



# What to Expect: VEVRAA Focused Reviews

(INSERT REGIONAL/DISTRICT OFFICE NAME)

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## Agenda

- Introduction to OFCCP
- Scheduling Process
- Focused Review Process
- Common Problem Areas and Best Practices

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## Introduction to OFCCP

Federal civil rights enforcement agency within the U.S. Department of Labor

**Mission:** *OFCCP protects workers, promotes diversity, and enforces the law. OFCCP holds those who do business with the federal government – contractors and subcontractors – responsible for complying with the legal requirement to take affirmative action and not discriminate.*

Jurisdiction over federal contractors and subcontractors

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## Laws OFCCP Enforces

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- Vietnam Era Veterans' Readjustment Assistance Act of 1974
- Section 503 of the Rehabilitation Act of 1973
- Executive Order 11246

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## Who is a Federal Contractor?

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- Employers doing business with the federal government,  
**and**
- Employers that subcontract with a company doing business with the federal government

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## Compliance Evaluations

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- Compliance Review
- Compliance Check
- Focused Review

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## VEVRAA Focused Review

- Selection
- Scheduling
- Desk Audit
- On-site
- Off-site
- Resolution

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## Scheduling Process

- Neutral Selection System
- Scheduling list developed and maintained by the National Office
- There is no visibility to the District Office until selections are made
- No one is ever scheduled when seeking compliance assistance

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## Selection: Corporate Scheduling Announcement List



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## Scheduling Letter

- Scheduling Letters are sent to establishments by certified mail
- Establishments have 30 days from receipt to submit written affirmative action programs (AAPs) and supporting documentation

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## OFCCP's AAP Extension Policy

- OFCCP can provide a 30-day extension for supporting data related to AAPs provided that:
  - Extension request made prior to initial 30-day due date; and
  - Contractor timely submits **basic** AAPs within the 30-day period after receiving the scheduling letter
- OFCCP can provide 30-day extensions for AAPs and support data for extraordinary circumstances
- Failure to submit timely AAPs and/or supporting data will result in OFCCP issuing a Notice to Show Cause

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## Preparing for a Focused Review

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## Preparing for a Focused Review

**Confirm:**

- Written VEVRAA Affirmative Action Program is complete and current
- Collected and maintained personnel activity data
- Posted Equal Employment Opportunity poster and supplement

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## Foundational Compliance Document

Affirmative Action Programs

- Employer has **50** or more employees
- Contract meets dollar threshold
  - Executive Order and Section 503: **\$50,000 or more**
  - VEVRAA: **\$150,000 or more**
- Developed within **120** days of commencement of contract or subcontract

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## Preparation

**Confirm:**

- Included the Equal Opportunity Clause in covered subcontracts
- Included the EEO tagline in job advertisements  
*Equal Opportunity Employer – Disability and Veteran*

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## Preparation

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**Confirm:**

- Reasonable accommodations were provided to disabled veterans
- Job opportunities were listed with local employment service delivery system
- Current VETS-4212 Report has been filed
- Allow OFCCP access to records

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## Desk Audit

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## Desk Audit: Initial Review

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- AAPs
  - Timely
  - Complete
- Supporting Documentation
  - Timely
  - Complete

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## VEVRAA AAP Components

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### Self-identification

- Applicants:
  - Pre-offer of employment
  - Post-offer of employment
- Employees

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## VEVRAA AAP Components

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- Policy statement
- Review of personnel processes
- Physical and mental qualifications

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## VEVRAA AAP Components

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- Reasonable accommodation to physical and mental limitations
- Harassment
- External dissemination of policy, outreach and positive recruitment
- Assessment of external outreach efforts

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## VEVRAA AAP Components

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- Internal dissemination of policy
- Audit and reporting system
- Responsibility for implementation
- Training
- Data collection and analysis

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## VEVRAA Hiring Benchmark

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- Two Options:
  - Adopt the National Annual Veteran Hiring Benchmark
  - Develop individualized hiring benchmark

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## On-site Review Components

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- Entrance Conference
- Facility Inspection
- Conduct Interviews
- Review Additional Records
- Exit Conference

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## Off-site Analysis

- Analyzes statistical and other data gathered during an evaluation
- Conducts interviews of:
  - Current employees
  - Former employees
  - Unsuccessful applicants
- Based on analysis results, more information or interviews may be required

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## Common Compliance Evaluation Actions

- Notice to Show Cause
- Notice of Closure – no violations
- Notice of Violations
- Predetermination Notice
- Conciliation Agreement

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**Break**

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## Common Problem Areas

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**Failure to:**

- Create AAPs and update them annually
- Include EO clauses
- Include EEO taglines in job advertisements
- Invite applicants and employees to self-identify

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## Common Problem Areas

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**Recordkeeping:**

Failure to maintain accurate and complete records

**Denial of Access:**

Failure to provide OFCCP access to the appropriate records

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## Common Problem Areas

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**Application Procedures:**

- Failure to review personnel processes to ensure they do not screen out individuals with disabilities
- Using stereotypes when evaluating applicants for positions
- Selection criteria applied differently based on protected bases

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## Common Problem Areas

### Outreach and Positive Recruitment:

#### Failure to:

- Conduct and document outreach
- Conduct outreach and recruitment activities to diverse groups
- Evaluate existing recruitment sources
- Implement alternative efforts when existing efforts were not effective

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## Best Practices for Building an Inclusive Work Environment

- Create Veteran Employee Resource Groups
- Enlist assistance from veteran job placement organizations
- Enlist support from local U.S. Department of Veterans Affairs medical social services offices
- Participate in U.S. Department of Veterans Affairs work- study programs

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## Best Practices for Building an Inclusive Work Environment

- Develop professional relationships with:
  - Disabled Veterans Outreach Program Specialists
  - Local Veterans Employment Representatives
  - Veteran representatives at colleges and universities
  - Personnel on military bases (Transition Assistance Programs)
- Review employment policies (military spouses)

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## Contact Information



Local Office:

Phone #:

Help Desk: 1-800-397-6251

TTY 1-877-889-5627

OFCCP's Website: [www.dol.gov/ofccp](http://www.dol.gov/ofccp)

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