

Office of Federal Contract Compliance Programs (OFCCP)

Frequently Asked Questions (FAQs)

Scheduling Letter Itemized Listing Item 19 Compensation Data

Accessed December 8, 2014

1. *Where can contractors find information about the support data they must submit on their compensation policies and practices?*

Item 19 of the itemized listing attached to the scheduling letter approved effective October 1, 2014, outlines the support data contractors must submit on their compensation policies and practices. You can view a copy of the letter and itemized listing

at http://www.reginfo.gov/public/do/PRAViewIC?ref_nbr=201104-1250-001&icID=13735.

2. *Item 19 refers to providing compensation data for the employees reported in the workforce analysis. My company's AAP includes an organizational display rather than a workforce analysis. Do we have to start preparing a workforce analysis?*

No. Simply provide the requested data for the employees in your organizational display.

3. *How is compensation measured under the new scheduling letter?*

For all employees, compensation must include base salary and/or wage rate and hours worked in a typical workweek. Other compensation or adjustments to salary such as bonuses, incentives, commissions, merit increases, locality pay or overtime should be identified separately from base salary/wage for each employee.

4. *Does the new scheduling letter still permit contractors to submit aggregate compensation data for employees?*

No. Contractors are now required from the onset to submit "employee level" (i.e. individual) compensation data for all employees. If the contractor submits aggregate data, the CO will consider the submission incomplete and require the correct individual data submission. (See below for information on the types of employees and timeframe covered by the data).

5. Which employees must the contractor include in the data?

The employee-level data must include, but is not limited to, full-time, part-time, contract, per diem or day labor, and temporary employees. Contractors must provide employee-level compensation data for all of the employees included in the AAP workforce analysis/organizational display. The term "employee," as used in the AAP regulations in 41 C.F.R. Part 60-2, is broad enough to include part-time, temporary and full-time employees. Therefore, OFCCP already requires contractors to include part-time and temporary employees in their AAPs. Item 19 seeks compensation data for "contract, per diem, or day laborers" as categories of temporary employees on the contractor's payroll.

6. What additional information must the contractor include with the individual-level compensation data?

The contractor must provide, for each employee, gender, race/ethnicity, hire date, job title, EEO-1 Category and AAP job group in a single file.

7. Can a contractor submit data on additional factors that affect employee compensation?

Yes. A contractor may provide any additional data on factors used to determine employee compensation, such as education, past experience, duty location, performance ratings, department or function, salary level/band/range/grade. Providing this data is optional, but contractors are encouraged to provide this data since it may help explain their pay practices.

8. What additional documentation on compensation should contractors submit?

Although not required, documentation and policies related to compensation practices of the contractor should also be included in the submission, particularly those that explain the factors and reasoning used to determine compensation. Submission of these documents is not required, but if OFCCP receives these documents early it will make the reviews more efficient.

9. Must the contractor provide all requested compensation data electronically?

Per the Itemized Listing, a contractor must provide all requested data electronically, if it is maintained in an electronic format. In these instances, the contractor must submit the data in an electronic format that is complete, readable, and useable.

10. Can contractors submit the requested compensation data with identifying numbers in lieu of providing employee names?

Yes, consistent with past agency practice, contractors may provide the initial individual compensation data submission using identifying numbers and without employee names — provided that the

contractor includes the required gender, race/ethnicity, hire date, job title, EEO-1 category, and AAP job group for the employees. However, the review may involve requests for additional information or an onsite visit to the facility at a later phase. In these circumstances, the compliance officer may need the employee names to conduct interviews or to match against other records such as personnel files.

11. What is the time-frame for the other compensation or adjustments to salary?

For each employee in the workforce analysis/organizational display, the contractor must identify separately other compensation or adjustments to salary (e.g., bonuses, incentives, commissions, merit increases, locality pay or overtime). Under the previously approved scheduling letter, in effect until September 30, 2014 (OMB No. 1215-0072), contractors provided summary data on annualized wages, salaries, bonuses and commissions for the 12-month period preceding the date it chose for the compensation snapshot date. Under the revised scheduling letter, as reauthorized by OMB in September 2014, the snapshot date is the date of the workforce analysis/organizational display. Therefore, for each employee in the workforce analysis/organizational display contractors should provide the actual amount paid in other compensation or adjustments to salary during the 12-month period preceding the date of the analysis/display.

12. The submission requires hire data on each employee record. Should the hire date reflect the original hire date, re-hire date (in case of an employee that had left and was re-hired), or a service date?

The contractor should provide information on the most recent hire date for each employee. However, if an employee's status as a rehire is a factor that affects pay, Item 19 provides that the contractor may provide additional data on this factor (e.g., a contractor may also include the original hire date, and any information on how this impacts the employee's pay).

13. The new Itemized Listing requires support data to be provided in five specified race/ethnicity categories: African-American/Black, Asian/Pacific Islander, Hispanic, American Indian/Alaskan Native, and White. May contractors submit their data using the seven race/ethnicity categories used to submit EEO-1 reports to the EEOC?

Yes. As stated in [Directive 2008-02](#), OFCCP will accept AAPs and supporting records that reflect the five race and ethnicity categories outlined in 41 CFR Part 60-2 or the seven used in the EEO-1 Report. For purposes of the Item 19 requirement to provide compensation data by race/ethnicity, contractors may provide this data using either set of race/ethnicity categories.