

# Preparing for an OFCCP Audit

A Step-By-Step Checklist



## Are you ready for an audit?

Federal Contractors and subcontractors are subject to the OFCCP's regulations, including VEVRAA, Section 503, and EO 11246. In this guide, you'll learn:

- 45+ items you need to maintain compliance, including job posting requirements
- Affirmative Action Plan technical compliance and analyses
- Mandatory Job Listing and outreach components

### AAP Technical Compliance and Statistical Analyses

- **Organizational Profile:** for each department or unit, show the total number of males, females, and minorities, and the job title, gender, race, and ethnicity of the supervisor
- **Job Group Analysis:** group job titles that have similar duties, salary, promotional opportunities, and identify the percentage of minorities and women in each job group
- **Availability Analysis:** for each job group, determine the percentage of qualified minority and women candidates available externally and internally
- **Utilization Analysis:** for each job group, determine whether the percentage of minorities and females is less than what reasonably would be expected based on their availability
- **Placement Goals:** establish for job groups, where necessary, based on utilization analysis
- **Goal Progress:** for each job group for which a goal was established, determine whether it was met and identify good faith efforts taken in prior plan year if it was not met
- **Hiring Benchmark:** establish a hiring benchmark for veterans
- **Utilization Goal:** measure against nationwide 7% utilization goal for individuals with disabilities
- **Data Collection Analysis:** collect and analyze data on # of veterans/individuals with disabilities who applied and # of veterans/individuals with disabilities hired
- **Action Plans:** establish steps and activities to meet placement goals and correct problem areas identified
- **Documentation:** record information for all steps undertaken to demonstrate compliance
- **Impact Ratio Analyses:** calculate and analyze hires, promotions, and terminations (consider doing so under attorney-client privilege)
- **Compensation Analysis:** consider conducting some form of analysis (consider doing so under attorney-client privilege)
- **Tests:** determine if they are valid and have an adverse impact (consider doing so under attorney-client privilege)

## Preparing for an OFCCP Audit

### Mandatory Job Listing and Outreach

- Are jobs being listed with the state job bank or employment service delivery system (ESDS)?
- Randomly audit some of your open positions to see if you can find them listed.
- Do you have evidence of listing, such as a screenshot of the job posted on the ESDS or a job order number from the ESDS?
- Contractor's outreach and recruitment efforts
- Did you make contact and have ongoing relationships with minority, women, disabled, and veteran organizations, and did you communicate your open positions to them?
- Did you attend job fairs and recruiting events for minority, women, individuals with disabilities, and veterans?
- What does your workforce look like?
- Do you have a significant number of employees who are minorities, women, individuals with disabilities, and veterans?
- Did you conduct an annual assessment of your outreach efforts and document your findings?
- Did you identify alternative recruiting sources to improve your results?

### Postings

- EEO is the Law (federal government poster) and GINA addendum
- Notification of Employee Rights Under Federal Labor Laws (EO 13496), if applicable
- Contractor's Equal Employment Opportunity policy statement
- Contractor's Invitation for individuals with a disability and covered veterans to self-identify



### Accessibility of Workplace & Website

- Accessibility of physical site to individuals with disabilities: parking and entrance, restrooms, application computers/kiosks
- Contractor's career site and online application
  - Is a person with a disability able to complete the application successfully?
  - Does it provide information on how to request for accommodation?

### Mandatory Job Listing and Outreach

- Voluntary self-identification forms (pre and post offer)
- Anti-Discrimination policy
- Anti-Harassment policy
- FMLA policy
- Maternity/Pregnancy and Medical Leave policy
- Disability and Religious
- Accommodation policies
- Selection and hiring process (document it)
- Compensation policy
- Union contracts
- Employment application (ensure it complies with federal and state laws)
- Job descriptions

## Preparing for an OFCCP Audit

### Notices and Letters

- EEO/AA employer tagline on job postings and employment application
- EEO clauses in purchase orders and subcontracts
- Letters to covered vendors, subcontractors and suppliers, unions, recruitment sources, and linkage groups regarding EEO/AA obligations

### Reports and Logs

- Copies of EEO-1 Reports (3 years), VETS 4212 Reports (3 years)
- Applicant Flow logs – test your applicant data for accuracy
- Accommodation log
- EEO complaint and grievance log (including FMLA, LOA, and disability accommodation complaints)
- Training log

### Staffing/Temp Agencies and PEOs

- Ensure that staffing and temporary agencies as well as professional employment organizations comply with your AA/EEO and record keeping obligations and discuss who will maintain necessary information.

[Request a Demo ▶](#)

**Disclaimer:** This information is of a general nature. None of the information contained herein is intended as legal advice or opinion relative to specific matter, facts, situations or issues. You should consult with a lawyer about your particular circumstances before acting on any of this information, because it may not be applicable to you or your situation.



Want to learn more? Watch our corresponding webinar, **Fundamentals of OFCCP Compliance.**

[Watch Webinar ▶](#)