

Office of Federal Contract Compliance Programs



Complying with VEVRAA Requirements

Agenda

- Introduction to OFCCP
- Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) Requirements

Protecting Workers. Promoting Diversity. Enforcing the Law.

Introduction:

- Federal civil rights enforcement agency within the U.S. Department of Labor
 - Jurisdiction over federal contractors and subcontractors
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Who Is a Federal Contractor?

- Employers doing business with the federal government
- Employers that subcontract with a company doing business with the federal government

Laws OFCCP Enforces

- Executive Order 11246
- Section 503 of the Rehabilitation Act of 1973
- The Vietnam Era Veterans' Readjustment Assistance Act of 1974



What Does OFCCP Do?

- Conducts compliance evaluations
- Conducts complaint investigations
- Outreach and education

Obligations of All Contractors

- Nondiscrimination in Employment Decisions
- Inclusion of Equal Opportunity Clauses in Covered Subcontracts and Purchase Orders

Obligations of All Contractors

- Posting of “EEO Is the Law” Poster and Supplement
- Dissemination of Pay Transparency Provision
- Inclusion of EEO Tag Line in Job Ads

Obligations of All Contractors

- Retain Employment Records
 - 1 year – employers with fewer than 150 employees or a contract of less than \$150,000
 - 2 years – all others
- Permit OFCCCP Access
- Notify Unions of EEO Obligations

Affirmative Action Programs

- **50** or more employees
- Contract Threshold
 - Executive Order: \$50,000 or more
 - Section 503: **\$50,000 or more**
 - VEVRAA: **\$150,000 or more**
- Developed within **120** days of commencement of a contract

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Vietnam Era Veterans' Readjustment Assistance Act Requirements

VEVRAA Requirements

- Prohibits discrimination against protected veterans
- Requires mandatory listing of opportunities with appropriate employment service delivery system (ESDS)
- Requires Affirmative Action



Equal Opportunity Clause

Include the EO Clause in covered subcontracts and purchase orders

41 CFR 60-300.5

Requires contractors to

- Provide notice to employees and applicants
- Include tag line in job advertisements
- List employment opportunities with the ESDS



Mandatory Job Listing

41 CFR 60-300.5

Requires that contractors provide job listings “in any manner and format permitted by the appropriate employment service delivery system.”

Information provided to ESDS

Contractors must provide additional information including status as a federal contractor, contact information, and its request for priority referrals.



Invitation to Self-Identify

41 CFR 60-300.42

Applicants

- Pre-offer
- Post-offer

- Model invitations contractors may use in Appendix B to Part 60-300.

Outreach and Recruitment

41 CFR 60-300.44(f)

- Requires outreach and recruitment; provides examples
- Requires evaluation of the effectiveness of each activity and the totality of its efforts
- If totality of efforts not effective, must identify and implement alternative efforts

Retain these records for 3 years.



Data Collection Analysis

41 CFR 60-300.44(k)

Requires contractors to document and update annually:

- Number of protected veteran applicants
- Total numbers of job openings and jobs filled
- Total number of applicants for all jobs
- Number of protected veteran applicants hired
- Total number of applicants hired

Maintain these records for 3 years.

Hiring Benchmark

41 CFR 60-300.45

- Set annually
- Two methodologies for setting the benchmark:
 - Establish a benchmark equaling the national percentage of veterans in the civilian labor force (currently 6.4%); or
 - Establish an individual benchmark by taking into account the five factors in 41 CFR 60-300.45(b)(2)
- **Maintain these records for 3 years.**



Contact Information

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