

OUR PRACTICE

OFCCP/Affirmative Action Plans

Federal contractors and subcontractors are subject to the U.S. Department of Labor's OFCCP, which is responsible for enforcing Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, the Vietnam Era Readjustment Assistance Act, and other laws requiring equal employment opportunity regardless of race, gender, color, religion, national origin, disability or Vietnam-era veteran status. OFCCP oversight has become even more intense as companies contract with federal, state and local governments under the American Recovery and Reinvestment Act. In the face of numerous reporting obligations and other requirements, employers often find themselves wondering if they've done everything they're supposed to.

Baker Donelson monitors OFCCP and Affirmative Action compliance trends and all other legislative enactments affecting covered contractors, so that we can help our clients with enforcement and compliance efforts and help them address federal contractor and subcontractor requirements. In the event of an OFCCP compliance evaluation or other action, we advise on and provide technical support at the desk audit stage, onsite reviews, offsite analyses, compliance checks and evaluation resolutions, and negotiate compliance evaluation closure letters and conciliation agreements on our clients' behalf.

In addition, we offer our clients focused training, consultation and drafting services related to Executive Order 11246 Affirmative Action Programs, including plan narratives, organizational profiles, availability data, compensation and adverse impact analysis. We also help employers with compensation, recruitment, testing, selection, promotion and other personnel activities, including applicant screening and test validation standards. When needed, we can incorporate Equal Opportunity Clauses in contracts and subcontracts, and deal with Corporate Management Compliance Evaluations (Glass Ceiling Audits) and develop procedures related to glass ceiling reviews.