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The Hon. John Kline, Chair House Committee on Education & the Workforce
The Hon. George Miller, Ranking Member, House Committee on Education & the
Workforce

The Hon. Tim Walberg, Chair, Subcommittee on Workforce Protections
The Hon. Joe Courtney, Ranking Member, Subcommittee on Workforce
Protections

2181 Rayburn House Office Building
Washington, DC 20515

Re: Hearing on "Examining Recent Actions by the Office of Federal Contract
Compliance Programs."

December 3, 2013

Dear Chairman Kline, Ranking Member Miller, Subcomm. Ch. Walberg &
Subcomm. Chair Courtney:

I write to provide Legal Momentum's views for the record and in conjunction with the hearing, "Examining Recent Actions by the Office of Federal Contract Compliance Programs." Legal Momentum is the oldest women's legal organization in the country. We devote significant resources to improving access to nontraditional employment and apprenticeship and training opportunities for women, and with Wider Opportunities for Women, we co-chair the National Task Force on Tradeswomen's Issues, which unites local, regional and national expertise and action to support tradeswomen and women who want access to these occupations.

One of our primary areas of concern is enforcement of Executive Order 11246, which bans employment discrimination by government contractors on federal and federally assisted construction sites. The Order was revised in 1978 because of the "almost total exclusion of women from [construction] employment." The same year, the regulations governing registered apprenticeship programs were also revised to establish specific affirmative standards for women, who numbered between 1% and 3% of apprentices in the skilled construction trades.¹ We applaud Director Shiu for the work that she and her staff have done to ensure that federal contractors comply with the requirements of E.O. 11246. Women's access

¹ 43 Fed. Reg. 20769 (May 12, 1978)



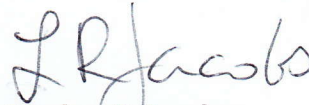
to these high-wage career opportunities face on-going barriers that include gender stereotyping and other forms of discrimination including barriers to training and hiring and unfair job assignments. Women need the OFCCP to help federal contractors address these issues and change the traditional operating procedures to offer all who want these jobs real equal opportunity.

Additionally, we are fully in support of the recently revised rules re: Section 503 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA). We applaud the new Section 503 rules, which set out a hiring goal that 7% of federal contractors and subcontractors of each job group in their workforce be qualified individuals with disabilities. We also support the aspects of the rule that specify actions contractors must take with respect to training and recruitment, record keeping, and policy dissemination. These provisions are similar to those that promote workplace equality for women and minorities, and have long been in place. The new VEVRAA rule makes clear job listing and subcontract requirements, and strengthens accountability and record-keeping requirements, thereby enabling contractors to assess the effectiveness of their recruitment efforts. These revised rules ensure that federal contractors offer our veterans and people with disabilities access to meaningful opportunities for work.

Taken together, the continued enforcement of E.O. 11246, along with implementation and enforcement of the new rules regarding Section 503 and VEVRAA will ensure that federal contractors can enhance their ability to attract, train, and hire veterans, women, people of color and people with disabilities. It will also buttress the access of these groups to positions that provide economic security and help strengthen our economy. We feel that these standards are fair and encourage employers to both deepen and broaden the talent pool of those eligible for, and capable of filling these contractor and subcontractor positions. The use of affirmative action and efforts to ensure equal employment opportunities, particularly for underrepresented groups, is of paramount importance and we fully support the efforts of OFCCP and the Department of Labor in this regard.

Thank you for the opportunity to provide this testimony. We look forward to continuing to work with you on these and other matters.

Sincerely,

A handwritten signature in dark ink, appearing to read "L R Jacobs", written in a cursive style.

Lisalyn R. Jacobs

Vice-President for Government Relations