

Subchapter 3022.8 Equal Employment Opportunity

3022.803 Responsibilities.

(d) The contracting officer shall obtain the assistance of the Component's legal counsel on matters concerning the applicability of E.O. 11246. If further assistance is required, the matter shall be referred to the nearest DOL Office of Federal Contracts Compliance Programs (OFCCP). (The OFCCP Nationwide Office Directory is accessible via the Internet at: <http://www.dol.gov/esa/ofccp/contacts/ofnation2.htm>.) Questions concerning the implementation of the E.O. in the FAR or DHS guidance shall be referred to the Chief Procurement Officer (CPO).

3022.804 Affirmative action programs.

3022.804-2 Construction.

(b) The Office of Federal Contract Compliance Program (OFCCP), DOL publishes in the Federal Register goals and timetables for minority and female utilization in the construction industry. This information is listed at <http://www.dol-esa.gov/preaward/>.

3022.805 Procedures.

(a) *Preaward clearances for contracts and subcontracts of \$10 million or more (excluding construction).*

(1) Contracting officers may conduct an initial search of a contractor's compliance records via the Internet at: <http://www.dol-esa.gov/preaward/>.

(6) The contracting officer shall prepare a letter request in substantially the same format as Appendix P, in strict accordance with the instructions, to prevent premature disclosure of the proposed contractor, subcontractor, if any, and the amount of the award. Because the OFCCP conducts the compliance review at the primary point of production of each contractor and first-tier subcontractor, contracting officers shall request the clearance from the OFCCP regional office which has jurisdiction over the contractor and subcontractor. (A listing of OFCCP regional offices is accessible via the Internet at: <http://www.dol.gov/esa/ofccp/contacts/ofcpkeyp.htm>)

(7) The 15 and 20-day preaward clearance requirement timeframes under FAR 22.805(a)(7) shall be included in the acquisition cycle milestone planning.

(8) The HCA authority is not redelegable.

(b) *Furnishing posters.* The contracting officer may order the poster titled "Equal Employment Opportunity is the Law, Discrimination is Prohibited" via telephone by calling 1-866-4-USA-DOL. The poster is also available via the Internet at <http://www.dol.gov/esa/ofccp/regs/compliance/posters/ofccpost.htm>.

3022.807 Exemptions.

(a)(1) The HCA, without redelegation, is authorized to determine for a contract, that national security precludes compliance with all or part of the requirements of E.O. 11246. A justification shall be in substantially the same format as Appendix N.

(c) The justification shall be in substantially the same format as Appendix N. All requests for exemptions shall be submitted via the HCA to the CPO for the Deputy Assistant Secretary's approval.