

§61-250.11

EMPLOYMENT REPORTS ON SPECIAL DISABLED VETERANS AND VETERANS OF THE VIETNAM ERA

(a) The contractor agrees to report at least annually, as required by the Secretary of Labor, on:

(1) The number of special disabled veterans and the number of veterans of the Vietnam era in the workforce of the contractor by job category and hiring location; and

(2) The total number of new employees hired during the period covered by the report, and of that total, the number of special disabled veterans, and the number of veterans of the Vietnam era.

(b) The above items shall be reported by completing the form entitled "Federal Contractor Veterans' Employment Report VETS-100."

(c) Reports shall be submitted no later than March 31 of each year beginning March 31, 1988.

(d) The employment activity report required by paragraph (a)(2) of this section shall reflect total hires during the most recent 12-month period as of the ending date selected for the employment profile report required by paragraph (a)(1) of this section. Contractors may select an ending date: (1) As of the end of any pay period during the period January through March 1st of the year the report is due, or (2) as of December 31, if the contractor has previous written approval from the Equal Employment Oppor-

41 CFR Ch. 61 (7-1-00 Edition)

tunity Commission to do so for purposes of submitting the Employer Information Report EEO-1 (Standard Form 100).

(e) The count of veterans reported according to paragraph (a) above shall be based on voluntary disclosure. Each contractor subject to the reporting requirements at 38 U.S.C. 2012(d) shall invite all special disabled veterans and veterans of the Vietnam era who wish to benefit under the affirmative action program at 38 U.S.C. 2012 to identify themselves to the contractor. The invitation shall state that the information is voluntarily provided, that the information will be kept confidential, that disclosure or refusal to provide the information will not subject the applicant or employee to any adverse treatment, and that the information will be used only in accordance with the regulations promulgated under 38 U.S.C. 2012. Nothing in this paragraph (e) shall preclude an employee from informing a contractor at a future time of his or her desire to benefit from this program. Nothing in this paragraph (e) shall relieve a contractor from liability for discrimination under 38 U.S.C. 2012.

§61-250.11 Reporting format.

(a) Data items required in paragraph (a) of the contract clause set forth in §61-250.10 are to be reported for each hiring location in the format (VETS-100) as set forth below:

Information on Veterans

Report all permanent full-time or part-time employees and new hires who are veterans as defined on reverse. Also report total new hires. Blank spaces will be considered as zeros. Entries in Columns N through P, Lines 14 through 22, and Columns L and M, Line 23 are optional.

JOB CATEGORIES	NUMBER OF EMPLOYEES			NUMBER OF NEW HIRES (PREVIOUS 12 MONTHS)		
	SPECIAL DISABLED VETERANS L	VIETNAM ERA VETERANS M	TOTAL, BOTH VETERANS AND NON-VETERANS P	SPECIAL DISABLED VETERANS N	VIETNAM ERA VETERANS O	TOTAL, BOTH VETERANS AND NON-VETERANS P
Officials and Managers 14						
Professionals 15						
Technicians 16						
Sales Workers 17						
Office and Clerical 18						
Craft Workers (Skilled) 19						
Operatives (Semi-Skilled) 20						
Laborers (Unskilled) 21						
Service Workers 22						
TOTAL 23						

Federal Contractor Veterans' Employment Report VETS-100

This supplemental report is to be completed by all nonexempt contractors and subcontractors with contracts (or subcontracts) for the furnishing of supplies and services or the use of real or personal property (including construction) for \$10,000 or more. The report is to be completed for each "hiring loca-

tion". Reports must be completed for establishments located in Hawaii.

All multi-establishment employers, i.e., those doing business at more than one hiring location, must file (1) a report covering the principal or headquarters office (2) a separate report for each hiring location employing 50 or more persons; and (3) either, (i) a separate report for each hiring location employing fewer than 50 persons, or (ii) consolidated reports, by State, covering the hiring

Veterans' Employment and Training

§ 61-250.11

locations within the State having fewer than 50 employees. Each consolidated report must also list the name and address of the hiring locations covered by the report.

How To Prepare Form

COMPANY IDENTIFICATION

Parent Company. Please provide company name, receiving office, address and employer identification number of the headquarters office of multi-hiring location company which owns the hiring location for which this report is filed.

Hiring Location For which This Report Is Filed. Please provide the name, address and employer identification number of each company's hiring location for which this report is filed.

INFORMATION ON VETERANS

Employment data must include all permanent full-time and part-time employees who were employed during the selected payroll period; except those employees specifically excluded as indicated at 41 CFR 61-250.2(b)(2). Employees must be counted by veteran status for each of the nine occupational categories (columns L and M). Entries in column L and M on line 23 are optional.

New Hires Data: Report on line 23, columns N through P, the total number of permanent full-time and part-time employees by veteran status (columns N and O) and total employees (column P) who were included in the payroll for the first time during the 12-month period ending either as of the end of the selected payroll period between January and March 1, or December 31, if approved. Entries in columns N through P, lines 14 through 22, are optional.

DEFINITIONS

Hiring location means an establishment as defined at 41 CFR 61-250.2(b).

Special Disabled Veteran means (A) a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Veterans Administration for a disability (i) rated at 30 percent or more, or (ii) rated at 10 or 20 percent in the case of a veteran who has been determined under Section 1506 of Title 38, U.S.C., to have a serious employment handicap or (B) a person who was discharged or released from active duty because of a service-connected disability.

Veteran of the Vietnam era means a veteran, any part of whose active military, naval or air service was during the period August 5, 1964, through May 7, 1975, who— (i) served on active duty for a period of more than 180 days and was discharged or released therefrom with other than a dishonorable discharge, or (ii) was discharged or released

from active duty because of a service-connected disability. No veteran may be considered to be a veteran of the Vietnam era under this paragraph after December 31, 1991.

LEGAL BASIS FOR REPORTING REQUIREMENTS

Title 38, United States Code, Section 2012(d), requires that Federal contractors report at least annually the numbers of special disabled and Vietnam-era veterans in their workforce by job category and hiring location and the total number of employees and the number of special disabled and Vietnam-era veterans hired during the reporting period. Implementing regulations are found at 41 CFR 61-250.

DESCRIPTION OF JOB CATEGORIES

Officials and managers.— Occupations requiring administrative and managerial personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operation. Includes: officials, executives, middle management, plant managers, department managers, and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, railroad conductors and yard masters, ship captains and mates (except fishing boats), farm operators and managers, and kindred workers.

Professional.— Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dieticians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, personnel and labor relations specialists, physicians, social scientists, surveyors, teachers, and kindred workers.

Technicians.— Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers and operators, drafters, engineering aides, junior engineers, mathematical aides, licensed practical or vocational nurses, photographers, radio operators, scientific assistants, technical illustrators, technicians (medical, dental, electronic, physical science) and kindred workers.

Sales.— Occupations engaged wholly or primarily in direct selling. Includes: advertising agents and salesworkers, insurance agents and brokers, real estate agents and brokers, stock and bond salesworkers, demonstrators, salesworkers and sales clerks,

grocery clerks and cashier-checkers, and kindred workers.

Office and clerical.— Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, cashiers, collectors (bills and accounts), messengers and office helpers, office machine operators, shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, legal assistants, and kindred workers.

Craft Workers (skilled).— Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid supervisors and lead operators who are not members of management, mechanics, and repairers, skilled machining occupations, compositors and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors and tailoresses, art occupations, handpainters, coaters, decorative and kindred workers.

Operatives (semiskilled).— Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes apprentices (auto mechanics, plumbers, bricklayers, carpenters, electricians, mechinists, mechanics, building trades, metal working trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, dressmakers and sewers (except factory), dryers, furnace workers, heaters (metal), laundry and dry cleaning operatives, milliners, mine operators and laborers, motor operators, oilers and greasers (except auto), painters (except construction and maintenance), photographic process workers, stationary firefighters, truck and tractor drivers, weavers (textile), welders and flamecutters, electrical and electronic equipment assemblers, butchers and meat-cutters, inspectors, testers and graders, handpackers and packagers, and kindred workers.

Laborers (unskilled).— Workers in manual occupations which generally require no special training perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, gardeners (except farm) and groundskeepers, stevedores, wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.

Service workers.— Workers in both protective and non-protective service occupations. Includes: attendants (hospital and other institutions, professional and personal service, including nurses aides and orderlies), barbers, charworkers and cleaners, cooks (except household), counter and fountain workers, elevator operators, firefighters and fire protection, guards, doorkeepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, guides, ushers, public transportation attendants and kindred workers.

(b) Computer-generated forms are acceptable, provided that all required information and data is presented in the same format as the VETS-100 Form set forth above.

(c) OASVET or its designee will use all available information to distribute the required forms to contractors identified as subject to the requirements of this part.

(d) It is the responsibility of each contractor to obtain necessary supplies of the VETS-100 reporting form prior to the filing date. Contractors who do not receive forms should request them in time to meet the annual March 31 deadline. Requests should be addressed to:

OASVET (VETS-100)
U.S. Department of Labor
200 Constitution Avenue, NW.
Washington, DC 20210

[52 FR 6677, Mar. 4, 1987; 52 FR 13674, Apr. 24, 1987]

§ 61-250.12 Voluntary disclosure.

Each contractor subject to this part shall invite all special disabled veterans and veterans of the Vietnam era who wish to benefit under the affirmative action program at 38 U.S.C. 2012 to identify themselves to the contractor. The invitation shall state that the information is voluntarily provided, that the information will be kept confidential, that disclosure or refusal to provide the information will not subject the applicant or employee to any adverse treatment, and that the information will be used only in accordance with the regulations implementing 38 U.S.C. 2012. Nothing in this section shall preclude an employee from informing a contractor at a future time of his or her desire to benefit from this program. Nothing in this section shall