



Equal Employment Advisory Council
Developing and Defending Compliant Affirmative Action Programs

AGENDA

Day 1

8:00 a.m.

REGISTRATION & CONTINENTAL BREAKFAST

8:30 a.m.

INTRODUCTIONS

- Introduction of Faculty and Attendees
- Course Objectives and Overview
- Review of Course Materials

BACKGROUND – AFFIRMATIVE ACTION COMPLIANCE

- Overview of Nondiscrimination and Affirmative Action Compliance Requirements
- Introduction to EEO and Affirmative Action Enforcement

PREPARING TO DEVELOP THE AAP

- The Five Components of an AAP
- Determining and/or Changing Your Annual AAP Cycle
- Determining and/or Changing Your AAP Structure
- Determining Which Employees Should Be Covered by an AAP
- Employee and Transactions Data Required for AAP Development
- Job and Race/Ethnic Categories Used in the EEO-1 Report

DEVELOPING, USING, AND DEFENDING THE ORGANIZATIONAL PROFILE

- What the Organizational Profile Is and How It Should Be Used
- Preparing an Organizational Display or Workforce Analysis
- How OFCCP Evaluates the Organizational Profile During Compliance Evaluations

FORMING AND JUSTIFYING AAP JOB GROUPS

- What Job Groups Are and How They Are Used Throughout the AAP
- Job Groups and Their Relationship to EEO-1 Job Categories
- Principles to Keep in Mind When Forming Job Groups
- Preparing and Using the Job Group Analysis
- Complying With the Job Group Annotation Requirement
- How OFCCP Evaluates Job Groups During Compliance Evaluations

DAY ONE WRAP-UP AND QUESTIONS

4:30 p.m.

ADJOURN

Day 2

8:00 a.m.

CONTINENTAL BREAKFAST

8:30 a.m.

UNDERSTANDING AND CALCULATING AVAILABILITY

- Availability Defined
- The Important Role Availability Plays in the AAP
- Determining Availability by Individual Race/Ethnicity Groups
- Availability Data Sources and How Each Can Most Effectively Be Used
- Determining Appropriate Recruitment Areas
- Determining Appropriate Occupational Benchmarks
- Estimating and Using External and Internal Availability
- Calculating Final Availability
- How OFCCP Evaluates Contractor Availability Determinations

COMPARING INCUMBENCY TO AVAILABILITY

- Understanding the Process That Leads to Placement Rate Goals
- OFCCP's Four Accepted Methods for Comparing Incumbency to Availability

AFFIRMATIVE ACTION PLACEMENT RATE GOALS

- What a placement Rate Goal Is and How It Should (and Should Not) Be Used
- OFCCP's Authority to Require Goals for Individual Race/Ethnicity Groups

EXECUTIVE ORDER 11246 AAP NARRATIVE REQUIREMENTS

- What Should and Should Not be Included in an AAP Narrative
- Assigning Responsibility for AAP Implementation
- Identifying AAP Problem Areas
- Developing and Executing Action-Oriented Programs
- Developing and Implementing Audit and Reporting Systems

DISABILITY AND VETERANS AAP REQUIREMENTS

DAY TWO WRAP-UP AND QUESTIONS

4:30 p.m.

ADJOURN

Day 3

8:00 a.m.

CONTINENTAL BREAKFAST

8:30 a.m.

OFCCP Compliance Enforcement

- OFCCP Leadership, Funding and Staffing
- Regulatory Reform Initiatives
- OFCCP's Enforcement Plan
- Enforcement Overview
- Audit Selection and Scheduling

RESPONDING TO AN OFCCP SCHEDULING LETTER

- Determining the Proper Scope and Timetable for the Review
- Analyzing and Determining How Desk Audit Transactions Data Will Be Provided
- Analyzing and Determining How Desk Audit Compensation Data Will Be Provided
- Other Pre-Submission Analyzes

OFCCP DESK AUDIT ANALYZES AND FOCUS ON SYSTEMIC DISCRIMINATION

- How and When OFCCP Analyzes Workforce Demographic Data
- Systemic Discrimination – What It Means in General and How OFCCP Analyzes For It
- Analyzing for Adverse Impact in Selection Procedures
- Defining Applicants and Internet Applicants Under OFCCP Regulations
- How OFCCP Analyzes Compensation

MANAGING FOLLOW-UP REQUESTS FOR DATA

- Deciding What and How Additional Information Should be Provided to OFCCP
- Managing the Review Prior to an Onsite Visit

COMPLETING THE EVALUATION

- Managing the On-Site Aspect of Compliance Evaluations
- Managing Post-On-Site, Pre-Closure Activities
- How Compliance Evaluations Can Be Closed
- Responding to a Notice Of Violation
- Responding to a Pre-Determination Notice
- Resolving Compliance Deficiencies Through Conciliation Agreements
- When Conciliation Fails – OFCCP's Enforcement Authority and Procedures

SEMINAR WRAP-UP AND QUESTIONS

3:00 p.m.

ADJOURN



This program has been approved for 18.00 recertification credit hours toward PHR and SPHR recertification through the Human Resource Certification Institute (HRCI). The use of this seal is not an endorsement by HRCI of the quality of the program. It means that this program has met HRCI's criteria to be pre-approved for recertification credit.