

## **OFCCP Issues New Directive for Functional Affirmative Action Plans (FAAPs)**

In May 2010 the OFCCP suspended all request for new FAAPs. A new directive has been issued “To outline the application and approval procedures for Functional Affirmative Action Program (FAAP) Agreements provided for in 41 CFR 60-2.1(d)(4).”

Significant changes from the previous requirements include:

1. No automatic approval. Previous to May 2010, requests for FAAPs were automatically considered approved if the OFCCP did not answer within 120 days. Now every request must be specifically approved by the OFCCP and there is no deadline for the OFCCP to issue the approval.
2. Requests for FAAPs will include a conference with the contractor.
3. FAAPs may be approved for 3 years. (Previously 5 years)
4. Contractors will be eligible to renew FAAPs only if they have had at least 2 of the functional units subject to a compliance evaluation. The OFCCP assures contractors with FAAPs they will receive at least two compliance reviews during those 3 years.
5. The information the OFCCP requires for approval almost necessitates creating the FAAPs before the approval in order to get approval. See Attachment B in the directive. In addition, all establishment based plans must be kept current during the approval process.

Read the full text of the Directive:

<http://www.dol.gov/ofccp/regs/compliance/directives/dir296.htm>

## **OFCCP’s Current Scheduling Letter Expires in September 2011**

The OFCCP is proposing several changes to the letter sent to contractors to initiate a Compliance review. The OFCCP is hoping to add two additional items to the support data: copies of employment leave policies and copies of Vets 100/100(A) filed for the last 3 years.

Item # 11 currently requires that contractors submit employment activity (applicant/hire, promotion and termination data by job group or job title. The OFCCP seeks to change this to job group and job title.

Item #12 would be updated to require submission of “disaggregated” compensation data, rather than the current “aggregated” data. The OFCCP feels the disaggregated data would allow a more specific analysis.

Read the proposal: <http://www.yocom-mckee.com/news/ProposedSchedulingLetter.pdf>

## **Vets 100/100(A) Filing Deadline Extended to November 30, 2011**

The US Department of Labor has announced that technical issues are preventing contractors from filing reports on-line. Therefore, contractors may file their reports between October 1, 2011 and November 30, 2011. This data still must reflect employment data from one payroll period ending between July 1, 2011 and August 31, 2011.

See the DOL Vets 100/100(A) reporting website:

<http://www.dol.gov/vets/programs/fcp/main.htm>