

Affirmative Action Update



Carolyn Potter

"One of our members will have an on-site audit from the OFCCP. Based on their experience, here's a list 17 items you should be prepared to explain to an inspector."



In ERA's January Newsletter, we discussed the OFCCP's aggressive enforcement approach in the recent round of compliance audits and highlighted some compliance items that the OFCCP targets. One of our members has now been informed it will have an on-site audit and was provided a list of 17 items the OFCCP will review while on-site. All of the items are contained, in one form or another, in the AAP narrative for Females and Minorities and the Veterans and Disabled. Whether or not your company has any placement goals is beside the point. The Veterans and Disabled plan has no numeric targets in any event, but the OFCCP will still demand compliance and outreach efforts.

In addition to the items outlined in last month's newsletter, the on-site inspection will include the following:

- Verify the posting of EEO and AAP policies
- Verify other postings required by federal government
- Review written harassment policy
- Review self-identification form and proper posting of self-ID form
- Review copies of employment advertisements containing the tag line EEO/M/F/D/V
- Review written confirmation that job openings were posted with the appropriate state agency
- Review samples of personnel action forms such as the voluntary identification form, application, performance evaluations and related forms
- Review copy of employee handbook (if applicable)
- Review copies of a minimum of three purchase orders/contracts containing the EEO language
- Review three years of Vets-100 or

Vets-100A reports and I-9 forms.

The compliance officer also required the following information:

- List of recruiting resources for Veteran and Disabled applicants
- Information on the training of personnel involved in hiring, promotions and terminations regarding the company's AAP obligations
- List of all employees who took maternity leave including their job and compensation prior to leave and the job and compensation upon return to work
- List of applicants and current employees who have identified themselves as veterans and/or disabled and a list of any accommodations provided to disabled employees.

The on-site notice also indicated that the HR Manager would be interviewed regarding outreach efforts to veterans and the disabled. Additionally, a written description of the application and hiring process with specific details was to be provided. Contractors are not required to maintain a written description of the application and hiring process but should have a keen understanding of their own internal process for applicant tracking and hiring that can be reduced to writing.

If you have questions or need assistance, please contact Carol Reubel or Carolyn Potter in Cincinnati at 513-679-4120 or creubel@hrxperts.org and cpotter@hrxperts.org or Lori Hall in Columbus at 614-538-9410 or llhall@hrxperts.org.