U.S. Department of Labor

Office of Federal Contract
Compliance Programs
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Washington, D.C. 20210

Notice for Federal Contractors on Use of the 2006-2010 Census EEO Tabulation in the Development of Affirmative Action Programs (AAPs)

This Office of Federal Contract Compliance Programs (OFCCP) notice informs covered federal contractors of the date by which they must begin using the 2006-2010 EEO Tabulation (2010 EEO Tab) to develop their written affirmative action programs (AAPs). On November 29, 2012, the United States Census Bureau released the 2010 EEO Tab to the public. This EEO Tab replaces the Census 2000 Special EEO File that OFCCP and covered federal contractors began using in January 2005.

OFCCP regulations require covered federal supply and service contractors to prepare and maintain AAPs designed to ensure equal employment opportunity. One key requirement of an AAP is the determination of the availability of qualified minorities and women for the contractor's job openings. Availability determinations are used to "establish benchmark[s] against which the demographic composition of the contractor's incumbent workforce can be compared in order to determine whether barriers to equal employment opportunity may exist within particular job groups." 41 CFR 60-2.14(a).

To determine availability estimates, OFCCP requires contractors to "use the most current and discrete statistical information available," which includes "census data, data from local job service offices, and data from colleges or other training institutions." 41 CFR 60-2.14(d). To assist contractors in this task, and because OFCCP uses Census Bureau data to assess contractors' compliance with its regulations, OFCCP co-sponsored the development of the 2010 EEO Tabulation, as part of a consortium of federal agencies.[1] This data file, containing information on 488 occupations, is similar to the Special EEO File created following the 2000 decennial census.

OFCCP reached out to contractors and others to obtain their views on a range of issues related to transitioning to the new EEO Tab. By hosting two nationwide Web chats, OFCCP recognized that some contractors have already prepared their AAPs for 2013 using the earlier data. OFCCP further recognized that, for many contractors, converting their IT systems and availability calculations to the new data will take time due to changes in the coding and categorization of data in the 2010 EEO Tab. Therefore, OFCCP will permit contractors to continue to use the Census 2000 Special EEO File in the development of all AAPs commencing in 2013.

Contractors must begin using the 2010 EEO Tab to develop all AAPs that commence on or after January 1, 2014. OFCCP will, likewise, begin using the 2010 EEO Tab to evaluate the reasonableness of all AAPs commencing on or after January 1, 2014. Contractors may, however,

[1] The consortium of federal agencies consists of OFCCP, the Department of Justice, the Equal Employment Opportunity Commission (EEOC) and the Office of Personnel Management (OPM).

begin to use the 2010 EEO Tab in the development of their AAPs immediately, if they wish to do so.

The transition period provided for in this notice is much like the twelve month time frame that was provided for contractors to transition to the Census 2000 Special EEO File in 2005. Consequently, OFCCP believes that allowing contractors to defer the use of the 2010 EEO Tab until the development of AAPs commencing on or after January 1, 2014, will facilitate a smooth transition to the 2010 EEO Tab.

The 2006-2010 EEO Tabulation is available on the Census Bureau's Web site at http://www.census.gov/people/eeotabulation/data/eeotables20062010.html.