

# 5 Things You Can Do

in the First 30 Days of  
Being a Federal Contractor

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**Congratulations!** Your company has just signed a federal contract, and you are now subject to Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRRA), as amended. You have 120 days from the commencement of this first contract to develop your affirmative action plans (AAPs).





Follow these

# Five Steps

in the first 30 days as a Federal Contractor

# 1

Assign responsibility for affirmative action compliance. Determine the Affirmative Action (AA) Officer. Overall responsibility for the affirmative action program (AAP) should be assigned to a high-level executive such as the President or CEO of your organization. However, the AA Officer will have primary responsibility for managing and implementing the AAP.

# 2

List jobs with state or local employment service delivery system (ESDS). Under VEVRRRA, positions that will continue for more than three days, that are not executive level and are not expected to be filled from within, must be listed with the state or local ESDS office covering the location where the job will be located.





A few compliance

# tips

- Format requirements and submission processes vary for each ESDS office; be sure to know what is needed prior to submission
- If using a vendor to list your openings, ensure their processes are following this requirement
- Keep records showing you listed each employment opening in case of an audit
- Identify the following in the listing submission:
  - Status as a federal contractor
  - Desire for priority referrals for protected Veterans
  - Contact information for the hiring official at each location



# 3

Include EEO tagline in solicitations and advertisements. As a covered employer, you are required to include the EEO tagline in all solicitations and advertisements for employees. The OFCCP has specific rules for creating an EEO tagline. Acceptable EEO taglines include:

- Equal Opportunity Employer including Vets and Disabled
- or**
- Equal Opportunity/Affirmative Action Employer including Vets and Disabled
- or**
- Company Name is an equal opportunity/affirmative action employer. All qualified applicants will receive consideration for employment without regard to sex, gender identity, sexual orientation, race, color, religion, national origin, disability, Protected Veteran status, age, or any other characteristic protected by law.

# 4

Display EEO poster and other required postings. The “**EEO is Law**” poster must be displayed in conspicuous places used by employees and applicants such as bulletin boards in lunchrooms and an online application system. The latest version of the poster and any supplements are available here:

<https://www.dol.gov/ofccp/regs/compliance/posters/ofccpost.htm>

**Pay Transparency Nondiscrimination Statement**

<https://www.dol.gov/ofccp/PayTransparency.html>

**Executive Order 13495 Poster**

<https://www.dol.gov/whd/regs/compliance/posters/wh1503.pdf>

**Executive Order 13496 Poster**

<https://www.dol.gov/olms/regs/compliance/EO13496.htm>

**Executive Order 13658 Notice**

<https://www.dol.gov/whd/regs/compliance/posters/mw-contractors.pdf>



# 5

Start to maintain accurate personnel transaction records. This should be started as soon as possible because data is essential when creating AAPs. To maintain accurate personnel records, conduct a gap analysis between what data is required and what you currently have.

## **Review your HRIS or other recordkeeping systems to ensure the following:**

- All required data fields, such as job titles, grades, department codes, termination codes, applicant disposition codes, promotion codes, etc. are complete and reviewed for accuracy.
- Job titles have been classified using proper EEO categories.
- Race/ethnicity, gender, Protected Veteran status, and Individuals with Disabilities status codes are being captured for all applicants and employees.
- Personnel transaction data, such as who applied for jobs, and who was hired, promoted, and terminated is being maintained accurately and in a manner which allows you to easily compile this information on an annual basis.
- Applicant disposition codes are reviewed for compliance with the Internet Applicant Rule.
- Compensation data for all employees is maintained accurately.
- Job changes or actions are recorded with accurate effective dates—hire, rehire, competitive promotion, non-competitive promotion, competitive transfer, non-competitive transfer, voluntary termination, involuntary termination, etc.







Remember, this is just a starting point. Becoming a federal contractor or subcontractor brings numerous unique compliance obligations, but Berkshire is here to help. Please feel free to contact us should you need further assistance with your journey to compliance.



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