



Effective OFCCP Compliance and Affirmative Action Plan Preparation

February 25 – 26, 2016, Hilton Lake Buena Vista @ Walt Disney World

Day One: OFCCP Compliance – Strategies & Statistics

Thursday, February 25, 2016

7:45 – 8:15 AM

Registration and Continental Breakfast (Included)

8:15 – 8:45

Getting Started: Welcomes, Introductions and Overview of the Seminar

8:45 – 9:15

The Office of Federal Contract Compliance Programs (OFCCP)

Introduction and Responsibilities: This section provides background information about the OFCCP, explaining how the OFCCP defines a “federal contractor,” and for whom AAPs are necessary. It includes an overview of the major changes in federal regulations in effect in 2015 and 2016.

9:15 – 10:15

Preparing for an OFCCP Review, part one

In the first part of this presentation, the attorney presenter walks participants through the process of what happens when the OFCCP conducts a formal review of a federal contractor’s AAPs, employment practices and procedures. The presenter then turns the spotlight on OFCCP regulatory and rule-making initiatives to increase employment opportunities and significantly strengthen the enforcement of affirmative action efforts for individuals with disabilities and protected veterans, as well as pay issues and related strategies.

10:15 – 10:30

Break and Refreshments

10:30 – 12:00

Preparing for an OFCCP Review, part two

In the second part of this presentation, participants are given a helpful compliance “checklist.” The attorney presenter addresses how changes at the OFCCP directly affect the ways in which contractors conduct analyses and work with the OFCCP in 2016. Participants gain an understanding of what federal contractors can do to be successful when the OFCCP conducts an audit with the new regulations for protected Veterans and Individuals with Disabilities, as well as the Scheduling Letter and Itemized Listing. Participants also obtain insight into key aspects of their affirmative action obligations, such as: correctly determining who is an Internet applicant, what personnel policies/procedures should be adopted, and how to meet recordkeeping requirements.

February 25, 2016 (continued)

12:00 – 1:00

Lunch (Included)

1:00 – 1:20

Introduction to Statistical Concepts

ERS Group economists provide attendees with a basic understanding of probability, standard deviation and statistical significance and the application of these concepts to analyses of employment practices.

1:20 – 2:00

Compensation Analysis for OFCCP Compliance

ERS Group economists illustrate approaches to compensation analysis including comparison of averages, multiple regression analysis, and cohort analysis. They demonstrate the importance of modeling how decisions are made and including factors that legitimately influence pay in any analysis. This presentation also covers the various factors that come into play in determining similarly situated employee groupings, and possible responses when contractors are audited by the OFCCP, particularly in light of the expanded investigation procedures outlined in the OFCCP's compensation guidelines (Directive 2013-03).

2:00 – 2:15

Break and Refreshments

2:15 – 3:00

Strategic Issues and Compensation Analysis

ERS Group economists lead participants on a deeper dive into compensation analysis and the issues contractors should consider when developing and/or interpreting the results of a compensation analysis.

3:00 – 4:15

Adverse Impact Analysis and Job Steering

ERS Group economists examine methods used by the OFCCP to conduct an analysis of adverse impact in employee selections, such as hiring, promotions, and terminations. They also explain issues related to identifying similarly situated employees, and how to properly model a selection process, while demonstrating basic statistical principles in an easy-to-understand fashion. This presentation ends with illustrations of the concepts through practical case studies and imparts lessons to be learned from recent OFCCP investigations, including a focus on job steering.

4:15 – 4:30

Questions



Day Two: The Affirmative Action Plan – In Depth and Applied
Friday, February 26, 2016

7:45 – 8:15 AM

Continental Breakfast (Included)

8:15 – 8:45

Affirmative Action Plan Requirements – An Overview

ERS Group's AAP consultants provide a "big picture" overview, describing all the components of an AAP.

8:45 – 10:15

Narratives for Minorities/Females AAP, Protected Veterans AAP, and Individuals with Disabilities AAP

This presentation reviews the current requirements of the Minorities/Females, Protected Veterans and Individuals with Disabilities AAP narratives, including implementation of the self-identification forms, benchmarks, and utilization goals that were phased-in effective March 24, 2014. ERS Group's consultants will also review EEO-1 and VETS-4212 reporting requirements, and explain how they impact how organizations should collect and maintain employee data.

10:15 – 10:30

Break and Refreshments

10:30 – 11:00

Workforce Analysis

Participants learn about the Organizational Profile/Workforce Analysis which shows the structure of an organization. Job progression and corporate initiatives will also be discussed.

11:00 – 11:45

Benchmark Data – Current Issues

Participants learn how to use external data to determine availability of demographic groups for benchmarking and utilization analyses. For instance, they learn how to make logical and accurate selections of occupational codes to produce availability in the preparation of an AAP. ERS Group's economists and consultants also help participants evaluate available data sources including Census, American Community Survey (ACS) data, Integrated Postsecondary Education Data Systems (IPEDS) and others, and select the sources that best align with their organizations.

11:45 – 12:45

Lunch (Included)

February 26, 2016 (continued)

12:45 – 2:00

Job Group Analysis and Availability Factor Computation

Participants gain an understanding of how to design and prepare an availability analysis. ERS Group consultants and economists assess the sometimes difficult process of constructing appropriate job groups that are strongly linked by logical EEO categories, and related by similar levels of duties, similar compensation levels, and similar opportunities for advancement. Using real world examples from commercial and higher education they focus on special challenges associated with the establishment of the meaningful job groups. They help participants pinpoint what internal and external data to use in determining protected class availability that is appropriately related to specific job titles within job groups.

2:00 – 2:15

Break and Refreshments

2:15 – 2:45

Significance of Incumbency vs. Estimated Availability and Placement Goals

This session focuses on the significance of incumbency vs. estimated availability and describes how different methods of determining availability yield different results. Participants also learn how to use this information in setting goals and implementation in future employment decisions.

2:45 – 3:45

Analysis of Previous Year's AAP

Participants review examples to learn how to use the previous year's AAP to assess their organizations' current year's incumbency vs. estimated availability results and future placement goals.

3:45 – 4:15

Questions