\$0		
14	Contractor must train managers and supervisors re reasonable accommodation	\$916,982	\$916,982		
15	on request for accommodation provide Brail, large print or other version of EO poster for visually impaired	\$1,296,168	\$1,296,168		
16	provide Braille (or other equivalent) copies of Affirmative Action policy statement to visually impaired persons	\$1,594,228	\$1,594,228		
17	posting notice for employees at sites other than contractor's physical location				
18	add individuals with disabilities to existing statement attached to all solicitations regarding EEO employers status	\$916,982	\$0		
19	include entire EEO clause verbatim in Federal contracts	\$916,982	\$0		

Table 4: Total Compliance Cost -- Alternate Establishment Count					
Based on VETS estimate of 298,060 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
20	inform employees who do not work at contractor's physical location regarding availability of AAP for review				
21	invite all applicants to self identify as individuals with disabilities prior to and subsequent to offer of employment	\$3,778,358	\$0		
	Pre-offer invitation includes data maintenance sys			\$120,176,067	\$15,675,139
	Post-offer invitation includes data maintenance sys			\$18,590,146	\$2,424,802
22	annually survey of all employees to solicit self identification of disability status	\$916,982	\$0	\$63,629,692	\$8,299,525
23	maintain self-identification data from applicants, offerees and employees--not including analysis of the data.	\$183,396	\$183,396		

Table 4: Total Compliance Cost -- Alternate Establishment Count

Based on VETS estimate of 298,060 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
24	Parts 1-3 - review personnel processes re vacancies for which applicants and employees with disabilities were considered and provide (2) a statement of reasons persons with disability were rejected, including description of accommodations considered for those rejected, (3) describing accommodations for individuals with disabilities who WERE selected for hire, promotion or training,	\$9,386,224	\$9,386,224	\$145,204,894	\$121,419,895
	Part 4 -- review physical and mental qualifications	\$0	\$0	\$140,859,310	\$140,859,310
25	Contractor must list job openings with nearest one-stop center	\$0	\$0	\$8,116,338	\$8,116,338
26	Contractor must send written notification of company AAP policy to subcontractors, vendors and suppliers	\$916,982	\$916,982	\$121,126	\$121,126

Table 4: Total Compliance Cost -- Alternate Establishment Count					
Based on VETS estimate of 298,060 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
27	if union workplace, contractor must hold meeting with union officials to inform them of AAP	\$676,706	\$676,706		
28	Undertake other efforts to internally disseminate EEO policy	\$0	\$0		
29	Document internal dissemination of AAP information and retain records	\$916,982	\$916,982		
30	Document actions taken to comply with audit and reporting system requirements and retain records.	\$916,982	\$916,982		
31	TEN DATA POINTS Make and record quantitative tabulations and comparisons of referral, applicant, hiring and openings data and maintain these records.	\$11,003,779	\$11,003,779	\$112,885,849	\$14,724,241
32	Contractor must set hiring goals consistent with the 7% target set by OFCCP	\$11,920,761	\$5,501,890		

Table 4: Total Compliance Cost -- Alternate Establishment Count					
Based on VETS estimate of 298,060 covered units		OFCCP Estimate		USCC/EEAC Survey-based Estimate	
Regulation Compliance element		First Year	Recurring Annually	First Year	Recurring Annually
33	<i>Contractor must conduct annual utilization analysis to evaluate the representation of individuals with disabilities in each job group in comparison to the OFCCP established 7% utilization goal or higher goal if adopted by the employer.</i>				
34	<i>Institute action-oriented programs when the percentage of individuals with disabilities in one or more job groups is less than the utilization in accordance with 60-741.46(e)</i>				
35	Provide copy of AAP to OFCCP when requested for desk audit	\$9,300	\$9,300		
36	<i>Make on line job applic sys compatible w assistive technologies for persons with disabilities</i>			\$11,750,029	
	Total	#####	\$86,970,254	\$888,246,501	\$534,951,564
	Costs calculated by OFCCP and NOT covered by survey questions	\$21,153,428	\$9,122,236		
	Add costs calculated by OFCCP and not covered by survey to alternate cost computation			\$909,399,929	\$544,073,801

Appendix A

USCC/ EEAC Survey of Employers Regarding Compliance with Proposed OFCCP Disability Affirmative Action Regulations

<i>To facilitate presentation, questions with free-form numeric responses are presented below first, questions with yes/no responses are presented next, and questions with multiple choice responses are presented last in this listing.</i>	Number Valid Responses	mean	median	trimmed mean (excl. 10 highest and lowest)				
Question 3: How many total employees did your company or organization report on its most recent (2011) consolidated Employer Information Report (EEO-1)?	108	42,069	22,541	28,079				
Question 5: Approximately how many total U.S. locations did you operate in 2011?	102	763	157	277				
Question 6: Approximately how many of these U.S. locations employed 50 or more employees?	104	114.6	45	65.7				
Question 7: Approximately how many AAPs did you prepare in 2011?	107	97.6	40	63.1				
Question 9: total number of disabled employees as of the most recent date available.	65	350.6	69	104.2				
Question 10: Approximately how many job openings did your company or organization fill in 2011?	101	11,130	3,000	4,458				
Question 11: Approximately how many job applications did your company or organization receive in 2011?	92	402,348	1,600	161,185				
Question 14: If you do not extend pre-offer invitations to self-identify disability status, or if you do not maintain a centralized database of responses to these pre-offer invitations, approximately how many hours would it take to design, build, test, an	93	565	200	254				
Question 15: Please provide your best estimate as to the total additional financial costs of designing, building, testing, and implementing these systems, forms, and procedures.	79	\$260,657	\$25,000	\$49,090				
Question 18: If you do not extend post-offer, pre-employment invitations to self-identify disability status, or if you do not maintain a centralized database of responses to these post-offer, pre-employment invitations, approximately how many hours would	40	466	160	161				

Appendix A

USCC/ EEAC Survey of Employers Regarding Compliance with Proposed OFCCP Disability Affirmative Action Regulations

<i>To facilitate presentation, questions with free-form numeric responses are presented below first, questions with yes/no responses are presented next, and questions with multiple choice responses are presented last in this listing.</i>	Number Valid Responses	mean	median	trimmed mean (excl. 10 highest and lowest)					
Question 19: Please provide your best estimate as to the total additional financial costs of designing, building, testing, and implementing these systems, forms, and procedures.	43	\$79,263	\$20,000	\$25,680					
Question 23: If you do not survey all employees as to their disability status, or if you do not maintain a centralized database of responses to your current surveys, approximately how many hours would it take to design, build, test, and implement the syst	82	7311	200	369					
Question 24: Please provide your best estimate as to the total financial costs of designing, building, testing, and implementing these systems, forms, and procedures.	73	\$133,628	\$25,000	\$48,093					
Question 27: If yes, approximately how much did it cost to make the system compatible?	15	\$443,067	\$50,000	\$76,000					
Question 48: If yes (currently do perform and document annual reviews of job physical and mental qualifications), approximately how much labor time (hours) by your management or human resource staff is required to perform all of these reviews in total on an annual basis?	4	768.5	200	NA					
Question 49: If no (do not currently annual reviews of job physical and mental qualifications, approximately how much labor time (hours) by your management or human resource staff do you anticipate will be required to perform all of these reviews in total on an annual basis?	75	3,701	1,000	1,743					
combined 48 49 if responded	76	3,653	1,000	1,714					
Question 50: What is your estimate of any other annual costs related to this (reviews of physical/mental qualifications) requirement, for example, costs associated with subject-matter experts such as I/O psychologists, consultants, lawyers, etc.?	60	290,298	90,000	111,279					

Appendix A

USCC/ EEAC Survey of Employers Regarding Compliance with Proposed OFCCP Disability Affirmative Action Regulations

<i>To facilitate presentation, questions with free-form numeric responses are presented below first, questions with yes/no responses are presented next, and questions with multiple choice responses are presented last in this listing.</i>	Number Valid Responses	mean	median	trimmed mean (excl. 10 highest and lowest)				
Question 52: If yes (perform and document an annual evaluation of the effectiveness of each outreach and recruitment effort in a manner that is fully compliant with the proposed requirement), approximately how much labor time hours by your management or human resource staff is required to perform all of these reviews in total on an annual basis?	5	113	107	NA				
Question 53: If no (do not perform and document an annual evaluation of the effectiveness of each outreach and recruitment effort in a manner that is fully compliant with the proposed requirement), approximately how much labor time hours by your management or human resource staff do you anticipate will be required to perform all of these reviews in total on an annual basis?	76	12,287	160	527				
combine yes and no time estimates Q 52 Q53	81	11,397	200	486				
Question 55: If yes, how much time do you estimate it takes for the entire company or organization to comply with these disability-related data collection and maintenance requirements?	0							
Question 56: If you do not currently comply with all of these disability-related data collection and maintenance requirements, approximately how many hours would it take to design, build, test, and implement the systems, forms, and procedures required to	72	3,245	250	602				
Question 58: Please provide your best estimate as to the total additional financial costs of designing, building, testing, and implementing these systems, forms, and procedures.	62	\$219,569	\$50,000	\$81,056				
Question 59: How many hours of professional labor will be required to initially design and plan a management or decision-maker training module?	95	239	100	138				

Appendix A

USCC/ EEAC Survey of Employers Regarding Compliance with Proposed OFCCP Disability Affirmative Action Regulations

<i>To facilitate presentation, questions with free-form numeric responses are presented below first, questions with yes/no responses are presented next, and questions with multiple choice responses are presented last in this listing.</i>	Number Valid Responses	mean	median	trimmed mean (excl. 10 highest and lowest)					
Question 60: How many hours of professional labor annually will be required to update and revise the management or decision-maker training module in successive years to reflect changes or modifications to the affirmative action program?	95	81	40	44					
Question 61: Approximately how many employees do you anticipate will be required to receive this annual training for managers or decision-makers?	98	7,745	3,500	4,692					
Question 62: responses converted to hrs What is the expected average time (minutes or hours) that each employee subject to this management or decision-maker training requirement will be engaged in the training activity?	95	1	1	1					
calcs for each respondent mgmt training hrs x number mgr training partic	92	11,876	5,243	4,467					
Question 63: How many hours of professional labor will be required to initially design and plan a non-management training/orientation module for employees and which "thoroughly" discusses the company's or organization's nondiscrimination and affirmative a	92	174	100	119					
Question 64: How many hours of professional labor annually will be required to update and revise the a non-management training/orientation module for employees and which "thoroughly" discusses the company's or organization's nondiscrimination and affirmat	92	66	40	44					
Question 65: Approximately how many employees do you anticipate will be required to receive this annual non-management training/orientation?	98	26,989	10,000	16,382					
edited to hours Question 66: What is the expected average time (hours) that each employee subject to this non-management training/orientation requirement will be engaged in the training activity?	94	0.9	0.75	0.8					

Appendix A

USCC/ EEAC Survey of Employers Regarding Compliance with Proposed OFCCP Disability Affirmative Action Regulations

<i>To facilitate presentation, questions with free-form numeric responses are presented below first, questions with yes/no responses are presented next, and questions with multiple choice responses are presented last in this listing.</i>	Number Valid Responses	mean	median	trimmed mean (excl. 10 highest and lowest)		
Question 68: If you do not currently comply with all of these reasonable accommodation procedure requirements, approximately how many hours would it take to design, build, test, and implement the systems, forms, and procedures required to do so?	66	333.4	176	190.0		
Question 69: Please provide your best estimate as to the total additional financial costs of designing, building, testing, and implementing these systems, forms, and procedures.	51	\$94,514	\$50,000	\$29,413		
Question 70: Approximately how much time (hours) do you anticipate it will take to process and grant an average request for reasonable accommodation in a manner that fully complies with the above requirements?	36	11.95833	8	5.46875		
Question 71: Approximately how much time (hours) do you anticipate it will take to process and deny an average request for reasonable accommodation in a manner that fully complies with the above requirements?	35	12.8	10	6.1		
Combined (average) 70 +71		12.4		5.8		

Yes/No Questions	Yes	No	Blank or Do Not Know	Percent Yes					
Question 4: Was your company or organization a covered federal contractor or subcontractor at any time in 2011, such that you were required to prepare one or more written affirmative action programs (AAP)?	108								
Question 8: Does your company or organization maintain a centralized database identifying employees who have voluntarily self-identified as an individual with a disability, including "disabled veterans" for purposes of VETS-100/VETS-100A reporting?	77	30	1	71.3%	Note: 11 'yes' responses added 'Vets only.' Excluding these, 61.1% were unqualified 'yes.'				
Question 12: Does your company or organization currently extend pre-offer invitations to self-identify disability status?	100	6	2	5.6%					
Question 13: If yes, are these data stored in a centralized database or applicant tracking system (ATS)?	6		102	5.6%					
Question 16: Does your company or organization currently extend post-offer, pre-employment invitations to self-identify disability status?	77	31	0	71.3%					
Question 17: If yes, are these data stored in a centralized database or human resources information system (HRIS)?	58	19	31	75.3%					
Question 20: Does your company or organization currently survey or resurvey all incumbent employees regarding disability status?	9	98	1	8.3%					
Question 22: If yes, are these data stored in a centralized database or human resources information system (HRIS)?	9		99						
Question 26: If your company maintains an online job application system, is the system compatible with assistive technologies commonly used by individuals with disabilities?	56	29	23	51.9%					
Question 29: Does your company or organization currently list all externally sourced open positions with the Employment "One-Stop" Career Center nearest to each AAP establishment?	65	25	8	60.2%					
Question 32: Does your company or organization currently maintain such written linkage agreements for each AAP establishment?	6	96	6	5.6%					
Question 37: Does your company currently send written notification of its affirmative action policy to all subcontractors each year?	18	70	20	16.7%					

Yes/No Questions	Yes	No	Blank or Do Not Know	Percent Yes					
Question 40: Does your company or organization currently construct and maintain a file for each known disabled applicant and employee containing the required information about reasons for non-selection?	9	93	6	8.3%					
Question 44: Is it feasible to record such non-selection reasons only for known applicants or employees with disabilities, or do you expect that it will be necessary to record these reasons for all candidates, in case it is later learned that the candidate is disabled	13	79	16						
Question 45: Do you anticipate that your company or organization will be required to make any changes to its systems, forms, or procedures to comply with this requirement (to record reasons for non-selection, etc.)?	102	2	4	0.018518519					
Question 47: Does your company or organization currently perform an annual review of the physical and mental job qualifications for all jobs, and document these reviews in a way that would satisfy OFCCP's proposed requirements (listing each physical and m	3	100	5	2.8%					
Question 51: Does your company or organization currently perform and document an annual evaluation of the effectiveness of each outreach and recruitment effort in a manner that is fully compliant with the proposed requirement?	6	95	7	5.6%					
Question 54: Does your company or organization currently track and maintain all of the ten disability-related data points listed above?	1	101	6	0.9%					
Question 57: Based on your understanding of how referral and applicant data are (or can be) tracked, is it possible to trace each referral/applicant back to the specific referring source?	32	58	17						
Question 67: Does your company or organization currently have written reasonable accommodation procedures that comply with all of the requirements listed above?	24	78	6	22.2%					
Question 72: OFCCP's proposed regulations would encourage contractors to voluntarily develop programs that provide "priority consideration" to individuals with disabilities in recruitment and/or hiring, such as by awarding extra "points" to job applicants	0	71	37	0.0%					

Multiple Choice Questions									
	Valid Responses	slightly lower risk	moderately lower risk	significantly lower risk	slightly increase risk	moderately increase risk	significantly increase risk	no impact	blk or DK
Question 25: What impact will OFCCP's proposed disability self-identification requirements have, if any, on your risk of liability under the Americans with Disabilities Act (ADA)?	102	13		1		24	60	4	6
		less than \$1000	\$1,001 to \$5,000	\$5,001 to \$10,000	\$10,001 to \$50,000	\$50,001 to \$100,000	more than \$100,000	wgtd average dollars	
Question 28: If no, (online application system not compatible with assistive technologies) what is your estimate of the total cost (including labor time, systems re-design, programming and equipment) to make the necessary modifications?	40	3	1	4	10	6	16	\$59,613	
	N valid responses	less than \$1000	\$1001-\$5000	\$5001-\$10,000	\$10,001-100,000	more than 100,000	wgtd average dollars		
Question 46: If yes (will be required to make any changes to its systems, forms, or procedures to comply with requirement to record reasons for non-selection, etc.), what is your estimate of the total cost (including labor time, systems re-design, programming and equipment) to make the necessary modifications?	97	1	8	29		59	\$63,320		

		less than 5 min	5 to 10 min	10 to 20 min	20-30 min	more than 30 min	wgtd average minutes	Wgtd avg Hours	
Question 30: If yes (your company or organization currently lists all externally sourced open positions with the Employment "One-Stop" Career Center nearest to each AAP establishment), approximately how much labor time by your management or human resource staff is required to list each position?	59	22	13	13	4	7	11.3	0.19	
Question 31: If no (your company or organization currently does not list all externally sourced open positions with the Employment "One-Stop" Career Center nearest to each AAP establishment), approximately how much labor time by your management or human resource staff would you anticipate is needed to list each position?	26	5	4	5	3	9	18.1	0.30	
	Valid responses	less than 1 hr	1 to 2 hrs	3 to 5 hrs	6 to 10 hrs	more than 10	wgtd average hrs		
Question 33: If yes (currently maintain such written linkage agreements for each AAP establishment), approximately how much labor time by your management or human resource staff is required to initiate each such written agreement?	5	0	0	1	2	2	8.4		

Question 34: If yes (currently maintain such written linkage agreements for each AAP establishment), approximately how much labor time by your management or human resource staff is required to maintain and update each such written agreement?	5	0	0	0	3	2	9.2		
Question 35: If no (do not currently maintain such written linkage agreements for each AAP establishment), approximately how much labor time by your management or human resource staff would you anticipate is needed to initiate each such written agreement?	82	2	9	20	14	37	7.5		
Question 36: If no (do not currently maintain such written linkage agreements for each AAP establishment), approximately how much labor time by your management or human resource staff would you anticipate is needed to maintain and update each such written agreement?	78	6	14	21	9	28	6.8		
Combined 33+ 35 initiate agreements	87	2	9	21	16	39	7.5		
combined 34+36 maintain agreements	83	6	14	21	12	30	6.9		
Question 38: If yes (currently send written notification of its affirmative action policy to all subcontractors each year), approximately how much labor time by your management or human resource staff is required to send such written notifications each year?	20	2	2	3	6	7	7.0		
Question 39: If no (do not currently send written notification of its affirmative action policy to all subcontractors each year), approximately how much labor time by	51		3	2	8	38	9.6		

your management or human resource staff would you anticipate is needed to send such written notifications each year?									
Question 41: If yes (currently record reasons disabled not selected, etc), approximately how much labor time by your management or human resource staff is required to prepare and maintain each such file on an annual basis?	11	4	2	1		4	4.5		
Question 42: If no (do not record reasons disabled not selected, etc), approximately how much labor time by your management or human resource staff would you anticipate is needed to prepare and maintain each such file for each disabled applicant or employee on an annual basis?	83	4	23	8	7	41	27.5		
Question 43: For each discrete decision where a disabled applicant or employee is not selected, how many hours do you expect that it will take a trained human resources professional to gather information from others who may have reviewed the candidate's application or qualifications?	97	12	36	21	10	18	4.1		