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AGC of America
THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA
Quality People. Quality Projects.



April 25, 2014

VIA ELECTRONIC SUBMISSION: <http://www.regulations.gov>

Mr. William Torrans
Office of National Programs (ONP)
Veterans Employment and Training Service (VETS)
Room S-1316
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Re: Proposed Revisions to the Regulations Implementing Reporting Requirements Under the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, ("VEVRAA") (RIN 1293-AA20)

Dear Mr. Torrans:

On behalf of the Associated General Contractors of America (hereinafter "AGC"), thank you for the opportunity to submit the following comments on the Veterans' Employment and Training Service's (hereinafter "VETS") notice of proposed rulemaking to revise the regulations implementing the reporting requirements under the VEVRAA, as published in the *Federal Register* on February 24, 2014.

AGC is the leading association for the construction industry. AGC represents more than 25,000 firms, including over 6,500 of America's leading general contractors, and over 8,800 specialty-contracting firms. More than 10,400 service providers and suppliers are associated with AGC through a nationwide network of chapters. AGC represents both union and open shop contractors in the building, highway, heavy-industrial, and municipal-utility sectors of the construction industry. Many of these firms regularly perform construction services for government agencies and as a result, are required to comply with the reporting requirements of VETS. Most are small and closely held businesses.

With regard to the proposed rulemaking, AGC generally supports implementing the changes in the aforementioned proposal as doing so will decrease the reporting burden on federal contractors while simultaneously increasing the level of privacy for employees who have, in the past, self-identified as a member of a specific category of protected veterans.

While AGC does not necessarily agree that the newly proposed reporting requirements will help contractors comply with the recently implemented regulations issued by the Office of Federal Contract Compliance Programs (OFCCP), AGC sincerely appreciates your thoughtfulness in finding ways to

align the VETS reporting requirements with those regulations. AGC, does however, have one suggestion in furtherance of this objective. If implemented without changes, the proposed rule will require contractors to begin complying with the new reporting requirements “one year after the effective date of the final rule.” AGC recommends that contractors with existing Affirmative Action Programs (AAP) not become subject to comply with the new reporting requirements until “*one year after the effective date of the final rule, or at the start of their next AAP cycle, whichever is later.*” OFCCP saw fit to allow contractors this flexibility by incorporating the following statement in its recent regulations regarding veterans and individuals with disabilities:

Current contractors subject to subpart C of the existing 41 CFR part 60–300 regulations that have written affirmative action programs (AAP) prepared pursuant to those regulations in place on the effective date of this final rule may maintain that AAP for the duration of their AAP year. Such contractors are required to update their affirmative action programs to come into compliance with the requirements of subpart C of this final rule at the start of their next standard 12-month AAP review and updating cycle.

Federal Register/ Vol. 78, No. 185 / Page 58618 / Tuesday, September 24, 2013

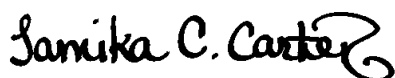
Implementing the suggested language above will allow for more consistency as contractors prepare to change their record collection and recordkeeping systems to comply with both agencies’ rules.

In addition, AGC understands why a sample of the new reporting tool is not yet available for review. However, as VETS goes through the process of designing the tool, AGC recommends making all efforts to ensure the tool’s ease of use for employers. AGC and its members are willing to assist VETS during the design and review process.

AGC strongly agrees with VETS that protected veterans should have an opportunity to earn a living after serving and protecting our country, and AGC members have long aspired to recruit and hire such qualified protected veterans. After all, veterans are typically well-trained, dedicated, loyal, and accountable, with impressive leadership qualities which are the characteristics that any company would desire when looking for candidates to fill a job opening. AGC appreciates VETS efforts to help veterans become gainfully employed, and AGC members *want* to hire qualified veterans. With that in mind, we thank you again for proposing to implement changes that aim to decrease the regulatory burden on contractors, which, in turn, provides contractors with more time and resources to create jobs.

AGC would welcome the opportunity to provide additional information or support for the rulemaking process.

Sincerely,

A handwritten signature in black ink that reads "Tamika C. Carter". The signature is written in a cursive, flowing style.

Tamika C. Carter
Director, Construction HR