

**APPENDIX A-1: STANDARD COMPLIANCE EVALUATION REPORT (SCER)
FORM**

Supply and Service Standard Compliance
Evaluation Report (SCER)

U.S. Department of Labor
Office of Federal Contract Compliance Programs

COMPLIANCE EVALUATION SUMMARY

1. ESTABLISHMENT/FUNCTIONAL UNIT NAME &
ADDRESS

2. PARENT NAME & ADDRESS

CMS Control #

3. SMSA/MSA
% Female

%
Minor

%
Black

%
Hisp.

%
Asian/PI

%
AmInd
AlNat

4. COMPLAINTS INVESTIGATED DURING REVIEW:
☒ =Resolved

#

5. CONTRACT COVERAGE:

AWARDING AGENCY	IF SUBCONTRACTOR, NAME OF PRIME CONTRACTOR	CONTRACT OR PURCHASE ORDER #	CONTRACT DOLLAR AMOUNT	BEGIN AND END DATES

6. COMPANY CONTACTS:

Name

Title

Phone

Establishment/ Functional Unit	CEO/Dir /Mgr			
	EEO/AA			
Corporate	CEO			
	EEO/AA			
Outside Representative				

7. BACKGROUND INFORMATION:

Type of Industry:

Specific Facility Function:

Total # Employees	Total # Female Employees	% Female Employees	Total # Minority Employees	% Minority Employees

Date Scheduling Letter Received by Contractor	AAP Year	Prior Year Data Period	Current Year Data Period (if applicable)	Union	If unionized, % of unionized workforce	NAICS
				<input type="checkbox"/> Y / <input type="checkbox"/> N <input type="checkbox"/>	%	

CASE SUMMARY AND RECOMMENDATIONS

Provide an assessment of compliance. If there are findings of violation, list all findings (discrimination and/or technical violations) to be included in a Predetermination Notice/Notice of Violation(s). For each one, provide a brief explanation of the supporting evidence, briefly describe conciliation efforts and specify the recommended corrective action(s). If there is no finding of a violation, and a closure letter is to be issued, provide a brief description of the basis for this action. Be sure to indicate all document(s) to be issued to the contractor (e.g., Predetermination Notice, Notice of Violation, Show Cause Notice, Conciliation Agreement, or closure letter). If the length of the Case Summary exceeds a page, include additional sheets as an attachment to the SCER and note the attachment here.

Onsite: Yes ☐ No ☐ If yes, state reason _____ (e.g., indicator; quality check; etc.).

	COMPLIANCE OFFICER	ASST. DIST. DIR	DIST. DIR./ REG. DIR.
Signature			
Date			

PART A: PREPARATION

I. PAST PROBLEMS / KNOWN COMPLAINTS OR ENFORCEMENT PROCEEDINGS

1. Past Problems. If there were no prior OFCCP compliance reviews or investigations of the contractor, check here and go on to item 2 below. ()

If any problems were identified in any past OFCCP compliance review or complaint investigation of the contractor's establishment under review or other contractor establishments, indicate "Yes" or "No" as applicable for part (a) below, and list the date(s) of the review/investigation and any major problems identified. At the point in this review at which you determine whether a problem has recurred, complete part (b) below.

a. Past Problems? Yes / No Explain if yes and identify source materials.

b. Recurrence? Yes / No Explain if yes.

2. Known Complaints or Enforcement Proceedings. If there are no complaints filed or pending with other agencies, e.g., EEOC, WHD, or OSHA, and no new or ongoing enforcement proceedings by any of these agencies, check here and go on to the next page. ()

If there are any such pending complaints or enforcement proceedings, for each one, list the agency involved, the basis, issue, current status and the area of the contractor's workforce it appears to concern. Add additional sheets as an attachment to the SCER, if needed. If at any point in the review you determine there is a related potential systemic problem, complete part (b) below.

a. Complaints filed.

Agency	Basis	Issue	Status	Job Department (if available)	Group/

b. Potential Discrimination? Yes / No Explain if yes.

PART A: PREPARATION
II. INITIAL REVIEW OF AAP AND SUPPORT DATA SUBMISSIONS

	INCLUDED? Indicate Y/N	ACCEPTABLE? (Text Only) Y/N	If NO, Include in PART A.III	
<i>Example- ORGANIZATIONAL PROFILE</i>	<i>Y</i>	<i>N</i>	<i>See Item 0</i>	
ORGANIZATIONAL PROFILE (Organizational Display or Workforce Analysis) 60-2.11				
JOB GROUP ANALYSIS 60-2.12				
UTILIZATION ANALYSIS				
PLACEMENT OF INCUMBENTS IN JOB GROUPS 60-2.13				
DETERMINING AVAILABILITY 60-2.14				
COMPARISON OF INCUMBENCY TO AVAILABILITY 60-2.15				
PLACEMENT GOALS 60-2.16				
ADDITIONAL REQUIRED ELEMENTS				
DESIGNATION OF RESPONSIBILITY 60-2.17(a)				
IDENTIFICATION OF PROBLEM AREAS 60-2.17(b)				
ACTION-ORIENTED PROGRAMS 60-2.17(c)				
INTERNAL AUDIT AND REPORTING SYSTEMS 60-2.17(d)				
SUPPORT DATA AND PERSONNEL ACTIVITY 60-2.17(b) and 60-3				
	PRIOR YEAR	CURR YEAR (if applicable)	ACCEPTABLE? Y/N	IF NO, INCLUDE IN PART A.III
REPORT ON GOALS				
APPLICANT FLOW Internet Applicant <input type="checkbox"/>				
HIRES				
PROMOTIONS (INCLUDING POOL DATA)				
TERMINATIONS (INCLUDING INCUMBENCY DATA)				
LAYOFFS/RECALLS (IF APPLICABLE)				
COMPENSATION DATA (snapshot date (X/X/XX))				

PART A: PREPARATION

II. INITIAL REVIEW OF AAP AND SUPPORT DATA SUBMISSIONS (continued)

SECTION 503 AND VEVRAA	INCLUDED Indicate Y/N	ACCEPTABLE (text only) Indicate Y/N	If NO, include in Part A. III
EEO POLICY STATEMENT 60-250.44(a); 60-300.44(a); 60-741.44(a)			
REVIEW OF PERSONNEL PROCESSES 60-250.44(b); 60-300.44(b); 60-741.44(b)			
REVIEW OF PHYSICAL AND MENTAL JOB QUALIFICATIONS 60-250.44(c); 60-300.44(c); 60-741.44(c)			
REASONABLE ACCOMMODATION 60-250.44(d); 60-300.44(d); 60-741.44(d)			
HARASSMENT PREVENTION 60-250.44(e); 60-300.44(e); 60-741.44(e)			
EXTERNAL DISSEMINATION OF EEO POLICY 60-250.44(f); 60-300.44(f); 60-741.44(f)			
INTERNAL DISSEMINATION OF EEO POLICY 60-250.44(g); 60-300.44(g); 60-741.44(g)			
AUDIT AND REPORTING SYSTEM 60-250.44(h); 60-300.44(h); 60-741.44(h)			
ESTABLISHMENT OF RESPONSIBILITY 60-250.44(i); 60-300.44(i); 60-741.44(i)			
TRAINING TO ENSURE AAP IMPLEMENTATION 60-250.44(j); 60-300.44(j); 60-741.44(j)			

PART A: PREPARATION

III. AAP AND SUPPORT DATA SUBMISSION PROBLEMS

PROBLEM AREAS: () EO 11246 () SECTION 503 () VEVRAA

Summary of AAP Support Data Submission Problems and Actions Taken and/or Plan to Resolve (if the action is to take place during or after onsite). If investigated onsite, provide an explanation of the findings, whether the problem was resolved and what remedial action(s) was taken. (Add additional sheets as an attachment to the SCER, if needed).

☐ Continued

#	AAP AND SUPPORT DATA PROBLEMS	Onsite
0	Example: PROBLEM: Contractor's Workforce Analysis (WFA) failed to reflect Lines of Progression. ACTION TAKEN: CO plans to provide compliance assistance to contractor on developing a WFA during onsite. FINDINGS: On X day, determined contractor did not understand how to include Lines of Progression in the WFA. RESOLUTION: On X day, CO provided contractor with compliance assistance on developing a WFA. On X date, contractor resubmitted WFA that included Lines of Progression.	<input checked="" type="checkbox"/>
1	PROBLEM: ACTION TAKEN: FINDINGS: RESOLUTION:	<input type="checkbox"/>
2		<input type="checkbox"/>
3		<input type="checkbox"/>
4		<input type="checkbox"/>
5		<input type="checkbox"/>
6		<input type="checkbox"/>

PART B: AFFIRMATIVE ACTION

I. EVALUATION OF GOOD FAITH EFFORTS - EO 11246

Identify goal areas where goals were established but not met. For each goal area, identify the job group, describe whether goals were for minorities, females or both, prior and current year, and identify the expected goal and actual goal. If there is a difference between the expected and actual goals, provide the contractor's explanation for the difference and pertinent AAP commitments. Identify additional information that will be requested, and whether the issue needs to be investigated onsite. Provide an explanation of any findings, indicating whether the problem was resolved, or not, and what remedial action(s) was taken.

☐ Continued

#	GOAL AREA PROBLEMS	On-site <input checked="" type="checkbox"/>
0	<i>Example:</i> GOAL AREA (PY): Operatives (Minority). Expected #/Actual # = 20/2 EXPLANATION/COMMITMENTS: Very few minorities applied. ADDITIONAL INFO: List of recruitment sources. FINDINGS: On X day, CO reviewed and contacted the contractor's recruitment sources. The CO determined that the contractor failed to provide the recruitment sources with the vacancy information for this job group. RESOLUTION: Not resolved, see Part C.	<input checked="" type="checkbox"/>
1	GOAL AREA (PY/CY): EXPLANATION/COMMITMENTS: ADDITIONAL INFO: FINDINGS: RESOLUTION:	<input type="checkbox"/>
2		<input type="checkbox"/>
3		<input type="checkbox"/>
4		<input type="checkbox"/>
5		<input type="checkbox"/>
6		<input type="checkbox"/>

PART B: AFFIRMATIVE ACTION

II. OTHER PROBLEMS FOR INVESTIGATION

Identify any other problems that require additional information and/or require an onsite review. Provide an explanation of any findings, indicating whether the problem was resolved, or not, and what remedial action(s) was taken.

☐ Continued

#	PROBLEM AREAS	On-site <input checked="" type="checkbox"/>
0	<p><i>Example:</i> PROBLEM AREA: Minority employees are concentrated in laborer positions in the receiving department, yet under-represented in operative positions in the same department. Note: The job group analysis shows that laborers are the primary feeder job for operative positions. ADDITIONAL INFO: Request position descriptions, job postings, and bid lists for opportunities in the operative positions. Interview laborers, operatives and selecting officials in the receiving department. FINDINGS: Promotion issue identified in the movement of minority employees from laborer positions to operative positions. RESOLUTION: See Part C.</p>	<input checked="" type="checkbox"/>
1	<p>PROBLEM AREA: ADDITIONAL INFO: FINDINGS: RESOLUTION:</p>	<input type="checkbox"/>
2		<input type="checkbox"/>
3		<input type="checkbox"/>
4		<input type="checkbox"/>
5		<input type="checkbox"/>

PART B: AFFIRMATIVE ACTION

III. IMPLEMENTATION OF SEX DISCRIMINATION GUIDELINES, SEX DISCRIMINATION PROVISIONS OF PART 60-1, AND THE GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION AND NATIONAL ORIGIN (onsite review only)

During the onsite review, verify the contractor's implementation of the sex discrimination provisions at 41 CFR Parts 60-1 and 60-20, and the Guidelines on Discrimination Because of Religion and National Origin at 41 CFR 60-50. If the contractor is in compliance, describe below how this determination was made (e.g., reference documentation and other evidence that was reviewed and describe statements made during interviews). If not, explain the problem, whether it has been resolved, and if so, how. If you identify a potential discrimination problem, include the issue in **Part C – Problems Identified**.

☐ Continued

SEX DISCRIMINATION GUIDELINES, 41 CFR PART 60-20 VIOLATION? YES / NO EXPLAIN.

Job Policies and Practices (Pregnancy)

1.a. Contractor does/does not treat leave for pregnancy and pregnancy-related conditions the same as leave for disabilities related to medical conditions. Describe the policy related to leave for pregnancy, childbirth, and related medical conditions and how it is implemented. The CO must examine whether the contractor provides job-guaranteed medical leave, including paid sick leave, for women's pregnancy, childbirth, and related medical conditions on the same terms that medical or sick leave is provided for medical conditions that are similar in their effect on employees' ability to work.

1.b. The Contractor does/does not have employment policies or practices under which insufficient or no medical or family leave is available. The CO must examine whether such policies or practices have an adverse impact on the basis of sex and if so, whether the contractor has shown that such policies or practices are job-related and consistent with business necessity.

Seniority System

Seniority system does/does not discriminate based on sex. Explain.

Discriminatory Compensation

Compensation is/is not related to or based on the sex of the employee. Explain.

**GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION OR NATIONAL ORIGIN, 41 CFR
PART 60-50 VIOLATION? YES/ NO EXPLAIN.**

60-50.2 Equal Employment and Anti-Harassment Policies. Outreach and Positive Recruitment.

1. Contractor does/does not have a policy prohibiting discrimination and harassment on the basis of religion or national origin?

2. Description of outreach efforts:

60-50.3 Accommodations to Religious Observance and Practice.

1. Contractor does/does not have a policy for ensuring accommodation for religious observance and practice?

2. If "Yes," how is it implemented?

PART B: AFFIRMATIVE ACTION

IV. IMPLEMENTATION OF SECTION 503 (DISABILITY) AND VEVRAA (VETERANS)

☐ Continued

REQUIREMENTS	Did the contractor comply with the following requirements? If "Yes," indicate "Y" for <i>In Compliance</i> , and explain how this was confirmed. If "No," indicate "N" for <i>Not In Compliance</i> , and explain the problem, whether it was resolved, and if resolved, indicate how. Indicate whether the problem was resolved by placing a "Y" or "N" for <i>Resolved</i> . If potential discrimination is identified, include in Part C – Compliance Evaluation Findings .
AAP AND SUPPORT DATA SUBMISSIONS (items listed in PART A.II above)	IN COMPLIANCE? (Y/N) PROBLEM: RESOLVED? (Y/N)
AVAILABILITY OF AAPs FOR INSPECTION 60-250.41, 60-300.41, 60-741.41	IN COMPLIANCE? (Y/N) PROBLEM: RESOLVED? (Y/N)
INVITATION TO SELF-IDENTIFY 60-250.42, 60-300.42, 60-741.42	IN COMPLIANCE? (Y/N) PROBLEM: RESOLVED? (Y/N)
DISABILITY-RELATED QUESTIONS AND MEDICAL EXAMINATIONS 60-250.23, 60-300.23, 60-741.23	IN COMPLIANCE? (Y/N) PROBLEM: RESOLVED? (Y/N)
CONFIDENTIALITY REQUIREMENT 60-250.23(d), 60-300.23(d), 60-741.23(d)	IN COMPLIANCE? (Y/N) PROBLEM: RESOLVED? (Y/N)

PART B: AFFIRMATIVE ACTION

V. TECHNICAL REQUIREMENTS: EO 11246, SECTION 503, VEVRAA and EO 13496

☐ Continued

REQUIREMENTS
Did the contractor comply with the following requirements (Yes/No)? If "Yes," indicate how this was confirmed. If "No," explain the problem, whether it was resolved, and if resolved, indicate how. If a technical requirement is not resolved, it must be included in Part C – Problems Identified and Part F – Summary of Findings .
Applicable under EO 11246, Section 503, and VEVRAA.
INCLUDED EO CLAUSE IN SUBCONTRACTS AND PURCHASE ORDERS (60- 1.4, 60-250.5, 60-300.5, 60-741.5)
POSTED NOTICES OF ITS OBLIGATIONS AND EEO POSTERS IN CONSPICUOUS PLACES (60- 1.4, 60-250.5, 60-300.5, 60-741.5)
NOTIFIED PARTIES WITH WHICH IT HAS A CBA OF ITS EEO OBLIGATIONS (60- 1.4, 60-250.5, 60-300.5, 60-741.5)
(CORPORATE MANAGEMENT EVALUATION ONLY) DEVELOPED AND MAINTAINED AN AAP AT EACH ESTABLISHMENT (60-2.1)
WRITTEN POLICY(IES) PROHIBITING DISCRIMINATION AND HARASSMENT ON THE BASIS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, DISABILITY AND VETERAN STATUS (60-1; 60-1.4; 60-20.3(A); 60-50; 60-250.44; 60-300.44; and 60-741.44)

☐ Continued

Applicable under EO 11246 only.
FILED CURRENT EEO-1 REPORT (60-1.7)
INCLUDED EEO LANGUAGE IN JOB ADVERTISEMENTS (60-1.4)
Applicable under Section 503 and VEVRAA only
PROVIDED NOTICE OF THE AVAILABILITY OF REASONABLE ACCOMODATION TO ENSURE ACCESS TO ONLINE APPLICATION SYSTEM (60-250.44(d); 60-300.44(d); 60-741.44(d))
Applicable under VEVRAA only.
FILED CURRENT VETS 100A (OR VETS 100, IF APPLICABLE) (60-250.60(c), 60-300.60(c))
LISTED JOB OPENINGS WITH EMPLOYMENT SERVICE DELIVERY SYSTEM (60-250.5(a), 60-300.5(a))
Applicable under EO 13496 only.
POSTED NOTICE OF EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT (Required poster and electronic posting, if applicable) (29 CFR 471.2)
INCLUDED NOTICE OF EO 13496 OBLIGATIONS IN SUBCONTRACTS (29 CFR 471, Subpart A, app. A)

PART C: PROBLEMS IDENTIFIED

☐ Continued

Identify any problems found during the compliance evaluation. Include a discussion of the nature of the problem, relevant evidence reviewed, actions (if any) taken to resolve the problem, and whether and how the problem was resolved. Be sure to also include any findings of violation in the next section, **Part F - Summary of Findings**.

SUMMARY OF PROBLEMS, ACTIONS TAKEN AND RESOLUTION

(Add additional sheets as an attachment to the SCER, if needed)

EXAMPLE: *The impact ratio analysis showed an adverse impact ratio (0 female hires) in the craft workers job group and a shortfall of 2. None of the 10 women who applied was hired; in contrast, 8 of the 20 men who applied were hired. The difference in selection rates is statistically significant to the level of 2.34 standard deviations. Action taken: Requested applicant and hire logs, applications, selection criteria, and position descriptions during the desk audit. Onsite observed the craft worker jobs, interviewed the selecting officials, craft worker supervisors, and individuals in the positions as well as the individuals hired. Offsite analyzed the hiring process, comparing the applications of those selected and not selected to the selection criteria; also interviewed applicants who were not selected. Of the 10 women who applied, all met the stated minimum criteria (see analysis worksheet A-1, attached); 6 were never contacted by the contractor for an interview and the 4 that were interviewed were asked if they had plans to start a family. Also interviewed the males who were not selected; of the 12 men who were not selected, all were interviewed, none were asked about their plans to begin a family. (Interview statements are found at tab A-3). A predetermination notice was prepared and sent to the contractor that detailed the preliminary findings of the investigation. The contractor did not rebut the preliminary findings; a Notice of Violations was issued followed recommending corrective actions and requiring resolution in a conciliation agreement that included make-whole relief for the 10 women who applied. Following negotiations, the contractor signed a conciliation agreement. Additional details are found in Part F – Summary of Findings.*

1

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PART D: CORPORATE MANAGEMENT EVALUATION (CMCE) NARRATIVE

When conducting a CMCE, this section of the SCER must be completed in addition to the Case Summary and Recommendations (SCER pg 2). 41 CFR Section 60-2.30 is specifically applicable to CMCEs. Parts A, B, C and F of the SCER must also be completed, as appropriate to the nature and scope of the review performed. Add additional sheets as an attachment, if needed.

Note: “protected group member” as used below refers to minorities, women, protected veterans and individuals with disabilities.

<u>Introduction:</u>	Describe the corporate background, structure, observations concerning corporate culture and values. Also describe any previous OFCCP reviews/complaints, or complaints filed with other agencies, that specifically address management jobs or “glass ceiling” issues.
<u>Corporate AAP:</u>	What positions at lower-level establishments are rolled-up into the Corporate AAP?
<u>Scope:</u>	Did the review cover only corporate headquarters or was it extended to cover one or more intermediate headquarters or lower-level establishments?
<u>Focus Level and Areas:</u>	Describe the company's pay and management structure. For each protected group (women, minorities, individuals with disabilities, and protected veterans), does the representation of protected group members decline at a certain pay or grade level? Are they concentrated in certain functional areas? Are those areas staff or line management?
<u>Outreach Efforts:</u>	To what extent does the company already have outreach, training and development programs designed to increase opportunities for protected group members entry into mid- and senior level corporate management positions? Describe any such programs and what results they have yielded to date.

<u>Jobs Filled at and above the Focus Level:</u>	During the review period, what jobs have been filled at the mid- and senior corporate management levels? How were they filled (hire, promotion, transfer)? Describe external and internal opportunities.
<u>Internal Development - Specific Programs:</u>	Does the company have development programs/opportunities in the following areas and, if so, describe them and protected group member participation in them: 1) Succession and Related Planning; 2) Performance Appraisals; 3) Visibility (Special Projects/Task Forces; Committees; Special Assistants/Executive Assistants); 4) Management Training and Executive Development Programs; and 5) Mentoring and Networking. Identify whether any of these programs/opportunities are designed for a particular group.
<u>Total Compensation:</u>	Describe the compensation system including any findings with regard to 1) Bonuses; 2) Stock; 3) Perquisites; 4) Award and Honor Programs.
<u>Terminations:</u>	Have there been any terminations among the mid- and senior level corporate management? What are the termination policies and practices? Are they evenhandedly applied?
<u>Conclusions:</u>	Were any problems found? What are the reason(s) for them?
<u>Resolution:</u>	What commitments (whether remedial or improved good faith efforts) has the corporation made to ensure that protected group members have an equal opportunity to advance to mid- and senior level corporate management positions?

**PART E: COMPLIANCE CHECK CONTROL SHEET
(TO BE INSERTED BY THE CO)**

PART F: SUMMARY OF FINDINGS
(Provide a detailed narrative of the evaluation findings.)

APPENDIX A-2: STANDARD COMPLIANCE EVALUATION REPORT (SCER) INSTRUCTIONS

OVERALL SCER STRUCTURE

This SCER is used to document the results of a compliance evaluation, including the findings of the desk audit review of the contractor's Affirmative Action Programs (AAP). It consists of a Compliance Evaluation Summary and six parts: Part A: Preparation; Part B: Affirmative Action; Part C: Problems Identified; Part D: Corporate Management Compliance Evaluation (CMCE) Narrative; Part E: Compliance Check Control Sheet; and Part F: Summary of Findings (Internal Document).

How much of the SCER is completed during each particular desk audit or onsite review or both will depend on the type of evaluation being performed, the extent of investigation required, and the data submitted by the contractor. It is important to remember that throughout the compliance evaluation you may obtain additional data and information that must be analyzed and noted on the SCER before you make a finding.

Each part of the SCER provides space for the compliance officer (CO) to enter a narrative describing any problems identified, action(s) taken to resolve the problems, any finding(s) of violation, the evidence examined and the basis for the finding(s), and recommended corrective action.

The specific parts of the SCER are:

COMPLIANCE EVALUATION SUMMARY

- Page 1. Background Information
- Page 2. Case Summary and Recommendations

PART A: PREPARATION

- I. Past Problems/Known Complaints or Enforcement Proceedings
- II. Initial Review of AAP and Support Data Submissions
- III. AAP and Support Data Submission Problems
- IV. EEO Trend Analysis

PART B: AFFIRMATIVE ACTION

- I. Evaluation of Good Faith Efforts – EO 11246
- II. Other Problems for Investigation
- III. Implementation of Sex Discrimination Provisions of Parts 60-1 and 60-20, and
Guidelines on Discrimination Because of Religion and National Origin
- IV. Implementation of Section 503 and VEVRAA
- V. Technical Requirements: Executive Order 11246, Section 503, VEVRAA and
Executive Order 13496

PART C: PROBLEMS IDENTIFIED

PART D: CMCE NARRATIVE

PART E: COMPLIANCE CHECK CONTROL SHEET (to be inserted)

PART F: SUMMARY OF FINDINGS (INTERNAL DOCUMENT)

INSTRUCTIONS

At the top of each page described below is a “continued” box that may be checked to indicate additional pages have been inserted for the section.

COMPLIANCE EVALUATION SUMMARY

PAGE 1: INTRODUCTION

Item 1 – Establishment Name, Address and CMS Control #: Enter the name and address of the establishment or functional unit being reviewed. Also enter the CMS Control number assigned to this review.

Item 2 – Parent Name and Address: If the establishment or functional unit being reviewed is part of a larger firm, enter the name and address of the parent firm.

Item 3 – SMSA/MSA: Enter the name of the Standard Metropolitan Statistical Area (SMSA) and Metropolitan Statistical Area (MSA) in which the establishment or functional unit is located or, if it is not in an SMSA and MSA, enter the name of the appropriate labor area in which it is located. Then enter the percent of the labor force within the named geographic area that is female and the percent that is minority (in the aggregate and by each minority group).

Item 4 – Complaints Investigated During Review: Enter the complaint number of each complaint (if any) you plan to investigate as part of the compliance evaluation. At the end of the evaluation, check [✓] those complaints that have been resolved. If, during the course of a compliance evaluation, a complaint arises and is investigated, that information will be noted here.

Item 5 – Contract Coverage: Enter the following items: awarding agency; prime contractor if evaluation is being conducted of a subcontractor; the contract or purchase order number; dollar amount of the contract; and beginning and ending dates (or indicate if contract is indefinite). There are spaces for at least three contracts. More may be referenced if necessary.

Item 6 – Company Contacts and Outside Representation: List the name, title and phone number of the corporate and establishment Chief Executive Officer (CEO) (or other

highest ranking executive), and the corporate and establishment contact persons for Equal Employment Opportunity and Affirmative Action (EEO and AA) matters. Also list the name and phone number of the outside representative (if applicable).

Item 7 – Background Information: To the degree known, this will include, but not be limited to:

- Type of Industry. (Example: Industry- construction materials.)
- Specific facility function. (Example: manufacturing A-frames.)
- Total Number of Employees at the Establishment or covered in the Functional Unit
- Total Number and Percentage of Female Employees
- Total Number and Percentage of Minority Employees
- Date Scheduling Letter was Received by Contractor
- AAP Year
- Prior AAP Year Data Period and
- Current AAP Year Data Period (if applicable)
- Union – indicate whether the facility has a union (Y/N)
- Percent of Unionized Workforce
- NAICS

PAGE 2: CASE SUMMARY AND RECOMMENDATIONS

After the evaluation has been completed, provide a brief summary of the findings (as contained in SCER Part F: Summary of Findings), including all unresolved technical and discrimination violations, and the recommendations for corrective action. For findings of violation, briefly explain the basis (evidence and analysis) for the violation and indicate the recommended appropriate corrective action and the documents that will be prepared (e.g., Notice of Violations, and Conciliation Agreement). If there is no finding of a violation and a closure letter is to be issued, provide a brief description of the basis for this recommended action. Because the Case Summary may exceed a single page, it may be drafted separately and included as an attachment to the SCER. This will be noted on the Case Summary SCER page.

Onsite Box: The CO will indicate whether an onsite occurred and, if so, the reason for the onsite.

Signature Blocks: The CO must sign and date the report in the space provided. Upon approval of the report, the Assistant District Director and District Director must also sign and date it.

PART A: PREPARATION

I. PAST PROBLEMS/KNOWN COMPLAINTS OR ENFORCEMENT PROCEEDINGS

1. **PAST PROBLEMS:** Determine whether this establishment or functional unit has been subject to past compliance evaluations or OFCCP complaint investigations. If there have been no prior evaluations or complaint investigations, check the box at the top of the page and skip to item 2 (Known Complaints or Enforcement Proceedings). If major problems were identified in previous evaluations or investigations, attach a copy of the applicable closure document. In addition, complete this Part with the following information:
 - a. **Past Problems** – Give the date of any past compliance evaluation or complaint investigation and list any major problems identified (e.g., recordkeeping, etc.).
 - b. **Recurrence** - At whatever point in the evaluation you have evidence that a past problem has recurred, describe the problem and evidence of recurrence. If you find that it did not recur, note “no” in this space.
2. **KNOWN COMPLAINTS/ENFORCEMENT PROCEEDINGS:** Review responses received from other agencies on any complaints filed, or ongoing enforcement proceedings against this establishment. If there are no such pending complaints or ongoing enforcement proceedings, state this and no further entries are needed in this part. If there are such complaints or proceedings, complete this Part as follows:
 - a. For each complaint or enforcement proceeding, indicate with what agency it was filed, its basis (including whether it is an individual or class complaint), issue, current status and the part of the workforce or establishment department it appears to concern (e.g., clerical, professional, entry-level blue-collar, etc.).
 - b. **Potential Systemic Issues** – As you review the responses from the agencies, be alert for any indications of potential systemic discrimination problems that you will investigate. Note those here.

II. INITIAL REVIEW OF AAP AND SUPPORTING DATA SUBMISSIONS

Complete this section once you have received and reviewed the contractor’s initial AAP and supporting data submission. Complete this section as follows:

Included: Review the Executive Order AAP and supporting data, and the Section 503 and VEVRAA AAP(s) to ensure that all required elements are present (complete). Beside each item, enter a “Y” for “yes” if it is included, or an “N” for “no” if it is

missing. If an element is missing, so indicate in the last column and include in Part A.III of the SCER.

Acceptable: Beside each listed element, enter a “Y” or “N” to indicate whether it is acceptable. If any element is not acceptable, list it in Part A. III of the SCER and describe the specific problem and actions taken. “Text only” refers to the desk audit review of the AAP contents for acceptability.

Prior year (PY) and current year (CY): Review the Executive Order supporting data to ensure that PY and CY, (if applicable), data was received. Enter a “Y” or “N” to indicate whether the items were received. If the contractor is not six months or more into its current AAP year, leave the CY column blank.

III. AAP AND SUPPORTING DATA SUBMISSION PROBLEMS

At the top of the page, check whether the page concerns the Executive Order AAP and supporting data, the Section 503 and VEVRAA AAP(s), or both. The CO must provide a detailed explanation of each AAP and support data problem. Each problem area must be described separately. If the problem is not resolved at the desk audit and onsite verification of compliance is necessary, the onsite box must be checked. The AAP and Supporting Data Problems description should include:

Problem Area: Provide a brief description of the identified problem.

Action Taken: The steps that were taken to resolve the problem or the steps that will be taken (Plan to Resolve) if the action is to take place during or after an onsite review.

Findings: Indicate whether problems were identified based on an offsite analysis or whether an onsite review was conducted. Note any finding(s) and briefly describe the basis for the finding(s).

Resolution: If the problem is resolved, explain how it was resolved. If the problem is not resolved, the issue must be included in Part C of the SCER.

IV. EEO TREND ANALYSIS

The EEO Trend Analysis must be used to examine employment trends and patterns in the contractor’s workforce. Specifically, the trend analysis identifies underrepresentations and concentrations of employees by EEO-1 category. Provide a narrative of the results of the EEO trend analysis as follows:

1. *Trends*

Total Workforce: Over the long – term, has the contractor’s overall workforce been relatively stable or has it been expanding or contracting? If so, how

substantial has the change been? Is the change primarily, or notably, in particular categories? What has the change been in the representation throughout the overall workforce?

Address the same questions as above concerning short-term total workforce trends.

White-Collar: Over the long and short term, what has the change been in the white-collar workforce? Have there been notable gains or losses in particular categories?

Blue-Collar: Over the long and short term, what have the changes been in the blue-collar workforce? Have there been notable gains or losses in particular categories?

2. *Job Category Patterns:* Are there any EEO-1 job categories in which a particular group (e.g., whites, females, Asians, etc.) has been persistently concentrated? Are there other categories in which particular groups appear to be substantially underrepresented?
3. *Particular Groups:* Identify any substantial disparity in the representation of a particular racial/ethnic group or of men or women of a particular minority group. Is any such disparity present either in the workforce as a whole or in certain job categories?

PART B: AFFIRMATIVE ACTION

I. EVALUATION OF GOOD FAITH EFFORTS – EO 11246

Identify goal areas where goals were established but not met. For each goal area that was not met include the following:

Goal Area: Identify job group; indicate whether goals were for minorities, females, or both; identify whether the goals were for the prior (PY), the current year (CY) or both; and identify the expected goal and actual goal.

Explanation and Commitments: If there is a difference between the expected and actual goals, provide the contractor's explanation for the difference and pertinent AAP commitments.

Additional Information: Note any information that will be requested. If an onsite is needed to obtain the information or to address the problem, check the onsite box.

Findings: Indicate whether problems were identified based on an offsite analysis or whether an onsite review was conducted. Note any finding(s) and briefly describe the basis for the finding(s).

Resolution: If the problem is resolved, explain how it was resolved. If the problem is not resolved, the issue must be included in Part C of the SCER.

II. OTHER PROBLEMS FOR INVESTIGATION

Indicate other problems identified as a result of the offsite analyses conducted as a part of the compliance evaluation. For each identified problem include the following:

Problem Area: Provide a brief description of the identified problem.

Additional Information: Note any information that will be requested. If an onsite is needed to obtain the information or to address the problem, check the onsite box.

Findings: Indicate whether problems were identified based on an offsite analysis or whether an onsite review was conducted. Note any finding(s) and briefly describe the basis for the finding(s).

Resolution: If the problem is resolved, explain how it was resolved. If the problem is not resolved, the issue must be included in Part C of the SCER.

III. IMPLEMENTATION OF SEX DISCRIMINATION PROVISIONS OF PARTS 60-1 and 60-20, AND GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION AND NATIONAL ORIGIN

During the onsite review verify the contractor's implementation of the Sex Discrimination Guidelines and the Guidelines on Discrimination Because of Religion and National Origin. For each of the specified elements, indicate what action was taken by the contractor and how this was evidenced (e.g., identify or summarize the documentation and interview statements that are responsive), and whether any problems exist. If problems exist, indicate how the problems were resolved. If there is a potential finding of discrimination, the information must be included in Part C.

IV. IMPLEMENTATION OF SECTION 503 AND VEVRAA

During the onsite review evaluate the contractor's efforts toward implementing the listed elements of its Section 503 and VEVRAA AAP(s), including such issues as providing an accessible online application process, disability-related questions, use of medical examinations, and confidentiality of records. For each of these elements indicate "Y" or "N" whether the contractor complied with the requirement and how this was evidenced (e.g., identify/summarize the documentation and/or interview statements that are responsive) and whether any problems exist, and if resolved, check "Y." If problems exist, and are unresolved, indicate "N" for not "Resolved." If "N" is indicated, there is a potential finding of discrimination that must be included in Part C of the SCER.

V. TECHNICAL REQUIREMENTS: EO 11246, SECTION 503 AND EO 13496

During the onsite review evaluate whether the listed technical requirements under EO 11246, Section 503 and VEVRAA, and EO 13496 have been met. For each of these elements, indicate whether the action was taken by the contractor and how this was evidenced (e.g., identify or summarize the CO's observation, review of the documentation and interview statements that are responsive), and whether any problems exist. If problems exist, indicate how the problems were resolved. If any technical requirements are not met despite attempts to resolve the problem, include the technical violation requiring corrective action in Part C.

PART C: PROBLEMS IDENTIFIED

Record all identified problems or areas of discrimination that have been resolved, or that require corrective action in order to be resolved. Include a description of the problem or discrimination identified, actions taken to resolve the problem (if any), and whether the problem was resolved. If the problem was not resolved and will require corrective action, the problem must be included in Part F – Summary of Findings.

PART D: CMCE NARRATIVE

When conducting a Corporate Management Compliance Evaluation, or CMCE, this form must be filled out in addition to completing all other parts of the SCER. Supplement the Case Summary and Recommendations (SCER page 2) with findings specific to a CMCE. For additional information regarding CMCEs, see Chapter 4 of the Federal Contract Compliance Manual.

PART E: COMPLIANCE CHECK CONTROL SHEET (to be inserted)

PART F: SUMMARY OF FINDINGS (INTERNAL DOCUMENT)