

February 2, 2026

Submitted via Office of Information and Regulatory Affairs Online Portal: www.reginfo.gov

Office of Information and Regulatory Affairs
Attn: OMB Desk Officer for DOL-OFCCP
Office of Management and Budget, Room 10235
725 17th Street NW
Washington, DC 20503

Re: Center for Workplace Compliance Comments on the Office of Federal Contract Compliance Programs' Proposed Information Collection Request Revision, *Complaint Involving Employment Discrimination by a Federal Contractor or Subcontractor* (OMB Control No. 1250-0002)

Dear OMB Desk Officer:

The Center for Workplace Compliance ("CWC") respectfully submits these comments in response to the Office of Federal Contract Compliance Programs' ("OFCCP") proposed revisions to the agency's complaint intake process, which was submitted to the White House Office of Management and Budget (OMB) for review on January 2, 2026.¹

The changes reflect the rescission of E.O. 11246 and confirm that applicants and employees may no longer file complaints on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin, or allege they were retaliated against for asking about, discussing, or disclosing compensation. Importantly, however, the forms retain the statutory protections afforded to applicants and employees under Section 503 of Rehabilitation Act ("Section 503") and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 ("VEVRAA").

CWC appreciates the opportunity to offer these comments and supports OFCCP's proposed changes. Please note that these comments do not address the policy choices underlying any Executive Order (E.O.), such as the rescission of E.O. 11246 and the implementation of E.O. 14173. Instead, they address issues raised in the proposed information collection request in light of the legal environment in which we operate today.

Statement of Interest

CWC² is the nation's leading nonprofit association of employers dedicated exclusively to helping its members develop practical and effective programs for ensuring compliance with fair employment and other workplace requirements. Formed in 1976, CWC's

¹ 91 Fed. Reg. 168 (January 2, 2026).

² Formerly the Equal Employment Advisory Council ("EEAC").

membership includes U.S. employers from nearly every major industry sector and geographic region, all of whom are firmly committed to the principles and practice of nondiscrimination.

Nearly all CWC members are subject to the nondiscrimination and affirmative action requirements of Section 503, VEVRAA, and their implementing regulations. As major federal contractors and subcontractors, CWC's members have a significant stake and interest in ensuring that OFCCP's regulations and paperwork requirements efficiently and effectively accomplish their underlying policy objectives.

CWC Supports OFCCP's Proposed Revisions to Form CC-4 and CC-390

OFCCP utilizes a two-step complaint process to enforce Section 503 and VEVRAA. This includes the *Pre-Complaint Inquiry for Employment Discrimination Involving a Federal Contractor or Subcontractor* (Form CC-390), which individuals typically complete and submit before any formal complaint, *Complaint of Employment Discrimination Involving a Federal Contractor or Subcontractor* (Form CC-4), can be filed with the agency. Form CC-390 permits OFCCP to conduct a jurisdictional evaluation of any potential claims. Form CC-4 is later submitted to the agency after the pre-complaint evaluation is completed.

OFCCP's proposed revisions are significant, reflecting the rescission of E.O. 11246 and confirming that applicants and employees may no longer file complaints on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin, or allege they were retaliated against for asking about, discussing, or disclosing compensation.

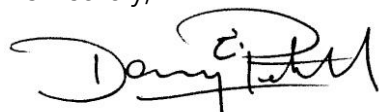
CWC supports OFCCP's proposed changes, and in particular OFCCP's confirmation that completion of Form CC-390 does not toll the requisite time needed to file a formal complaint with OFCCP, and that Form CC-390 is not a substitute for filing a formal complaint with the agency.

Our members appreciate OFCCP's efforts to reduce burdens on both the agency and contractors by creating a more efficient process.

Conclusion

CWC appreciates the opportunity to offer these comments regarding OFCCP's proposed revisions to agency complaint forms. Please do not hesitate to contact us if we can provide further assistance or perspective as you consider these important issues.

Sincerely,



Danny E. Petrella
Senior Vice President, Compliance, and Assistant General Counsel