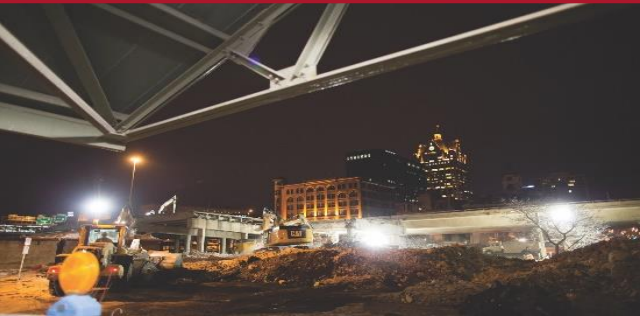


OFCCP COMPLIANCE 101

Acquisition Hour Webinar

July 21, 2020



WEBINAR ETIQUETTE

PLEASE

- Log into the GoToWebinar session with the name that you registered with online
- Place your phone or computer on MUTE
- Use the QUESTIONS option to ask your question(s).
 - We will share the questions with our guest speaker who will respond to the group

THANK YOU!

ABOUT WPI SUPPORTING THE MISSION

**Celebrating 32 Years of
serving Wisconsin Business!**



Assist businesses in creating, developing and growing their sales, revenue and jobs through Federal, State and Local Government contracts.

- **INDIVIDUAL COUNSELING** – At our offices, at clients facility or via telephone/GoToWebinar
- **SMALL GROUP TRAINING** – Workshops and webinars
- **CONFERENCES** to include one on one or roundtable sessions

Last year WPI provided training at over 100 events and provided service to over 1,200 companies

WPI OFFICE LOCATIONS

▪ MILWAUKEE

- *Technology Innovation Center*

▪ MADISON

- *FEED Kitchens*
- *Dane County Latino Chamber of Commerce*
- *Wisconsin Manufacturing Extension Partnership (WMEP)*
- *Madison Area Technical College (MATC)*

▪ CAMP DOUGLAS

- *Juneau County Economic Development Corporation (JCEDC)*

▪ STEVENS POINT

- *IDEA Center*

▪ APPLETON

- *Fox Valley Technical College*

▪ OSHKOSH

- *Fox Valley Technical College*
- *Greater Oshkosh Economic Development Corporation*

▪ EAU CLAIRE

- *Western Dairyland*

▪ MENOMONIE

- *Dunn County Economic Development Corporation*

▪ LADYSMITH

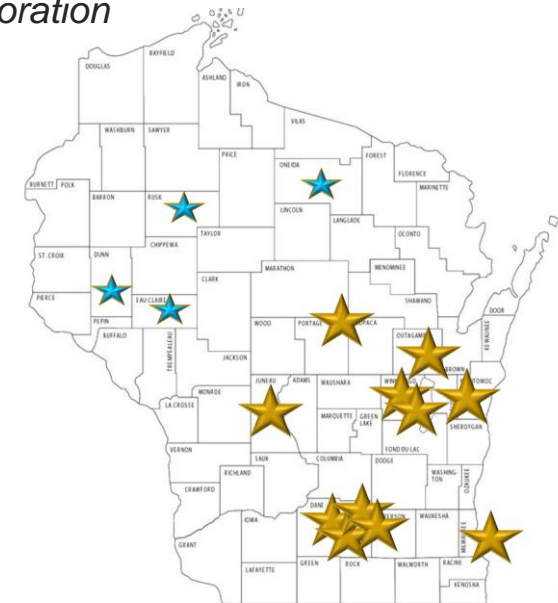
- *Indianhead Community Action Agency*

▪ RHINELANDER

- *Nicolet Area Technical College*

▪ GREEN BAY

- *Advance Business & Manufacturing Center*





Search ...

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- EVENT CALENDAR
- FEDERAL GOVERNMENT
- STATE & LOCAL GOVERNMENT
- GRANTS
- SUCCESS & AWARDS
- FAQS

CURRENT EDITION OF THE WPI NEWSLETTER

www.wispro.org

UPCOMING EVENTS

- WED 21** Acquisition Hour: Government Property Management for Federal Contractors and Subcontractors
August 21 @ 12:00 pm - 1:00 pm
- THU 22** Advancing Cybersecurity in the Industry, Energy, Water Nexus – Oshkosh, WI
August 22 @ 9:00 am - 3:00 pm
Oshkosh WI
- THU 22** NDIA Great Lakes Chapter 10th Anniversary – Milwaukee, WI
August 22 @ 12:30 pm - 7:30 pm
Brookfield Wisconsin
- SEP 11** Acquisition Hour: The End of the Fiscal Year is Here – What is Hot and What is Not
September 11 @ 12:00 pm - 1:00 pm

[View More...](#)

CURRENT OPPORTUNITIES (1)

GET STARTED WITH THE BASICS

Questions & answers on how to get started.

[GET STARTED](#)

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[SIGN UP](#)

HAVE A QUESTION? WE'RE HERE TO HELP.

One of our staff of experts is available to answer your questions.

[GET HELP](#)



Roselle Rogers

VP for Diversity, Equity and Inclusion; LocalJobNetwork

Roselle Rogers, SPHR, SHRM-SCP, is the Vice President for Diversity, Equity, and Inclusion at the LocalJobNetwork™ with responsibility for leading its DEI program and thought leadership initiatives. She is a subject matter expert in HR and OFCCP Compliance, affirmative action, EEO, and diversity; and frequently speaks on these topics at various HR conferences and webinars, educating and keeping federal contractors abreast of trends and recent developments in OFCCP/AA/EEO compliance. Prior to this role, Rogers was responsible for the company's compliance and sales support operations, contractual and legal affairs, corporate training, facilities management, as well as special projects. She has more than 27 years of HR experience and is certified as a Senior Professional in Human Resources (SPHR) and SHRM - Senior Certified Professional (SHRM-SCP). She is a member of the Milwaukee and Chicago chapters of the Industry Liaison Group (ILG), a presenter on the LJN OFCCP webinar series, is the lead editor of the LJN publication, The OFCCP Digest, and an in-house expert on the online forum Ask the Experts. She has served as a Director on the Metro Milwaukee (MM) SHRM Board, chaired the MM SHRM Certification Committee, and facilitated the SHRM SPHR/PHR Certification course for three years.



Tim Muma

OFCCP Product Marketing Lead; LocalJobNetwork

Tim Muma is an OFCCP Product Marketing Lead at the LocalJobNetwork™ with experience in interviewing hundreds of employers to learn about their hiring processes, strategies, and more. Tim focuses on webinars with an emphasis on government compliance and works as an editor for the LJN publication, The OFCCP Digest.

OFCCP Compliance 101

presented by **Roselle Rogers** and **Tim Muma**

localjobnetwork

- HRCI & SHRM accredited Webinars
- The OFCCP Digest weekly publication
- Ask the Experts forum with industry leaders
- Proud member of
 - ✓ Industry Liaison Groups (ILG)
 - ✓ American Association of Access, Equity and Diversity (AAAED)
 - ✓ National Association of State Workforce Agencies (NASWA)
- Sponsor and speak at OFCCP-related conferences nationally

3X

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contractors



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AGENDA

- **What is the OFCCP?**
 - ✓ Laws the OFCCP enforces
- **Coverage**
 - ✓ What is a federal contract & subcontract
- **Compliance**
 - ✓ Mandatory job listing requirement
 - ✓ Effective outreach
 - ✓ Recordkeeping & documentation
 - ✓ Disposition codes
- **Live Q&A (last 30 minutes)**

WHAT IS OFCCP?

- **Office of Federal Contract Compliance Programs**
- **Equal Employment Opportunity**
 - ✓ Prohibits discrimination based on race, color, religion, sex
- **Affirmative Action**
 - ✓ Recruit & advance employment for protected groups
- **Additional OFCCP actions**
 - ✓ Technical assistance
 - ✓ Audits to ensure contractors follow regulations

COVERAGE

- **What is a federal contract?**
 - ✓ An agreement between a federal department and an organization
- **Who is a federal contractor?**
 - ✓ A company with a federal contract
 - ✓ Example: Company ABC makes tanks for the military
- **What is a subcontract?**
 - ✓ Agreement with a federal contractor
- **What is a federal subcontractor?**
 - ✓ Company who does business with a federal contractor

COVERAGE (CONT.)

- **Single entity test**

1. Common ownership
2. Common directors or officers
3. One entity has day-to-day control over the other(s) through policies, management or operations
4. Personnel policies emanate from a common or centralized source
5. Operations of the entities are dependent on each other

- **Foreign entities?**

- ✓ Work performed outside the U.S. not subject to OFCCP if the work is performed by employees recruited outside the U.S.

LAWS THE OFCCP ENFORCES

- **Executive Order 11246**
 - ✓ Prohibits discrimination against employee or applicant because of race, religion sex, gender identity, etc.
 - ✓ Employers with contracts of \$10,000 or more must take affirmative action to ensure equal opportunity

- **Affirmative Action requirements**
 - ✓ Contracts of \$50,000 or more and 50 or more employees
 - ✓ Establishment of 50+ employees must have an AAP
 - ✓ Establishments with < 50 employees may be included in an AAP of another establishment

LAWS THE OFCCP ENFORCES (CONT.)

- **Section 503 of Rehabilitation Act of 1973**
 - ✓ Prohibits discrimination of IWDs
 - ✓ Federal contractors with more than \$15,000 must take affirmative action to hire, retain & promote qualified IWDs
- **Affirmative Action requirements**
 - ✓ Contractors of \$50,000 or more and 50 or more employees
 - Establishment of 50+ employees must have an AAP
 - Establishments with < 50 employees may be included in an AAP of another establishment

LAWS THE OFCCP ENFORCES (CONT.)

■ Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA)

- ✓ Requires federal contractors with contracts of \$150,000 or more to take affirmative action to employ and advance protected veterans
- ✓ Disabled veterans, recently separated veterans, active duty wartime or campaign badge veterans, and Armed forces service medal vets

■ Affirmative Action requirements

- ✓ Contracts of \$150,000 or more and 50 or more employees
- ✓ Establishment of 50+ employees must have an AAP
- ✓ Establishments with < 50 employees may be included in an AAP of another establishment

AFFIRMATIVE ACTION PLANS

- **What is an AAP?**
 - ✓ Management tool to ensure EEO so a contractor's workforce will reflect the gender, racial, and ethnic profiles of the labor pools being recruited
 - ✓ [41 C.F.R. § 60-2.10\(a\)\(1\)](#)
 - ✓ Written document with analyses of a contractor's workforce, such as:
 - Organizational profile, job group analysis, placement of employees, determining availability
 - Placement goals, identification of problem areas, action-oriented programs

- **Employment Service Delivery System (ESDS)**

- ✓ Must list employment openings with ESDS “at least concurrently with other recruitment efforts”
 - Executive & management, internal, & jobs lasting 3 days or less
- ✓ Inform ESDS of its request for referrals of protected veterans
 - Each state in which the contractor has an establishment

VEVRAA MANDATORY JOB LISTING REQUIREMENT

VEVRAA'S MANDATORY JOB LISTING REQUIREMENT (CONT.)

- **Must provide ESDS with:**
 - ✓ Information in any manner & format permitted by ESDS
 - ✓ Name & location of each hiring establishment within the state
 - ✓ Contact info for person responsible for hiring at each establishment
 - ✓ Contact info for external job search organizations used to source candidates (e.g. temp agencies)
 - ✓ Disclosures must be made simultaneously with first listing
 - ✓ Update info when changes occur

- **Contractors should**

- ✓ Register ESDS accounts where openings exist
 - Using third party? Request login & password for self-audits
- ✓ Save PDF snapshots of each posting, record & document confirmation ID numbers from ESDS

- **Maintain & keep records for audit**

- ✓ Fax receipts for documents faxed
- ✓ Sent emails & documents & web pages associated with emails
- ✓ Online postings with screenshot, date, and online confirmation numbers

VEVRAA MANDATORY JOB LISTING REQUIREMENT (CONT.)

PROTECTED VETERANS' ESDS REPORTING

Home Find a Job Radio Articles GetHired!™ Employers My Account My Jobs Resumes Applicants OFCCP Reports

Reports: ESDS (State Job Bank) CrossPost Tutorial

CrossPosted Jobs 1 to 20 of 1582

Export to Excel Export to CSV Email Report Menu Report Center

Job Title	Internal Reference	Current Job Location	Date Created	St	Date CrossPosted	Time Posted	CrossRef Number	Response Count	Outreach Detail
Accountant, Pricing Analyst (West Palm Beach, FL)	41858	Jupiter, FL	2/15/2015	FL	2/15/2015	1	9991556	12	
Administrative Assistant (Louisville, KY)	39826	Louisville, KY	1/5/2015	KY	1/6/2015	1	148682	10	
Administrative Assistant (San Antonio, TX)	42260	San Antonio, TX	2/24/2015	TX	2/24/2015	1	6357072	22	
Administrative Assistant (San Francisco, CA)	41869	San Francisco, CA	2/15/2015	CA	2/15/2015	1	14279135	15	
Administrative Assistant - Full Time (Milwaukee, WI)	41322	Milwaukee, WI	2/4/2015	WI	2/4/2015	1	1645436	34	

Job Title	Internal Reference	Current Job Location	Date Created	St	Date CrossPosted	Time Posted	CrossRef Number	Response Count
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Administrative Assistant - Full Time (Milwaukee, WI)	41322	Milwaukee, WI	2/4/2015	WI	2/4/2015	1	1645436	34

CaJOBS

Here are the details for the selected job. You may need to scroll down to see all the information about the job, including the job description.

[Federal Contractor Application Priorities](#)

For help click the question mark icon next to each section.

Job Information

Job Order Number: 14279135
 Job Title: Administrative Assistant (San Francisco, CA)
 Job Duration: Over 150 Days
 Type of Job: Regular
 Full or Part Time: Full Time (30 Hours or More)
 Job Position(s): 1
 Date Job Order Created: 2/15/2015
 Date Job Order Last Updated: 2/15/2015 6:14:00 PM
 Last Day Job Order Available Online: 05/16/2015
 Source: Preferred Employer
 Site: CaJOBS

Occupation Information

Projected Occupation: First-Line Supervisors of Office and Administrative Support Workers
 Other Related Jobs: Not Available
 Supply and Demand: Not Available
 Other Employers: Not Available

Location/Work Site Information

Location Name:
 Address:
 City, State, Zip, and Country: Sar
 Public Transportation Accessible: No
 Location/Work Site Industry (NAICS): Armored Car Services (561613)
 Work At Home: Not Specified

Education and Training

Minimum Education Level Required: High School Diploma or Equivalent
 Typical Education Levels: [View typical education requirements for First-Line Supervisors of Office and Administrative Support Workers](#)
 Education Programs: Not Available

Work Experience

Minimum Experience Required: 0 months
 Typical Work Experience: [View typical work experience requirements for First-Line Supervisors of Office and Administrative Support Workers](#)

Job Description

The world's leading private security organization has an immediate job opportunity for an Administrative Assistant. As an Administrative Assistant, you will provide administrative support to our local field office and act as a liaison between supervision/management and security personnel.

We offer job security, excellent pay and benefits, and career opportunities. We offer entry level careers, management careers, sales careers and executive careers across the United States and internationally.

- Answer incoming calls, forwarding to appropriate person for action
- Perform Applicant Tracking System (ATS) / Career Center operation (e.g., building job requisitions, monitoring applicant flow and post using an external posting site if necessary; recruiting and scheduling of interviews; completing the ATS onboarding process to include background; drug screen/ physical (if needed); communicate training class roster with operations and training once the applicant has cleared the preliminary background; maintaining a clean ATS database for effective management); manage transfers in and out of branch office

- ✓ Jobs listed concurrently with use of other recruitment sources in increments of 30-90 days
- ✓ Third party record number of times jobs listed on ESDS
- ✓ Track activity generated by the listings

POSTING ONTO THE ESDS

- Listing employment openings with the ESDS gives protected veterans priority referral
- Most state ESDS put a hold on jobs to provide veteran priority
 - ✓ 24-to-72-hour-hold on vet job listings
 - ✓ Jobs made available to veterans ahead of the general public
- Automatic notifications sent to LVERs & DVOPs to make aware of federal contractor jobs

■ Section 503

- ✓ Utilization goal for qualified IWDs is 7% of job group or entire workforce
- ✓ Conduct an annual analysis & assessment of problem areas and create plan to remedy those areas

■ VEVRAA

- ✓ National hiring benchmark for protected veterans of 5.7%
- ✓ Contractors can create their own benchmark

**OUTREACH
IS EQUALLY
IMPORTANT**

OUTREACH IS EQUALLY IMPORTANT (CONT.)

- **Added emphasis on protected veterans and IWDs**
 - ✓ Focus on results of outreach
 - During audits, OFCCP asks for info on applicants & hires
 - Monitor effectiveness of resources
- **Regulations require annual assessment of outreach in each AAP update**
 - ✓ Criteria used to evaluate effectiveness of outreach
 - ✓ Develop action plans

- **Local LVER in employment service office (e.g. One-Stop)**
- **Department of Veterans Affairs**
- **Vet-Reps on college campuses**
- **Service officers of the national veterans' groups**
- **Department of Defense Transition Assistance Program (TAP)**
- **Orgs listed in the Employer Resources section of the National Resource Directory**

EFFECTIVE OUTREACH & RECRUITMENT (VEVRAA)

EFFECTIVE OUTREACH & RECRUITMENT (SECTION 503)

- State Vocational Rehabilitation Service Agency (SVRA)
- State mental health or developmental disability agency
- One-Stop Career Center
- Employer Assistance and Resource Network (EARN)
- Local disability groups or Centers for Independent Living (CIL)
- Private recruitment sources

CONNECTING WITH **OUTREACH ORGANIZATIONS**

- Establish relationships with community organizations
 - Notify organization of job openings
 - Build personal connections (face-to-face, phone conversations, etc.)
 - Invite to company events, open houses, tours of the facility, job previews
 - Attend job fairs that target diverse candidates
 - Recruit students from college organizations that serve targeted groups
 - Participate in work-study programs, internships, and apprenticeships
 - Advertise in targeted magazines and newspapers
 - U.S. Veteran Magazine, Veterans Magazine, American Veteran Magazine, Latina Magazine, Hispanic Magazine
- Maintain specific documentation of outreach activities for three years
- Conduct an annual assessment of outreach and find alternatives to ineffective organizations



- **OFCCP will use statistical data to evaluate outreach efforts**
 - ✓ Expects federal contractors to make outreach efforts to find minorities, females, veterans, and IWDs
- **Use reports to showcase activities**
 - ✓ Referral source for each applicants
 - ✓ Recruitment sources to find candidates
- **Reports**
 - ✓ Community & diversity outreach – detail
 - ✓ Outreach management activity
 - ✓ Referral report

USING REPORTS TO TRACK & ASSESS OUTREACH

INTERNET APPLICANT

****An internet applicant is an individual who satisfies ALL four of the following criteria****

1. The individual submitted an expression of interest in employment through the Internet or related electronic data technologies;
2. The contractor considered the individual for employment in a particular position;
3. The individual's expression of interest indicated that the individual possesses the basic qualifications for the position; and
4. The individual, at no point in the contractor's selection process prior to receiving an offer of employment from the contractor, removed himself or herself from further consideration or otherwise indicated that he/she was no longer interested in the position.

RECORD RETENTION

- **Contractors must retain all electronic “expressions of interest” from individuals if they “consider” individuals “for a particular position”**
- **Records must be kept for 2 years**
 - ✓ If contractor has < 150 employees or does NOT have a contract of \$150,000 or more, retention of 1 year is required
- **Outreach & recruitment activities must be kept for 3 years**

- **Demographic data solicitation of applicants**
- **Disability self-identification survey**
 - ✓ Must use the OMB form & prescribed language
- **Veteran self-identification survey**
 - ✓ No prescribed language, but sample language in Appendix B of Part 60-300
- **Solicit during the pre and post offer stages of the process**
 - ✓ Solicit applicants for gender & race
 - ✓ Solicit on first day individual appears for work, but before starting their duties

DEMOGRAPHIC DATA COLLECTION

APPLICANT FLOW LOG & DATA MANAGEMENT

- **Applicant flow log**
 - ✓ Maintain internet applicants in a flow log
 - ✓ Recruiters, hiring managers, and all involved need to ensure applicants are moved along with a system
 - ✓ All candidates processed correctly to maintain accurate data for annual and mid-year applicant flow logs
- **Data management techniques**
 - ✓ Selection proves to review subset of individuals to appear in data for OFCCP
 - Example: Only the first 50 resumes are considered

DATABASE SEARCH RECORDING

- **When searching databases, employer must maintain specific info**
- **Internal database info to maintain:**
 - ✓ Each resume added to database
 - ✓ Date each resume was added to database
 - ✓ Position for which each search was made
 - ✓ Search criteria used & date of search
- **External database info to maintain:**
 - ✓ Position for which each search was made
 - ✓ Search criteria & date of search
 - ✓ Resumes of job seekers meeting basic qualifications for each particular position considered by the contractor

DISPOSITION CODES

- Essential for capturing applicant data for reports necessary to complete AAPs
- Vary by employer & types of position because they are based on objective info
- Effective codes answer three questions
 - ✓ When or at what stage the candidate fell out of consideration of the job?
 - ✓ Why the candidate fell out of consideration
 - ✓ Who made the decision?

Problematic Dispositions	Strategic Dispositions
Other applicant selected	Never considered – timing (too far in process) – Recruiter 1
Considered	Does not meet Basic Qualifications – degree – Recruiter 2
New applicant	Salary requirement too high – Recruiter 1
Did not fit corporate culture	Not willing to work required hours – Recruiter 2
Not approved by manager	Not willing to work required shift – Recruiter 1

COMPLIANCE REVIEW STEPS

- **Audits**
- **Resolution**
 - ✓ Conciliation agreements
 - Document acknowledging offense & states how it will be corrected
 - ✓ Required outreach
 - Document connecting contractor with community and/or training centers to gain candidate leads
 - ✓ Monitoring
 - ✓ Litigation
 - ✓ Sanctions and debarment

COMPLIANCE SOLUTIONS

Request A Demo

GOVERNMENT COMPLIANCE

- ✓ Concurrent ESDS/state job bank postings
- ✓ Community & Diversity Outreach Program
- ✓ Outreach Management System (OMS)
- ✓ Monthly ESDS notifications
- ✓ VetConnect™
- ✓ Compliance Audit Support Team (CAST)

DIVERSITY RECRUITING

- ✓ Utilize 15,000+ diversity & community sites
- ✓ Automatically send jobs to diverse talent pools
- ✓ Proactively build relationships in OMS
- ✓ Track diversity outreach and communication

LOCAL RECRUITING

- ✓ Network of 600+ local & diversity job boards
- ✓ Applicant Tracking System (ATS)
- ✓ Resume Database
- ✓ Community & Diversity Outreach Program
- ✓ PoweredBy™
- ✓ Automated job posting (Mirroring) program
- ✓ Career events calendar

COMPLIMENTARY RESOURCES

- ✓ [The OFCCP Digest](#)
- ✓ [Ask the Experts](#) forum with industry leaders
- ✓ [Blog](#)
- ✓ [ESDS Map](#)
- ✓ HRCI & SHRM accredited [Webinars](#)
- ✓ Compliance [Resources Library](#)

WE'RE HERE FOR YOU



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UPCOMING TRAINING - EVENTS

ACQUISITION HOUR LIVE WEBINARS SERIES

▪ July 21, 2020

OFCCP Compliance 101

[CLICK HERE](#) for additional information

Presented by Roselle Rogers & Tim Muma, LocalJobNetwork

▪ July 22, 2020

The HUBZone Certification Program

[CLICK HERE](#) for additional information

Presented by Shane Mahaffy, US Small Business Administration (SBA)

▪ July 24, 2020

Tools and Resources to use for Gaining a Better Understanding of your Federal Customer

[CLICK HERE](#) for additional information

Presented by Marc Violante, Wisconsin Procurement Institute

▪ July 28, 2020

The Spend to the End

[CLICK HERE](#) for additional information

Presented by Marc Violante, Wisconsin Procurement Institute

▪ August 14, 2020

Introduction to CMMC Level 1

[CLICK HERE](#) for additional information

Presented by Marc Violante, Wisconsin Procurement Institute

▪ August 18, 2020

The Spend to the End

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Presented by Marc Violante, Wisconsin Procurement Institute

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ACQUISITION HOUR LIVE WEBINARS SERIES

- August 25, 2020

- State and Federal Certifications For Veteran and Service Disabled
Veteran Owned Businesses**

- [CLICK HERE](#) for additional information

- Presented by Shane Mahaffy, US Small Business Administration (SBA) and Mark Dennis, Wisconsin Procurement Institute (WPI)

- August 26, 2020

- The Path to CMMC Level 3**

- [CLICK HERE](#) for additional information

- Presented by Marc Violante, Wisconsin Procurement Institute

- SAVE THE DATE -



14th Annual Wisconsin Government Opportunities Business Conference (GOBC)



In partnership with Volk Field ANGB and Fort McCoy

October 15, 2020

In-person at Volk Field in Camp Douglas, WI

More info at [wispro.org](https://www.wispro.org)

<https://www.wispro.org/event/14th-annual-wisconsin-government-business-opportunities-conference-gobc-2/>



14th Annual Wisconsin Government Opportunities Business Conference (GOBC)



In partnership with Volk Field ANG and Fort McCoy

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14th Annual Wisconsin Government Opportunities Business Conference (GOBC)



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A CRITICAL NOTICE FROM WPI

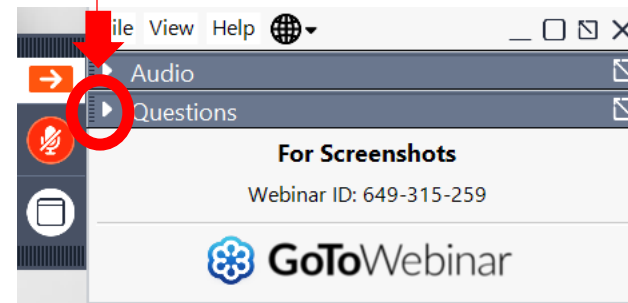
- If you are a current **FEDERAL / DOD CONTRACTOR** or **SUBCONTRACTOR** – you may have **CYBER – DATA SECURITY REQUIREMENTS** in your contract.
- If you are responding to any **CURRENT FEDERAL SOLICITATIONS** - be aware of your obligations:
 - Key clauses are 52.204-21, 252.204-7008 and 252.204-7012
 - Review for other possible requirements
- If you are a **DOD CONTRACTOR** or **SUBCONTRACTOR** – you will have new **CYBER COMPLIANCE – CERTIFICATION REQUIREMENTS** that may impact your business as early as the end of this calendar year.
 - See: <https://www.acq.osd.mil/cmmc> and <https://www.cmmcab.org> for more up to date information.
 - *Contact Marc Violante at WPI - marcv@wispro.org or 920-456-9990*

QUESTIONS?



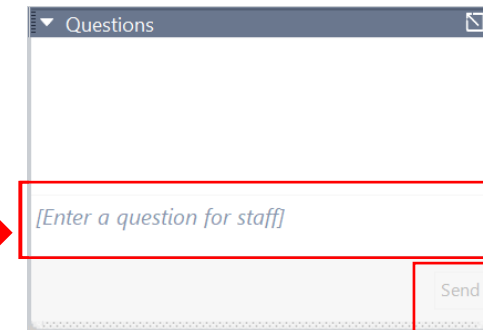
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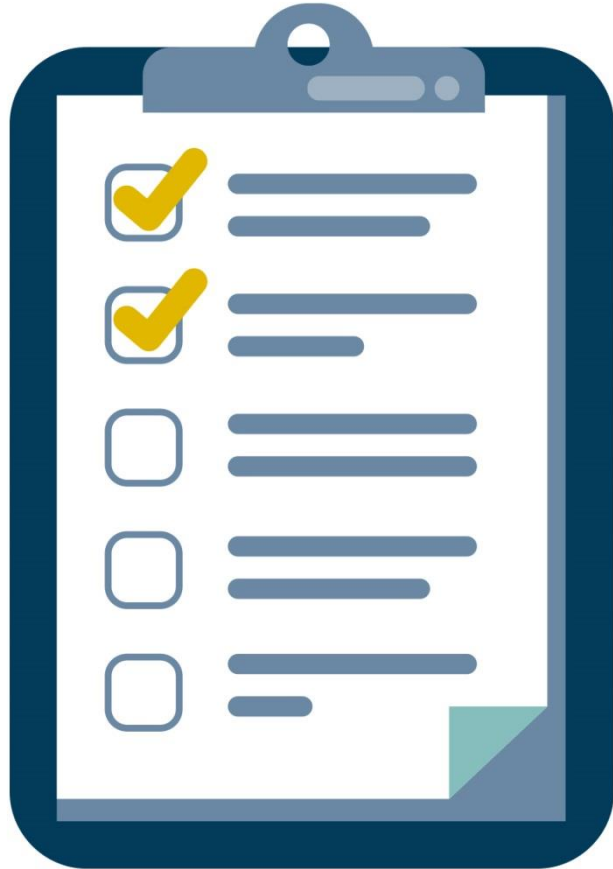
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Click Send when ready to submit a question

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