Introducing OFCCP’s Newly Revised Federal Contract Compliance Manual (FCCM)

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Presenters

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FCCM Facts

- Last major revision 1988
- Incorporate relevant updates
- Update to current standards
- Does not change the obligations of Federal contractors and subcontractors
Agenda

• Review the structure of the FCCM

• Highlight revisions and additions

• Answer Questions
FCCM Structure

• Eight Chapters
• Key Words and Phrases
• Glossary
• Attachments
  – Sample Forms
  – Letters
Supply & Service Desk Audit - Chapter 1

• Detailed instructions on conducting desk audits
• Updated terminology “compliance evaluation”
• Use the same analytical tools
• Must complete a report
• Standard Compliance Evaluation Report
  – One form for all types of evaluations
  – Complete only relevant portions of the SCER
Supply & Service Onsite Reviews – Chapter 2

• Detailed instructions on conducting onsite evaluations

• Added references to EO13496 Inspection

• Removed references to I-9 Inspection

• Guided questions in the SCER related to determining compliance with requirements

NEW

UPDATED!
• Better Understanding of:
  – Industry
  – Corporate culture
  – Employee development

• Analysis of Personnel Activity and Pay for:
  – Top corporate positions
  – Mid and senior level management

• Uses same tools for desk audit and onsite as described in Chapters 1 and 2
Establishes the procedures for conducting FAAP compliance evaluations:

- Scheduled from the National Office FAAP Unit
- Conducted by the field offices in coordination with the National Office FAAP Unit
- Evaluation closures coordinated at the National Office level
Poll Question

• The revised FCCM...

A. Imposes additional requirements on employers doing business with the Federal Government.

B. Provides guidance to OFCCP’s compliance officers on the procedures to conduct compliance evaluations and complaint investigations.

C. None of the above.
Poll Answer

• The revised FCCM...

A. Imposes additional requirements on employers doing business with the Federal Government.

B. Provides guidance to OFCCP’s compliance officers on the procedures to conduct compliance evaluations and complaint investigations.

C. None of the above.
Construction Industry Compliance Program – Chapter 3

- Procedures for conducting construction evaluations:
  - Removed outdated references:
    - CC-257s
    - Letter of Commitment
  - Updated jurisdictional requirements
    - Section 503
    - VEVRAA
Complaint Investigations – Chapter 6

• Added Guidance on:
  – Initial processing of complaints
  – Dual Filed Complaints
  – Right to Sue Notices
  – Interviewing
  – Investigating complaints of harassment and retaliation
Employment Discrimination Remedies and Resolution of Non-Compliance – Chapters 7 and 8

• Updates:
  – Timeliness
  – Continuing Violation Theory
  – Show Cause Notice Rescission

• Clarifications:
  – Computation of time
Questions
Thanks For Your Participation!

Thank you in various languages: