



If you have any questions about this Advisory, please contact:

JOHN ZANDY
203.498.4330
jzandy@wiggin.com

ROBIN MARTOCCI
860.297.3710
rmartocci@wiggin.com

This publication is a summary of legal principles. Nothing in this article constitutes legal advice, which can only be obtained as a result of a personal consultation with an attorney. The information published here is believed accurate at the time of publication, but is subject to change and does not purport to be a complete statement of all relevant issues.

Big Changes to the OFCCP'S Scheduling Letter and Itemized Listing

The OFCCP's newly revised Scheduling Letter and Itemized Listing can be found at http://www.wiggin.com/Files/29928_Revised%20OFCCP%20Scheduling%20Letter.pdf. This is the letter you will now receive from the OFCCP if your company is selected for an AAP compliance audit. There are significant changes from prior audit letters -- the most obvious being that *the number of items on the Itemized Listing has jumped from 11 to 22!* Responses to all 22 items are due 30 days from the date you receive the letter, which is the same time period as before with no extra time for the additional work it requires contractors to do.

Another significant change has to do with the information requested for compensation data. No. 19 on the Itemized Listing now requests *employee level* compensation data for all employees as of the date of the workforce analysis in your AAP with the initial submission.

The most comprehensive change, which accounts for the increase in the number of items requested on the Itemized Listing, is

related to the AAPs for protected veterans and individuals with disabilities (IWD). You now have to provide documentation to show that you are taking affirmative action toward protected veterans and IWD both externally and internally within your own organization. External outreach must be documented, monitored, and evaluated as to how effective it has been in attracting qualified candidates. Internally, contractors must now show that they have collected and analyzed the required data, developed and implemented policies and procedures, and communicated these policies to managers, supervisors, and employees.

Needless to say, these changes signal a desire on the part of the OFCCP to dig deeper into your organization's practices and, as a result, audits may very well be more time-consuming and burdensome. Please feel free to contact **Robin Martocci** at rmartocci@wiggin.com or 860-297-3710 or **John Zandy** at jzandy@wiggin.com or 203-498-4330 if you have any questions.