

FEDERAL CONTRACTORS' GUIDE TO AFFIRMATIVE ACTION PLANS

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Who Must Implement an Affirmative Action Plan (AAP)?

Almost all federal prime contractors and subcontractors are required to implement a written AAP within 120 days of receiving a federal prime contract or subcontract award. In general, AAPs are required to track employment actions regarding women and minorities, individuals with disabilities and veterans. Specifically, the following federal contractors and subcontractors must implement AAPs:

1. Service contractors (non-construction) and suppliers must implement AAPs to track women and minorities, individuals with disabilities, and veterans when:
 - a. they receive a federal prime contract or lower-tier subcontract for non-construction services or supplies;
 - b. they have more than 50 employees; and
 - c. the contract/subcontract has a value of over \$50,000 (or over \$150,000 for Protected Veteran AAPs).
2. Construction contractors and subcontractors must implement AAPs for individuals with disabilities and veterans when:
 - a. they receive a federal prime contract or lower-tier subcontract for construction services;
 - b. they have more than 50 employees; and
 - c. the contract/subcontract has a value of over \$50,000 (or over \$150,000 for Protected Veteran AAPs).
3. Construction contractors and subcontractors must also implement specific affirmative action steps (not a formal AAP, but an affirmative action “program”) for women and minorities (regardless of the number of employees), which includes specific record-keeping requirements when:
 - a. they receive a federal prime contract or lower-tier subcontract OR any federally assisted construction contract; and
 - b. the contract/subcontract has a value of over \$10,000.
4. Commercial item contractors are also subject to EEO compliance and written AAP requirements if they meet the criteria above. This guide also recommends that contractors holding Other Transaction Authority (OTA) contracts comply with the EEO and AAP requirements if they meet the criteria above.

In general, all federal contractors and subcontractors with prime contracts/subcontracts exceeding \$10,000 must comply with the federal equal employment opportunity (EEO) mandates, which require contractors to take “affirmative action” to ensure equal employment opportunities for employees and potential employees regardless of race, color, religion, sex, sexual orientation, gender identity or national origin. 41 C.F.R. §§60-1.4 and 60-4.3. In order to promote these equal opportunity mandates, the vast majority of contractors and subcontractors working under a federal prime contract are required to implement a written AAP to monitor and track employment actions.

These AAP requirements apply to almost all federal prime contractors and lower-tier subcontractors and suppliers. Specifically, the AAP regulations define a “contract” as “any Government contract or subcontract or any federally assisted construction contract or subcontract;” define a “contractor” as “a prime contractor or subcontractor;” and define a “subcontract” as “any agreement or arrangement between a contractor and any person” for goods or services that are necessary to the performance of a federal contract. 41 C.F.R. §60-1.3.

In sum, the AAP regulations treat prime contracts and subcontracts, and prime contractors and subcontractors as essentially the same for the purposes of determining who is subject to the AAP requirements. Therefore, for the sake of simplicity, any reference to a “contract” in this Guide will refer to both a prime contract and a lower-tier subcontract, and any reference to a “contractor” will refer to both prime contractors and their lower-tier subcontractors.

Like many other federal compliance requirements, the affirmative action requirements are based on a complex and convoluted series of regulations that apply differently to contractors based on numerous factors, such as contract type, the value of the contract at issue, the number of contractor employees, the protections applicable to various categories of protected employees and multiple other factors. While many contractors are aware that the federal government requires that they follow general affirmative action practices, an alarming number of contractors do not comply with the applicable regulations because they fail to implement a *written* AAP to consistently promote affirmative action goals and to track

specific affirmative action metrics.

Failure to comply with the affirmative action requirements can lead to a number of adverse consequences for contractors at the hands of the federal government, such as mandatory audits of a contractor’s affirmative action compliance, the punitive termination of federal contracts, and/or the suspension or debarment of contractors who fail to comply. As such, contractors must have a working understanding of the affirmative action requirements to ensure compliance with those requirements to avoid the potential adverse consequences that come with failing to comply.

This Federal Contractors Guide to Affirmative Action Plans summarizes the applicable affirmative action requirements, when and who those requirements apply to, how to maintain compliance with the requirements, how to avoid unwanted scrutiny from the federal government and sets forth recommended “best practices” for contractors to follow with regard to the AAP requirements.

I. The Goal of Federal Affirmative Action Plans

The intended purpose of AAPs is to promote and ensure equal opportunity for all persons who are currently employed or seeking employment from federal prime contractors and subcontractors “without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.” 41 CFR § 60-1.1. In order to achieve these goals, Executive Order 11246 requires most contractors to implement AAPs that address their “employment policies, programs, and employment statistics.” Implementing AAPs is “more than a paperwork exercise,” as contractors must adhere to their AAP and substantively evaluate their workforce by “compar[ing] it to the composition of the relevant labor pools” and implement “specific practical steps designed to address [any] underutilization.” 41 C.F.R. § 60-2.10(a). Put another way, contractors must not only implement AAPs, but routinely track and report the performance of those AAPs over time.

The implementation of AAPs is intended to encourage contractors to recruit and promote qualified individuals from specified segments of the population who the federal government deems to be underrepresented in certain industries, which includes women, minorities, individuals with disabilities and veterans of the armed forces.

II. What Contractors Are Required to Implement an AAP?

The following chart summarizes the contractors required to implement AAPs:

Contractor Type	Women/Minority ¹ AAP	Individuals with Disabilities ² AAP	Protected Veteran ³ AAP
Non-construction service contractors/subcontractors and suppliers with 50 or more employees ⁴	Yes, AAP required if the prime contract or subcontract value is greater than \$50,000	Yes, AAP required if the prime contract or subcontract value is greater than \$50,000	Yes, AAP required if the prime contract or subcontract value is greater than \$150,000
Construction service contractors/subcontractors with 50 or more employees	No AAP required, but and affirmative action “program” is required to maintain specific records of affirmative action efforts for prime contracts and subcontracts over \$10,000, regardless of the number of employees	Yes, AAP required if prime contract or subcontract value is greater than \$50,000 ⁵	Yes, AAP required if prime contract or subcontract value is greater than \$150,000 ⁵

¹ A “minority” for the purposes of AAPs is defined as an individual who meets the following designated federal criteria: “Black (all persons having origins in any of the Black African racial groups not of Hispanic origin); Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race); Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).” 41 C.F.R § 60-4.3(a)(1)(d).

² “Individuals with disabilities” for the purposes of AAPs are defined as individuals who have a “physical or mental impairment that substantially limits one or more major life activities;” a “record of such impairment;” or is “regarded as having such an impairment.” 41 C.F.R. § 60-741.2.

³ A “protected veteran” for the purposes of AAPs includes: (1) disabled veterans; (2) a recently separated veteran, meaning any veteran during the three years beginning from “discharge or release from, active duty in the U.S. military, ground, naval, or air service;” (3) active duty wartime or campaign badge veteran; and (4) armed forces service medal veterans. 41 C.F.R. § 60-300.2.

⁴ This includes commercial item contractors and it is recommend that contractors with Other Transaction Authority (OTA) contracts comply with the AAP requirements as well.

⁵ Not applicable to federally assisted contracts.

A. Non-Construction Service Contractor and Supplier AAP Requirements

Non-construction service contractors and all suppliers (regardless of whether they supply construction or non-construction supplies) that hold a contract with a value of \$50,000 or more and have more than 50 employees are required to develop a written AAP for each of its business “establishments” (locations where the contractor has 50 or more employees). [41 CFR § 60-1.20](#).

Qualifying service contractors and suppliers must establish AAPs for women and minorities, individuals with disabilities and veterans. The requirements for each of these specific AAPs are listed below.

1. AAPs for Women and Minorities (for Non-Construction Service Contractors and Suppliers)

Each non-construction service contractor and supplier that holds a contract with a value of \$50,000 or more and has more than 50 employees is required to implement AAPs for women and minorities within 120 days of contract commencement. The AAP must include the following topics and concepts:

- a. Organizational profile:** A detailed presentation of the contractor’s organizational structure that identifies each organizational department along with the “job title, gender, race, and ethnicity” of the supervisor, the current number of male and female employees, and the total numbers of current employees belonging to certain identified minority groups. A workforce analysis that provides job titles and wages of employees belonging to specified minority groups must also be provided.
- b. Job group analysis:** Jobs with similar content, wage rates and opportunities are combined to form “job groups,” which the contractor uses to compare “the representation of minorities and women in its workforce with the estimated availability of minorities and women qualified to be employed.”

- c. Placement of incumbents in job groups:** The percentage of minorities and women employed in each job group.
- d. Determining availability:** Availability relates to the “percentage of all qualified persons available for employment in the job group.” To determine availability, a contractor considers “the percentage of minorities or women with requisite skills” in the geographic recruitment area and the “percentage of minorities or women” within the contractor’s organization who are “promotable, transferable, and trainable.” The data collected is used as a benchmark for the contractor to analyze its current demographics “in order to determine whether barriers exist within particular job groups.”
- e. Comparing incumbency to availability:** Compare the percentage of women and minorities in each job group with those available for employment and establish a placement goal, if necessary.
- f. Placement goals:** Objectives or targets a contractor can reasonably attain. Placement goals cannot be rigid quotas or set-asides for specific groups that supersede merit-based employment selection.
- g. Designation of responsibility for implementation:** Assigned to an official in the organization who is given authority, resources and access to top management in order to effectively implement the AAP.

- h. Identification of problem areas:** In-depth analysis of a contractor’s employment process to determine if there is a lack of minority or female utilization by evaluating the workforce breakdown by job group, hiring, firing, promotions, compensation, recruitment and other personnel procedures in order to identify any disparities based on gender, race or ethnicity.
- i. Action-oriented programs:** Develop programs to correct any identified problem areas and demonstrate that the contractor has made “good faith efforts to remove identified barriers, expand employment opportunities, and produce measurable results.”
- j. Periodic internal audits:** Develop a system that periodically measures the effectiveness of a contractor’s AAP by monitoring records, reviewing reports and advising top management of AAP effectiveness.

41 C.F.R. §§ 60-2.1 - 60-2.18.

1. AAPs for Individuals With Disabilities

Each non-construction service contractor and supplier that holds a contract with a value of \$50,000 or more and has more than 50 employees is required to implement an AAP for individuals with disabilities within 120 days of contract commencement. The AAP must include:

- a. A policy statement:** Posted on company bulletin boards that indicates the company’s support of the affirmative action program, provides for a reporting system, and assigns responsibility for implementation of the program. The policy statement is meant to notify employees and applicants that they will not be subject to harassment or discrimination if they file a complaint, oppose an unlawful company practice or participate in an investigation related to equal opportunity for individuals with disabilities under federal or local law.

- b. Review of personnel processes:** Ensure internal personnel processes “provide for careful, thorough and systematic consideration” of job qualifications of applicants and employees with disabilities. This includes ensuring company processes do not stereotype individuals with disabilities in a way that limits their ability to access jobs for which they are qualified. Contractors are required to periodically review company processes and document their findings and any necessary modifications as part of their AAP.
- c. Physical and mental qualifications:** Schedule a “review of mental and physical job qualification standards” to ensure company job qualifications do not needlessly and discriminately screen out qualified individuals with disabilities. This means that, whenever a contractor has physical or mental job qualifications that tend to screen out qualified individuals on the basis of disability, these qualification standards must be consistent with business necessity and related to specific jobs.
- d. Reasonable accommodation to physical and mental limitations:** Make reasonable accommodations for employees with known disabilities. The best practice for ensuring this compliance is to develop and implement written procedures to process requests for reasonable accommodation.
- e. Anti-harassment procedures:** Implement procedures to ensure employees are not harassed on the basis of a disability.

a. Assessment of external outreach and recruitment efforts: Undertake appropriate “outreach and recruitment activities” that help recruit qualified individuals with disabilities. The amount of effort a contractor invests in these efforts depends on size and resources. However, all contractors must send written notice of company affirmative action policy to all subcontractors (including vendors and suppliers) and request appropriate action on their part. Some examples of “outreach and recruitment activities” include: developing on-the-job training opportunities for individuals with disabilities, participation in work-study programs for individuals with disabilities and holding formal briefing sessions with representatives from recruiting sources. Additionally, a contractor must annually review outreach and recruitment efforts and document its evaluation, including the criteria used to determine the effectiveness of its efforts. A contractor must document “all activities it undertakes to comply” with outreach requirements for three years.

b. Audit and reporting system: Design and use an audit and reporting system that: measures the effectiveness of and compliance with a contractor’s AAP, indicates the need for remedial action, determines the extent to which objectives have been met, and determines whether known individuals with disabilities had the opportunity to participate in “all company sponsored educational, training, recreations and social activities.”

c. Responsibility for implementation: Assign an official with the responsibility to implement this AAP and provide the official the necessary management support for implementation.

d. Training: All contractor personnel involved in recruitment, screening, promotion, and disciplinary processes must be trained to adhere to the goals of the contractor’s AAP.

e. Data collection analysis: Document data related to applicants and employees who have voluntarily self-identified as individuals with disabilities and keep such records for three years.

41 C.F.R. §§ 60-741.40, 60-741.44.

3. AAPs for Veterans

Each non-construction service contractor and supplier that holds a contract with a value of \$150,000 or more and has more than 50 employees is required to implement an AAP for veterans within 120 days of contract commencement. The AAP must include the same categories of data and analysis required for AAPs for individuals with disabilities addressed in Section II(A) (2) above, which are restated below.

a. A policy statement: Posted on company bulletin boards that indicates the company’s support of the affirmative action program, provides for a reporting system and assigns responsibility for implementation of the program. The policy must state that the contractor will: “recruit, hire, train and promote” individuals of all job titles without regard to protected veteran status.

b. Review of personnel processes: Ensure internal personnel processes “provide for careful, thorough and systematic consideration” of the job qualifications of applicants and employees who are known protected veterans. This includes ensuring company processes do

- c. not stereotype protected veterans in a way that limits their ability to access “jobs for which they are qualified.” Contractors are required to periodically review company processes and document their findings and any necessary modifications as part of their AAP.
- d. **Physical and mental qualifications:** Schedule a “review of mental and physical job qualification standards” to ensure company job qualifications do not needlessly and discriminately screen out qualified disabled veterans. This means that, whenever a contractor uses physical or mental job qualifications that tend to screen out qualified disabled veterans, these qualification standards must be consistent with business necessity and related to specific jobs.
- e. **Reasonable accommodation to physical and mental limitations:** Make reasonable accommodations for the known physical or mental limitations of otherwise qualified disabled veterans unless a contractor can prove such accommodations would prove unduly difficult for company operations.
- f. **Anti-harassment procedures:** Implement procedures to ensure employees are not harassed on the basis their protected veteran status.
- g. **Assessment of external outreach and recruitment efforts:** Undertake appropriate “outreach and recruitment activities” that help recruit protected veterans. The amount of effort a contractor invests in these efforts depends on size and resources. However, all contractors must send written notice of company policy related to these affirmative action efforts to all subcontractors (including vendors and suppliers) and request appropriate action on their part. Some examples of “outreach and recruitment activities” include: developing on-the-job training opportunities for veterans, participation in work-study programs with the Department of Veterans Affairs and holding formal briefing sessions with representatives from recruiting sources.

Additionally, a contractor must annually review outreach and recruitment efforts and document its evaluation, including the criteria used to determine the effectiveness of its efforts. A contractor must document “all activities it undertakes to comply” with outreach requirements for a period of three years.

- h. **Internal dissemination policy:** Disseminate the AAP policy in company manuals and to union officials (or their representatives) if the contractor is party to a collective bargaining agreement.
- i. **Audit and reporting system:** Design and use an audit and reporting system that: measures the effectiveness of and compliance with its AAP, indicates the need for remedial action, determines the extent to which objectives have been met and determines whether known protected veterans had the opportunity to participate in “all company sponsored educational, training, recreations and social activities.”
- j. **Responsibility for implementation:** Assign an official with the responsibility to implement this AAP and provide the official the necessary management support for implementation.
- k. **Training:** All contractor personnel involved in recruitment, screening, promotion and disciplinary processes must be trained to

- i. adhere to the goals of the contractor’s AAP.
- m. **Data collection analysis:** Document data related to applicants and employees who have voluntarily self-identified as protected veterans, the number of job openings and applicants and the number of protected veterans hired. Contractors must keep such records for three years.

41 CFR §§ 60-300.40, 60-300.44.

B. Construction Contractor AAP Requirements

Construction contractors are required to implement AAPs for individuals with disabilities and veterans, and comply with specific “Record Keeping Requirements” with regard to women and minorities.

1. Construction Contractor AAP Requirements

Each construction contractor that has more than 50 employees and a federal construction contract of \$50,000 or more is required to implement an AAP for individuals with disabilities within 120 days of contract commencement. The AAP must include the requirements listed above in Section II(A)(2) for AAPs for individuals with disabilities.

Similarly, construction contractors with more than 50 employees and a federal construction contract of \$150,000 or more are required to implement an AAP for veterans within 120 days of contract commencement. The AAP must include the requirements listed above in Section II(A)(3) for AAPs for veterans.

2. Construction Contractor Affirmative Action “Program” Requirements

With regard to women and minorities, construction contractors are not required to implement a written AAP, but must implement an affirmative action “program” that includes specific record keeping requirements. Specifically, any contractor who holds a direct federal or federally assisted construction contract⁵ in excess of \$10,000 (regardless of the number of employees) must implement record keeping requirements related to affirmative action efforts for women and minority applicants and employees. 41 C.F.R. § 60-4.1. These record keeping requirements include implementing the following protocols and maintaining the following records:

- a. **Ensure no harassment:** Ensure the work environment is free from harassment and, where possible, assign two or more women to each construction project.
- b. **Recruitment sources list:** Maintain a current list of female and minority recruitment sources and reach out to them in writing when the contractor or its unions have available job opportunities. A contractor must keep records of such written notifications.
- c. **Applicant records:** Maintain a current file of the names, addresses and phone numbers of each minority and female “off-the-street” applicant. Additionally, contractors must keep records of minority or female referrals from a union or recruitment source and document the employment action taken for each individual.

⁵ The Department of Labor defines a direct federal construction contract as “an agreement entered into directly with the federal government,” while a federally assisted construction contract is an agreement where the government is not a party to the contract, but may nonetheless provide funding, such as a regional watershed project, joint federal / state venture, and other projects where the federal government provides some, but not all, funding for the project. [Dol.gov, “FAQs on Nondiscrimination in the Construction Trades.”](#)

- d. **Job training opportunities:** Develop or participate in training programs in areas that expressly include minorities and women. Contractors are required to give notice to recruitment sources of any such programs.
 - e. **Disseminate the EEO policy:** Give notice of the EEO policy by: including it in any manual or collective bargaining agreement; publicizing it in an annual report; annual review with senior management and all minority and female personnel; posting the policy on company bulletin boards. Contractors can also disseminate their EEO policy externally, through advertising and through discussions with other contractors and subcontractors.
 - f. **EEO policy review:** Meet at least annually to review EEO policies with employees who have hiring and firing responsibilities. Contractors must keep a written record of these meetings by identifying the time and place of the meeting, who attended and the subject matter discussed.
 - g. **Notifications of job openings:** Direct recruitment efforts to relevant minority and female recruitment and training organizations, schools and community organizations. Contractors are required to send written notification of job openings and screening procedures to these organizations no later than one month before its projected job application acceptance date.
 - h. **Annual evaluation:** Conduct annual evaluation of all female and minority personnel to determine promotional opportunities and to encourage such employees to prepare for any upcoming opportunities through appropriate training.
 - i. **Monitor employment related activities:** Ensure personnel practices do not have a discriminatory effect and that the contractor's EEO policy is being carried out.
 - j. **Records of subcontract offers:** Maintain records of subcontractor solicitation offers from minority and female contraction contractors and suppliers.
 - k. **Review of supervisors:** Conduct an annual review to ensure supervisors are adhering to EEO policies and affirmative action obligations.
- 41 C.F.R § 60-4.3(a)(7).

C. Commercial Items and Other Transactional Authority Contractor AAP Requirements

1. Commercial Items Contractor AAP Requirements

Contractors providing services or products under a commercial items contract are similarly required to comply with the EEO requirements, and as such, implement a written AAP. 48 C.F.R. § 52.222-26(c). These AAP requirements are set forth above in Section II(A) – (C).

2. Other Transactional Authority Contractor AAP Requirements

It is recommended that all OTA contractors also comply with the EEO and AAP requirements addressed above. While the guidance from Department of Labor Office of Federal Contract Compliance Programs (OFCCP) on this issue is noncommittal due to the novel nature of OTAs and the recent increase in their use, it is recommended that all OTA contractors adhere to the EEO and

AAP requirements as much as possible to avoid potential federal scrutiny and audits down the road. These AAP requirements are set forth above in Section II(A) – (C).

III. What Timeframes Apply to the Implementation of an AAP?

As stated above, contractors are required to implement AAPs within 120 days of contract commencement. Contractors are further required to “summarize and update” their AAPs annually and “submit the program summary to the Department of Labor Office of Federal Contract Compliance Programs (OFCCP) each year on the anniversary date of the [AAP].” 41 CFR § 60-2.31.

IV. OFCCP Audits and Consequences of Non-Compliance

The OFCCP may conduct compliance audits of a contractor’s written AAP and affirmative action compliance efforts at any time through a desk audit, on-site review, or off-site review of records. 41 CFR § 60-1.20. Desk audits are conducted at OFCCP offices to review written AAPs and supporting documents to determine whether they meet the federal standards of acceptability. On-site reviews are conducted at a contractor’s establishment and used to further investigate a contractor’s AAP and supporting documentation when unresolved problem areas are identified during a desk audit. An off-site review of records consists of “an analysis and evaluation” of a contractor’s AAP” and supporting documentation. 41 CFR § 60-1.20(a)(1).

Contractors must provide their AAP and any other requested data to the OFCCP within 30 days of a request. If a contractor fails to submit its AAP and supporting documents within 30 days of an OFCCP audit request, the OFCCP may refer the contractor to the Solicitor of Labor and recommend enforcement proceedings. 41 CFR § 60-1.26(b). If the OFCCP finds deficiencies in a contractor’s AAP, the OFCCP will make reasonable efforts to secure compliance through conciliation—where the contractor makes a written commitment outlining the precise actions to be taken to ensure compliance and the dates for completion of those efforts. 41 CFR § 60-1.20(b).

Contractor violations of the AAP requirements may occur when: an OFCCP investigation reveals that a contractor has not complied with EEO regulations, a contractor fails to submit an AAP, a contractor refuses to provide requested data for off-site review, a contractor refuses to permit an on-site review, a contractor fails to establish and maintain required records or when a contractor alters or falsifies any EEO records or information. 41 C.F.R. § 60-1.26(a). These failures can lead to administrative enforcement proceedings to determine appropriate sanctions and remedies against a contractor, which can include: mandatory audits of a contractor’s affirmative action compliance, the punitive termination of federal contracts and/or the suspension or debarment of contractors who fail to comply.

Contractors that refuse to comply with EEO regulations may also be “debarred from receiving future contracts or modifications or extensions of existing contracts.” Debarments “may be imposed indefinitely or for a minimum of six months.” 41 C.F.R. §§ 60-1.26 - 60-1.27. In the case of debarment, contractors are required to submit a reinstatement letter, comply with reinstatement proceedings and demonstrate that they “have established and will carry out employment policies” before a decision is made to reinstate a debarred contractor. 41 C.F.R. § 60-1.31. Debarment has serious implications for contractors and likely results in contract cancellation as well as contractor disqualification from receiving future contracts, modifications to current contracts and extensions on current contracts. 41 CFR § 60-1.27(b).

V. AAP Best Practices

Strict adherence to the AAP requirements is a must for all contractors in order to avoid potential sanctions and penalties that may come with noncompliance. As with all federal compliance requirements, contractors should implement and follow “best practices” for ensuring full compliance with all AAP requirements. The following best practices are recommended for the AAP requirements:

1. Review, understand and exercise good faith in implementing the EEO mandates and AAP requirements for women and minorities, individuals with disabilities and veterans. While perfect compliance with these requirements is oftentimes difficult to achieve, demonstrating good faith efforts to try and achieve the requirements will be looked upon favorably by the federal government;
2. Understand the contract thresholds that trigger the AAP requirements, and for contractors that perform significant federal contract work, it is recommended that they comply with the AAP requirements at all times, regardless of whether mandated or not to demonstrate the contractor's commitment to the federal EEO and AAP policy goals;
3. Actively manage and update your AAP at least annually, and disseminate the AAP and the goals of that AAP to all employees to ensure full understanding and awareness of the AAP goals;
4. Flow-down the EEO and AAP requirements to all qualifying subcontractors as addressed throughout this guide, and periodically confirm each subcontractor's compliance with the requirements;
5. Comply promptly and fully with all OFCCP requests for documentation and audits, and proactively interact with OFCCP in the event of any audit in an effort to mitigate any AAP noncompliance and limit potential adverse consequences; and
6. Seek legal guidance for any questions regarding the implementation of, or compliance with the EEO and AAP requirements, or in the event of any OFCCP scrutiny or audit request. An ounce of prevention is worth a pound of cure with regard to the EEO and AAP requirements, and it is prudent to obtain advice when and where needed.

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