

UNITED STATES DEPARTMENT OF LABOR  
OFFICE OF ADMINISTRATIVE LAW JUDGES

OFFICE OF FEDERAL CONTRACT COMPLIANCE	)	
PROGRAMS, UNITED STATES DEPARTMENT	)	
OF LABOR,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2023-OFC-00003
	)	
DISH NETWORK CORPORATION,	)	
	)	
Defendant.	)	OFCCP Control No. R00207603
	)	

**CONSENT DECREE AND ORDER**

Plaintiff, United States Department of Labor, Office of Federal Contract Compliance Programs (“OFCCP”), instituted this action by filing an Administrative Complaint against Respondent DISH Network L.L.C. (incorrectly named herein as DISH Network Corporation)(“Respondent” or “DISH”) alleging violations of the obligations imposed upon federal contractors and subcontractors by Executive Order 11246, as amended by Executive Orders 11375, 12086, 13279, 13672, and 13665 (“Executive Order 11246” or the “Executive Order”), Section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 793 (“Rehabilitation Act”), and the rules and regulations issued pursuant thereto at 41 C.F.R. Chapter 60. OFCCP alleged in the Administrative Complaint that DISH failed to comply with its contractual obligations when it did not submit to OFCCP written Affirmative Action Programs (“AAPs”) and supporting data in response to a scheduling letter issued in a compliance review of DISH’s Roseland, New Jersey establishment (the “Roseland Establishment”). DISH denied that it was a covered federal contractor or subcontractor at the time the scheduling letter was received and argued it had no such contractual obligations under the Executive Order or

Rehabilitation Act. Without admitting to any of the alleged violations set forth in the Administrative Complaint, DISH agrees, pursuant to 41 C.F.R. § 60-30.13, to the entry of this Consent Decree and Order (“Decree”). This Decree constitutes a complete and final settlement of all matters that are or could have been raised by either party as a result of (1) the subject matter of OFCCP’s Administrative Complaint against DISH, (2) DISH’s alleged failure to develop, maintain or implement written AAPs for the establishments and during the time periods identified in paragraph 12 below, and (3) DISH’s alleged failure to submit to OFCCP the materials requested in the scheduling letters identified in paragraph 12 below.

### **JURISDICTION AND PROCEDURAL HISTORY**

1. This Court has jurisdiction of this action under Sections 208 and 209 of Executive Order 11246, 41 C.F.R. §§ 60-1.26, and 60-741.65, and 41 C.F.R. Part 60-30.

2. DISH is a pay TV provider with its headquarters located at 9601 S. Meridian Boulevard, Englewood, Colorado 80112.

3. DISH maintains the Roseland Establishment at 3 ADP Boulevard, Roseland, New Jersey.

4. Since at least January 1, 2017, to the present time, DISH has had 50 or more employees.

5. DISH held a contract with the federal government (Contract VA24916C0065), which began on January 1, 2016, with an outmost completion date of September 30, 2020.

6. The amount of the base plus all options under Contract VA24916C0065 is more than \$50,000.

7. Additionally, DISH held a contract with the federal government (Contract VA24717C0047), which began on February 23, 2018, with an outmost completion date of

February 29, 2020.

8. The amount of the base plus all options under Contract VA24717C0047 is more than \$50,000.

9. During the course of these proceedings, the parties have disagreed as to whether it is appropriate to compute the value of each of the above contracts by including both the base and option years for purposes of determining whether the value of each such contract is \$50,000 or more pursuant to 41 C.F.R. §§ 60-2.1 and 60-741.40, and as such, whether OFCCP properly exercised jurisdiction over DISH when it scheduled DISH for a review on May 17, 2018.

10. It is undisputed that as of the date this Decree has been signed by the parties, DISH is a covered federal contractor or subcontractor within the meaning of Executive Order 11246, the Rehabilitation Act and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212 ("VEVRAA"), and is subject to the contractual obligations imposed on federal contractors and subcontractors by Executive Order 11246, the Rehabilitation Act, and VEVRAA, and their implementing regulations, and in particular, the nondiscrimination and affirmative action requirements of 41 C.F.R. Parts 60-1 and 60-2, 60-300 and 60-741.

11. As of the date this Decree has been signed by the parties, it is undisputed that DISH is subject to the affirmative action requirements of 41 C.F.R. Parts 60-2, 60-300, and 60-741.

12. The issues resolved by this Decree arose during OFCCP's attempt to conduct compliance reviews of DISH's establishments (collectively, the "Twelve Establishments") scheduled as follows:

- a. On or about May 17, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's Roseland Establishment, which is the subject matter of this

action;

- b. On or about March 30, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 4811 E. Thistle Landing Drive, Suite 105, Phoenix, Arizona (the "Phoenix Establishment");
- c. On or about July 30, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 3315 Mill Meadow Dr., Hilliard, Ohio (the "Hilliard Establishment");
- d. On or about September 13, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 5701 S. Sante Fe Drive, Littleton, Colorado (the "Littleton Establishment");
- e. On or about September 17, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 1285 Joe Battle Drive, Building 1285, El Paso, Texas (the "El Paso-Suite A Establishment");
- f. On or about September 17, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 294 Majestic Place, Bluefield, West Virginia (the "Bluefield Establishment");
- g. On or about September 21, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 400 Technology Drive, Christiansburg, Virginia (the "Christiansburg Establishment");
- h. On or about December 12, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 2809 E. Grimes Avenue, Harlingen, Texas (the "Harlingen Establishment");
- i. On or about December 12, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 1285 Joe Battle Drive, Suite B, El Paso, Texas (the "El Paso-Suite B Establishment");
- j. On or about December 17, 2018, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 1950 E. 71<sup>st</sup> Street, Tulsa, Oklahoma (the "Tulsa Establishment");
- k. On or about September 30, 2019, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 9601 S. Meridian Blvd, Englewood, Colorado (the "Englewood Establishment"); and
- l. On or about July 23, 2020, OFCCP issued a scheduling letter for a compliance review of DISH's establishment located at 215 Satellite Blvd., 100 Dock Door No. 36, Suwanee, Georgia (the "Suwanee Establishment").

13. In each scheduling letter, OFCCP requested that, within 30 days from the date of receipt of the letter, DISH submit copies of its AAPs for each scheduled establishment as required by the Executive Order, the Rehabilitation Act, and VEVRAA.

14. Additionally, OFCCP requested that, within 30 days from the date of receipt of the letter, DISH submit copies of additional supporting data (the “Itemized Listing”) as required by the Executive Order, the Rehabilitation Act, and VEVRAA. The information requested, with the exception of information pertaining to VEVRAA, is more particularly identified in Attachment A to this Consent Decree.

15. At the time the scheduling letters were issued, the options in Contract VA24916C0065 and Contract VA24717C0047 had not yet been fully exercised and DISH had not received at least \$50,000 under either contract.

16. DISH did not submit the AAPs and supporting data in response to the scheduling letters based on the belief that it was not a covered federal contractor or subcontractor at the times the scheduling letters were received, and thus OFCCP’s attempt to conduct such compliance reviews constituted an unlawful search and violated OFCCP policies.

17. Thereafter, OFCCP issued Show Cause Notices to each of the Twelve Establishments except for the Suwanee Establishment<sup>1</sup> (the “Show Cause Notices”), as follows:

- a. On July 5, 2018, OFCCP issued a Show Cause Notice to DISH for the Phoenix Establishment;
- b. On November 9, 2018, OFCCP issued a Show Cause Notice to DISH for the Hilliard Establishment;
- c. On October 23, 2019, OFCCP issued a Show Cause Notice to DISH for the Roseland Establishment;
- d. On January 14, 2020, OFCCP issued Show Cause Notices to DISH for the Bluefield Establishment and the Christiansburg Establishment; and
- e. On January 24, 2020, OFCCP issued Show Cause Notices to DISH for the El Paso-Suite A Establishment, the El Paso-Suite B Establishment, the Littleton Establishment, the Harlingen Establishment, the Tulsa Establishment, and the

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<sup>1</sup> As OFCCP only issued the scheduling letter for the Suwanee Establishment approximately one month prior to OFCCP holding its investigations in abeyance (as set forth in paragraph 18 below), there was insufficient time for OFCCP to issue a separate Show Cause Notice for that establishment.

Englewood Establishment.

18. On August 31, 2020, OFCCP advised DISH that it was holding its investigations for all Twelve Establishments in abeyance based on DISH's representations that it was no longer a party to any federal contract or subcontracts, but that OFCCP would resume any such investigation if it learned that DISH were to become a federal contractor or subcontractor in the future.

19. On August 31, 2022, OFCCP advised DISH that it had reason to believe that DISH was a subcontractor on a federal contract held by Hughes Network Systems and therefore it was resuming its investigation for all Twelve Establishments (the "August 31, 2022 Letter").

20. The August 31, 2022 Letter further demanded that DISH provide OFCCP with the AAPs and supporting data earlier requested in the scheduling letters that OFCCP sent to each of the Twelve Establishments, more particularly identified in paragraphs 12(a) through (l).

21. DISH advised OFCCP that it would not produce the AAPs or supporting documents requested in the scheduling letters and in the August 31, 2022 Letter, as it did not believe that either Contract VA24916C0065 or Contract VA24717C0047 was appropriately valued at \$50,000 or more, and because DISH believed there was no legal precedent for combining a base year with subsequent option years for purposes of establishing jurisdiction under a single contract.

22. On August 21, 2023, OFCCP filed the Administrative Complaint in Case No. 2023-OFC-00003 alleging that DISH failed to submit AAPs and supporting data as required under Executive Order 11246 and the Rehabilitation Act for the Roseland Establishment.

23. On August 1, 2024, the Office of Administrative Law Judges - Judge Annos -

issued an Order setting forth October 15, 2024 as the deadline to complete discovery and November 22, 2024 as the deadline for the parties to submit Summary Judgment motions.

24. On September 11, 2024, the parties advised Judge Annos that the parties had reached an agreement in principle and requested 60 days to submit a proposed Consent Decree to the Office of Administrative Law Judges.

### **GENERAL PROVISIONS**

25. This Decree constitutes full and final settlement and resolution of all issues, actions, causes of action and claims arising, or that could have arisen, out of the Administrative Complaint and all Scheduling Letters, Show Cause Notices and the August 31, 2022 Letter for the Twelve Establishments as more particularly described in paragraphs 12, 13, 14, 17, 19 and 20 above. This Decree shall constitute the final Administrative Order in these matters, shall be binding upon the parties as to all issues, actions, causes of action and claims within the scope of the Administrative Complaint that have been or could have been advanced by OFCCP, and shall have the same force and effect as an order made after a full hearing and final Review by the Administrative Review Board or the Acting Secretary of Labor.

26. Subject to the performance by DISH of all duties and obligations contained in this Decree, all alleged deficiencies identified in the Administrative Complaint, the Show Cause Notices and the August 31, 2022 Letter shall be deemed fully resolved.

27. This Consent Decree does not constitute an admission by DISH of any violation of Executive Order 11246, the Rehabilitation Act, or VEVRAA, or other laws, implementing regulations, or other federal contractor obligations enforced by OFCCP.

28. The parties agree that they have entered into this Consent Decree solely to resolve a contested dispute between the parties to avoid further litigation, and that it shall not

create any rights of action in any third parties, nor shall it be offered in evidence or otherwise used in any manner by any person, firm, corporation, entity, organization, or agency of any government in any attempt to prove that DISH has violated any law, regulation, or order, except for proceedings initiated to enforce the provisions of this Consent Decree.

29. Nothing herein is intended to relieve DISH from compliance with the requirements of Executive Order 11246, the Rehabilitation Act, VEVRAA and/or 41 C.F.R. Chapter 60. Compliance with this Decree shall constitute compliance only with respect to those issues that are within the scope of this Decree.

30. The Effective Date of this Decree shall be the date on which this Decree is signed by the Administrative Law Judge.

31. If any deadline for an obligation to be performed falls on a weekend or federal holiday, that deadline shall be extended to the next business day.

32. The parties may by mutual agreement modify any time period set forth in this Decree. In addition, OFCCP or DISH may petition the Administrative Law Judge to extend any of the above time periods for no more than thirty (30) days where the interest of justice would be served by such extension and for good cause shown.

### **SPECIFIC PROVISIONS**

33. In compromise of this dispute, DISH agrees to provide to OFCCP AAPs and supporting data in the Itemized Listing attached hereto as Attachment A for the Plan Year beginning October 1, 2024, which will include support data from October 1, 2023 through September 30, 2024, for the following nine (9) Establishments (the “Subject Establishments”):

- a. Roseland Establishment;



- b. Phoenix Establishment;<sup>2</sup>
- c. Bluefield Establishment;
- d. El Paso-Suite A Establishment;
- e. El Paso-Suite B Establishment, to the extent it differs from the El Paso-Suite A Establishment;
- f. Christiansburg Establishment;
- g. Tulsa Establishment;
- h. Suwanee Establishment; and
- i. Englewood Establishment.

34. DISH will provide AAPs and supporting data to OFCCP no later than December 31, 2024 for two (2) of the Subject Establishments, and no later than June 30, 2025 for the remaining seven (7) of the Subject Establishments. DISH's obligations under this Consent Decree are fully satisfied by providing the AAPs and supporting data as agreed to in this paragraph. OFCCP will conduct such compliance reviews or evaluations and take such further steps as it may determine appropriate after review of the information submitted, in accordance with applicable agency rules and procedures. Any alleged deficiencies after DISH satisfies its obligation to submit AAPs and supporting data will be addressed through subsequent procedures and are not subject to this Consent Decree or the tribunal's jurisdiction hereunder.

35. In exchange for DISH's provision of the data as set forth in paragraphs 33 and 34 above, OFCCP will deem the outstanding requests for information in the Show Cause Notices and the August 31, 2022 Letter to be deemed satisfied.

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<sup>2</sup> As of 2024, DISH no longer operates at the Phoenix Establishment. DISH employees who formerly worked at the Phoenix Establishment now work at an establishment located at 350 N. McClintock Dr., Chandler, AZ (the "Chandler Establishment"). Therefore, DISH will provide the AAP and supporting data for the Chandler Establishment instead of the now-closed Phoenix Establishment.

## **IMPLEMENTATION AND ENFORCEMENT OF THE DECREE**

36. The Office of Administrative Law Judges shall retain jurisdiction of this proceeding for the sole purpose of enforcing implementation of this Decree in accordance with its terms. The Office of Administrative Law Judges shall retain jurisdiction of this case for a period of twelve (12) months from the date this Consent Decree becomes final, or until forty-five (45) calendar days after DISH and its facilities satisfy all of their obligations described herein, whichever is later. If any motion is pending before the Office of Administrative Law Judges (12) twelve months from the date this Consent Decree becomes final, jurisdiction shall continue beyond twelve (12) months and until such time as the pending motion is finally resolved.

37. If, at any time during the effective dates of this Consent Decree OFCCP believes that DISH has violated any portion of this Consent Decree, DISH will be promptly notified of that belief in writing. This notification will include a statement of the facts and circumstances relied upon in forming that belief. In addition, the notification will provide DISH with fifteen (15) days to respond in writing to the allegations of violation, except in those circumstances in which such a delay would result in irreparable injury.

38. If after the fifteen (15)-day period referred to in paragraph 37 has elapsed (or sooner if irreparable injury is alleged), OFCCP continues to believe that DISH has violated any portion of this Consent Decree, OFCCP may commence enforcement proceedings for said violation by filing with the Office of Administrative Law Judges a motion for an order of enforcement of this Consent Decree. When the Administrative Law Judge deems appropriate, the Judge may schedule an evidentiary hearing on the motion. The issues in a hearing on the motion shall relate solely to the issues of the factual and legal claims made in the motion.

39. If, after the procedures set forth in paragraphs 37-38 are concluded, the ALJ

orders that DISH is liable for violating the Decree, the ALJ's order shall subject DISH and its successors, assigns, divisions or parents, subsidiaries and affiliates to sanctions set forth in Executive Order 11246, the Rehabilitation Act, and their implementing regulations. The term "subsidiaries and affiliates" will only include entities performing work or providing services directly related to DISH's business (pay TV) and is not intended to include any ancillary or other entities that may be viewed as being related to DISH exclusively due to common ownership interests.

40. This Decree shall constitute the final administrative order in this case and shall have the same force and effect as an order made after a full hearing and final review by the Acting Secretary. The entire record upon which this Decree is based shall consist solely of the Administrative Complaint and this Decree.

41. The parties hereby waive any further procedural steps provided in 41 C.F.R. Part 60-30 for a final administrative order.

42. The parties waive any right to challenge or contest the validity of the provisions of this Decree.

43. Each party agrees to pay its own fees, costs, and other expenses incurred at any stage of these proceedings.

WHEREFORE, the parties move that an Order be entered adopting the above Consent Decree as the final disposition of this matter.


**IT IS SO ORDERED, ADJUDGED AND DECREED:**

Dated: .....

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Administrative Law Judge

**AGREED AS TO FORM AND SUBSTANCE:**

<p>FOR DISH NETWORK L.L.C.,</p> <p></p> <p>Lawrence R. Katzin SVP &amp; Deputy General Counsel</p> <p>DISH Network L.L.C. 9601 S. Meridian Blvd. Englewood, CO 80112</p>	<p>FOR OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS</p> <p>Seema Nanda Solicitor of Labor</p> <p>Jeffrey S. Rogoff Regional Solicitor</p> <p>Jasmine Wade Trial Attorney</p> <p><u>/s/ Andrew Karonis</u> Andrew Karonis Senior Trial Attorney</p> <p>U.S. Department of Labor Office of the Regional Solicitor 201 Varick Street, Room 983 New York, NY 10014</p> <p>(646) 264-3681 (voice) (646) 264-3660 (fax)</p> <p>Attorneys for Plaintiff</p>
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## ATTACHMENT A

1. A copy of current Executive Order Affirmative Action Program (AAP) prepared in accordance with the requirements of 41 CFR § 60-1.40, and 41 CFR § 60-2.1 through § 60-2.17.
2. A copy of current Section 503 AAP prepared in accordance with the requirements of 41 CFR § 60-741.40 through § 60-741.47.

### Executive Order 11246

3. An organizational display or workforce analysis prepared according to 41 CFR § 60-2.11.
4. The formation of job groups (covering all jobs) consistent with criteria given in 41 CFR § 60-2.12.
5. For each job group, a statement of the percentage of minority and female incumbents as described in 41 CFR § 60-2.13.
6. For each job group, a determination of minority and female availability that considers the factors given in 41 CFR § 60-2.14 (c) (1) and (c) (2).
7. For each job group, the comparison of incumbency to availability as explained in 41 CFR § 60-2.15.
8. Placement goals for each job group in which the percentage of minorities or women employed is less than would be reasonably expected given their availability as described in 41 CFR § 60-2.16.

### Section 503

9. Results of the evaluation of the effectiveness of outreach and recruitment efforts that were intended to identify and recruit qualified individuals with disabilities as described in 41 CFR § 60-741.44(f).
10. Documentation of all actions taken to comply with the audit and reporting system requirements described in 41 CFR § 60-741.44(h)
11. Documentation of the computations or comparisons described in 41 CFR § 60-741.44(k) for the immediately preceding AAP year.
12. The utilization analysis evaluating the representation of individual with disabilities in

each job group, or, if appropriate, evaluating the representation of individuals with disabilities in the workforce as a whole, as provided in 41 CFR § 60-741.45.

### Support Data

13. Copies of your Employer Information Report EEO-1 (Standard Form 100 Rev.) for the last three years.<sup>3</sup>

14. A copy of your collective bargaining agreement(s), if applicable. Include any other documents you prepared, such as policy statements, employee notices or handbooks, etc. that implement, explain, or elaborate on the provisions of the collective bargaining agreement.

15. Information on your affirmative action goals for the immediately preceding AAP year and, where applicable (see below), progress on your goals for the current AAP year.<sup>4</sup> For the immediately preceding AAP year, this report must include information that reflects:

- a. job group representation at the start of the AAP year (i.e., total incumbents, total minority incumbents, and total female incumbents);
- b. the percentage placement rates (percent goals) established for minorities and women at the start of the AAP year; and
- c. the actual number of placements (hires plus promotions) made during the AAP year into each job group with goals (i.e., total placements, total minority placements, and total female placements). For goals not attained, describe the specific good faith efforts made to remove identified barriers, expand equal employment opportunity, and produce measurable results.<sup>5</sup>

16. Data on your employment activity (applicants, hires, promotions, and terminations) for the immediately preceding AAP year and, if you are six months or more into your current AAP year when you receive this listing, provide the information in (a) through (c) below for at least the first six months of the current AAP year. You should present this data by job

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<sup>3</sup> 41 CFR § 60-1.7.

<sup>4</sup> 41 CFR §§ 60-1.12(a), 60-2.1(c), and 60-2.16.

<sup>5</sup> 41 CFR §§ 60-1.12 and 60-2.17(c).

group (as defined in your AAP) or by job title.<sup>6</sup>

a. Applicants: For each job group or job title, this analysis must consist of the total number of applicants identified by gender and by race/ethnicity.<sup>7</sup> For each job group or job title, applicants for whom race and/or gender is not known should be included in the data submitted. However, if some of your job groups or job titles (most commonly, entry level) are filled from the same applicant pool, you may consolidate your applicant data for those job groups or titles. For example, where applicants expressly apply for or would qualify for a broad spectrum of jobs (such as “Production,” “Office,” etc.) that includes several job groups, you may consolidate applicant data.

b. Hires: For each job group or job title, this analysis must consist of the total number of hires identified by gender and race/ethnicity.

c. Promotions: For each job group or job title, provide the total number of promotions by gender and race/ethnicity. Also, include a definition of “promotion” as used by your company and the basis on which they were compiled (e.g. promotions to the job group, from and/or within the job group, etc.). If it varies for different segments of your workforce, please define the term as used for each segment. If you present promotions by job title, include the department and job group from which and to which the person(s) was promoted.

d. Terminations: For each job group or job title, provide the total number of employee terminations by gender and race/ethnicity. When presenting terminations by job title, include the department and job group from which the person(s) terminated.

17. Employee level compensation data for all employees (including but not limited to full-time, part-time, contract, per diem or day labor, and temporary employees) as of the date of the organizational display or workforce analysis. Provide gender and race/ethnicity information and hire date for each employee as well as job title, EEO-1 Category and job

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<sup>6</sup> 41 CFR §§ 60-1.12, 60-2.11-12, 60-2.17(b) (2) and (d) (1), 60-3.4, and 60-3.15.

<sup>7</sup> The term “race/ethnicity” as used throughout the Itemized Listing includes these racial and ethnic groups: African-American/Black, Asian/Pacific Islander, Hispanic, American Indian/Alaskan Native, and White. You also have the option of submitting the requested data using the race and ethnic categories on the EEO-1 survey.

group in a single file. Provide all requested data electronically, if maintained in an electronic format.

a. For all employees, compensation includes base salary and or wage rate, and hours worked in a typical workweek. Other compensation or adjustments to salary such as bonuses, incentives, commissions, merit increases, locality pay or overtime should be identified separately for each employee.

b. You may provide any additional data on factors used to determine employee compensation, such as education, past experience, duty location, performance ratings, department or function, and salary level/band/range/grade.

c. Documentation and policies related to compensation practices of the contractor should also be included in the submission, particularly those that explain the factors and reasoning used to determine compensation.

18. Copies of reasonable accommodation policies, and documentation of any accommodation requests received and their resolution, if any.

19. Your most recent assessment of your personnel processes, as required by 41 CFR § 60-741.44(b), including the date the assessment was performed, any actions taken or changes made as a result of the assessment, and the date of the next scheduled assessment.

20. Your most recent assessment of physical and mental qualifications, as required by 41 CFR § 60-741.44(c), including the date the assessment was performed, any actions taken or changes made as a result of the assessment, and the date of the next scheduled assessment.



**UNITED STATES DEPARTMENT OF LABOR**  
**OFFICE OF ADMINISTRATIVE LAW JUDGES**  
**Newport News District Office**

Issue Date: 19 December 2024 Issue Date: 19 December 2024

*In the Matter of:*

**OFFICE OF FEDERAL CONTRACT  
COMPLAINT PROGRAMS, UNITED  
STATES DEPARTMENT OF LABOR**

*Plaintiff*

*v.*

**DISH NETWORK CORPORATION**

*Defendant*

**OALJ Case No. 2023-OFC-00003**  
OFCCP Control No. R00207603

**DECISION AND ORDER ON CONSENT DECREE**

The United States Department of Labor, Office of Federal Contract Compliance Programs instituted this action against DISH Network L.L.C. (incorrectly named herein as DISH Network Corporation) alleging violations of the obligations imposed upon federal contractors and subcontractors by Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 793, and the rules and regulations at 41 C.F.R. Chapter 60.

On December 16, 2024, the parties filed a Consent Decree and Order. The Consent Decree fully complies with the requirements of 41 C.F.R. § 60-30.13(b) and fairly and adequately resolves all issues in this case. Accordingly, the Consent Decree is hereby **APPROVED, ADOPTED, and INCORPORATED** into this Decision and Order.

**SO ORDERED.**

**THEODORE W. ANNOS**  
Administrative Law Judge

## SERVICE SHEET

Case Name: **Office\_of\_Federal\_Co\_v\_Dish\_Network\_Corpora\_**

Case Number: **2023OFC00003**

Document Title: **DECISION AND ORDER ON CONSENT DECREE**

I hereby certify that a copy of the above-referenced document was sent to the following this 19th day of December, 2024:

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