OFCCP Compliance Assistance Town Hall
Executive Summary

Compliance assistance is critical to ensuring contractors and subcontractors (contractors) are successful in complying with the equal employment opportunity and nondiscrimination requirements found in their federal contracts and subcontracts. While the Office of Federal Contract Compliance Programs (OFCCP) has historically provided compliance assistance at both the national and regional levels, the Government Accounting Office’s (GAO) *Strengthening Oversight Could Improve Federal Contract Nondiscrimination Compliance* report, dated September 2016, recommended that OFCCP review its compliance assistance efforts to identify options for enhancing contractors’ understanding of their nondiscrimination and affirmative action requirements. To incorporate contractors’ perspectives into OFCCP’s compliance assistance efforts and in response to the GAO report, OFCCP conducted three Compliance Assistance Town Halls on September 19 (Washington, DC), September 26 (San Francisco, CA), and September 28 (Chicago, IL) 2017.

A professional facilitator associated with Giuffrida Associates facilitated the town halls. While the three town halls were open to the public, the target audience was human resource managers, equal employment opportunity and/or compliance officers, and other personnel responsible for overseeing contractors’ compliance with OFCCP’s laws and regulations. OFCCP provided notice of this event via its website and by email to subscribers to its OFCCP listserv.

The facilitator sought to create an environment where the participants felt free to be creative and discuss their ideas. During the events, the facilitator encouraged the participants to provide specific feedback and suggestions to help OFCCP develop tools and resources that educate contractors about their compliance requirements, and that help bring them into compliance. More specifically, the participants were asked the following two questions:

1. **What are some creative, innovative ideas for making OFCCP’s existing compliance assistance more practical?**

2. **What are some ideas and thoughts for new ways that OFCCP can help make compliance assistance more collaborative?**

Though the discussions primarily centered on these two questions, participants provided feedback and recommendations on a number of compliance assistance and contractor engagement related issues. This resulted in the identification of three common themes.

The first theme is **training**. When considering training, participants expressed the desire to have self-paced and topic specific training available online for use, as it is needed. The types of training discussed focused on Web-based tutorials, infographics, and joint training with contractors and compliance officers. Contractor to contractor mentoring was also discussed as a strategy for ensuring voluntary compliance. Contractors with more experience with OFCCP’s requirements would mentor newer contractors regarding contractual obligations.
The next theme is enhanced **communication**. The participants focused on OFCCP’s website, suggesting it be reformatted for ease of use. Suggestions included a wiki style website where companies could search by topic or subject, and creating a compliance assistance portal or OFCCP having a live online presence using chat rooms or discussion boards that would allow contractors to ask subject matter experts questions related to compliance, track the status of open compliance evaluations, and access training videos.

The third theme is **trust**. When discussing trust, a common thread was the desire to have common ground rules and expectations for compliance officers and contractors during compliance evaluations. These written ground rules would enhance communications between contractors and OFCCP and improve the transparency in OFCCP’s work. Transparency and consistency in communication during compliance evaluations were identified as areas where improvement would increase trust in the contractor community.

The agency is currently reviewing the feedback and recommendations received during the town halls, after which OFCCP will develop an action plan for implementing specific recommendations, consistent with its existing budgetary and human resources. The proposals and recommendations that OFCCP hopes to adopt in its final action plan will be responsive to the three common themes identified in the town halls, but will also be relevant to addressing one or more of the below areas referenced in the 2016 GAO report.

1. Reviewing and enhancing contractor compliance assistance
2. Improving the quality of contractor training and education
3. Improving the quality of compliance officer training
4. Increasing transparency and communication with agency stakeholders