

**§ 60-742.7**

the charging party and the contractor/respondent of the transfer, the reason for the transfer, the location of the OFCCP office to which the charge was transferred and that the date EEOC received the charge will be deemed the date it was received by OFCCP.

(d) Except as otherwise stated in paragraphs (a) and (b) of this section, individuals alleging violations of laws enforced by DOL and over which EEOC has no jurisdiction will be referred to DOL to file a complaint.

(e) If an individual who has already filed an ADA charge with EEOC subsequently attempts to file or files a section 503 complaint with OFCCP covering the same facts and issues, OFCCP will accept the complaint, but will adopt as a disposition of the complaint EEOC's resolution of the ADA charge (including EEOC's termination of proceedings upon its issuance of a notice of right-to-sue).

**§ 60-742.7 Review of this part.**

This part shall be reviewed by the Chairman of the EEOC and the Director of OFCCP periodically, and as appropriate, to determine whether changes to the part are necessary or desirable, and whether the part should remain in effect.

**§ 60-742.8 Definitions.**

As used in this part, the term:

*ADA* refers to title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*).

*Affirmative action requirements* refers to affirmative action requirements required by DOL pursuant to section 503 of the Rehabilitation Act of 1973, that go beyond the nondiscrimination requirements imposed by the ADA.

*Chairman of the EEOC* refers to the Chairman of the U.S. Equal Employment Opportunity Commission, or his or her designee.

*Complaint/Charge* means a section 503 complaint/ADA charge. The terms are used interchangeably.

*Director of the Office of Federal Contract Compliance Programs* refers to that individual or his or her designee.

*DOL* means the U.S. Department of Labor, and where appropriate, any of its headquarters or regional offices.

*EEOC* means the U.S. Equal Employment Opportunity Commission, and where appropriate, any of its headquarters, district, area, local, or field offices.

*Government* means the government of the United States of America.

*Priority List* refers to a document listing a limited number of controversial topics under the ADA on which there is not yet definitive guidance setting forth EEOC's position. The Priority List will be jointly developed and periodically reviewed by EEOC and DOL. Any policy documents involving Priority List issues will be coordinated between DOL and EEOC pursuant to Executive Order 12067 (3 CFR, 1978 Comp., p. 206) prior to final approval by EEOC.

*OFCCP* means the Office of Federal Contract Compliance Programs, and where appropriate, any of its regional or district offices.

*Section 503* refers to section 503 of the Rehabilitation Act of 1973 (29 U.S.C. 793).

*Section 503 complaint/ADA charge* refers to a complaint that has been filed with OFCCP under section 503 of the Rehabilitation Act, and has been deemed to be simultaneously dual filed with EEOC under the ADA.

**PART 60-999—OMB CONTROL NUMBERS FOR OFCCP INFORMATION COLLECTION REQUIREMENTS**

- Sec. 60-999.1 Purpose.
- 60-999.2 Display.

AUTHORITY: 44 U.S.C. Ch. 35.

SOURCE: 61 FR 43467, Aug. 23, 1996, unless otherwise noted.

**§ 60-999.1 Purpose.**

This part displays control numbers assigned to information collection requirements of the Office of Federal Contract Compliance Programs by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA), 44 U.S.C. Ch. 35. This part fulfills the PRA requirement that agencies display a current control number for each agency information collection requirement approved by OMB (44 U.S.C. 3507).