

## **AFFIRMATIVE ACTION COMPLIANCE TOOLKIT**

For a fixed fee of \$15,000, our practitioners will conduct an affirmative action compliance assessment, as outlined below. This assessment will enable contractors to assess and understand their current state of compliance with affirmative action obligations and potential vulnerabilities. As the OFCCP and EEOC continue to focus on systemic issues, including systemic discrimination in compensation under the OFCCP’s recently issued Directive, we have found the proactive measures outlined below best position our clients to respond to government enforcement efforts and private class action litigation.

### **For the \$15,000 fixed fee, Crowell & Moring attorneys and affirmative action practitioners will:**

- Review and recommend revisions to the client’s headquarters AAP(s)
- Assess applicant tracking systems and the “total selection process”
  - Compliance with internet applicant definition
  - Assess sufficiency of disposition codes
  - Adverse impact analyses
  - Recordkeeping compliance
- Supply template documents
  - Checklist of government contractor affirmative action obligations
  - Affirmative action policy
  - Invitations to self-identify – race, gender, veteran status, disability
  - Letter to recruitment sources
  - Flow-down clauses to subcontractors
  - Quarterly or annual affirmative action management reports
- Conduct an OFCCP-style compensation analysis, consistent with its new Directive
- Assess outreach efforts: women, minorities, veterans, individuals with disabilities
- Review EEO-1 and VETS 100/100A filings
- Evaluate E-verify compliance
- Provide up to ten hours of on-site compliance training and follow-up counseling - for audiences ranging from legal compliance, HR, and affirmative action specialists to hiring managers and executives

### **Additional offerings – separately priced:**

- Sophisticated regression analyses of compensation and other personnel actions – by teaming with labor economists
- Written recommendations to improve affirmative action compliance
- Mock audit of the defensibility of selection decisions and termination decisions
- Jurisdictional analysis – assess single employer/subcontractor status, current and acquired companies