

## Affirmative Action Plan Implementation Checklist for Supply and Service Contractors

Action	Date Completed
<p>1. Review the data portions of the affirmative action plan with the plan preparer, and understand</p> <ul style="list-style-type: none"> <li>(a) what job groups have goals for the upcoming plan year;</li> <li>(b) are there any selection processes that require further investigation because adverse impact has been identified;</li> <li>(c) are there any compensation follow-up issues that need to be investigated;</li> <li>(d) how did we do last year in terms of making progress towards eliminating the goals we set at the beginning of last year's AAP.</li> </ul>	
<p>2. Meet with recruiting/staffing to inform them about the job titles that roll up into job groups that have goals in them.</p> <p>For each job group that has a goal, partner with recruiting/staffing to identify two or three concrete action items that the organization is prepared to commit to in writing to try to eliminate the goal, and add those action-oriented program commitments as an addendum to the narrative portion of the Women and Minorities' plan.</p>	
<p>3. In a letter dated this year, have the CEO reaffirm his/her commitment to equal employment opportunity and affirmative action.</p>	
<p>4. Check the bulletin boards to ensure that the following are posted:</p> <ul style="list-style-type: none"> <li>• CEO's updated reaffirmation with this year's date on it</li> <li>• EEO policy</li> <li>• Sexual harassment policy</li> <li>• Notice to applicants and employees regarding the availability of the AAP for review in HR</li> <li>• Obama Executive Order workers' rights notice [check contracts entered into after 6/21/10 for 52.222-99 or 52.222-40]</li> <li>• [And of course, it would be a good idea to check for other required posters, too, like the Federal poster that has the new GINA requirements, too, and any required state and local posters]</li> </ul>	

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5. Ensure that purchase orders, and vendor and supplier notices, correctly incorporate by reference (a) the equal opportunity clauses and [in 2010] (b) the language to be developed by the Obama Department of Labor regarding workers' rights.	
6. For contractors with contracts expected to exceed \$5 million, entered into after 12/24/07, with a performance period of 120 days or more, ensure that Contractor Code of Business Ethics and Conduct has been developed. See 72 Fed. Reg. 65873	
7. Meet with top management to communicate the results of the data analysis from the women and minorities plan.	
8. Review contracts with any outside recruiting agencies to ensure that they have been placed on notice regarding what records they are required to keep on your behalf for positions they are hired to fill.  Establish procedures to ensure that recruiting/staffing obtains this information from third party talent sources when those sources are used to fill positions.	
9. Identify organizations that target veterans, individuals with disabilities, women, and minorities as possible outreach sources. Review the regulations at 41 CFR Section 60-300.44(f) [Veterans] and 41 CFR Section 60-741.44(f) [Individuals with Disabilities], and pick one or two items from the suggested list for outreach efforts. The examples below are from the disabilities section of the regulations, but parallel choices are offered in the veterans regulations. "Shall" means the contractor must do it; "should" means it is permissive and discretionary, not mandatory:  "The contractor shall undertake appropriate outreach and positive recruitment activities such as those listed in paragraphs (f)(1) through (7) of this section that are reasonably designed to effectively recruit qualified individuals with disabilities. It is not contemplated that the contractor will necessarily undertake all the activities listed in this section or that its activities will be limited to those listed. The scope of the contractor's efforts shall depend upon all the circumstances, including the contractor's size and resources and the extent to which existing employment practices are adequate.  (1) The contractor should enlist the assistance and support of recruiting sources (including State employment security agencies, State vocational rehabilitation agencies or facilities, sheltered workshops, college placement officers, State education agencies, labor organizations and organizations of or	

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<p>for individuals with disabilities) for the contractor's commitment to provide meaningful employment opportunities to qualified individuals with disabilities. Formal briefing sessions should be held, preferably on company premises, with representatives from recruiting sources. Plant tours, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of the company's selection process, and recruiting literature should be an integral part of the briefing. Formal arrangements should be made for referral of applicants, follow up with sources, and feedback on disposition of applicants.</p> <p>(2) The contractor's recruitment efforts at all schools should incorporate special efforts to reach students with disabilities. The contractor should engage in recruitment activities at educational institutions which participate in training of individuals with disabilities, such as schools for the blind, deaf, or learning disabled. An effort should be made to participate in work-study programs with rehabilitation facilities and schools which specialize in training or educating individuals with disabilities.</p> <p>(3) The contractor should establish meaningful contacts with appropriate social service agencies, organizations of and for individuals with disabilities, and vocational rehabilitation agencies or facilities, for such purposes as advice, technical assistance and referral of potential employees. Technical assistance from the resources described in this paragraph may consist of advice on proper placement, recruitment, training and accommodations contractors may undertake, but no such resource providing technical assistance shall have authority to approve or disapprove the acceptability of affirmative action programs.</p> <p>(4) The contractor should include individuals with disabilities when employees are pictured in consumer, promotional or help wanted advertising. Individuals with disabilities should be made available for participation in career days, youth motivation programs, and related activities in their communities.</p> <p>(5) The contractor should send written notification of company policy to all subcontractors, vendors and suppliers, requesting appropriate action on their part.</p> <p>(6) The contractor should take positive steps to attract qualified individuals with disabilities not currently in the work force who have requisite skills and can be recruited through affirmative action measures. These persons may be located through the local chapters of organizations of and for individuals with disabilities.</p> <p>(7) The contractor, in making hiring decisions, should consider applicants with known disabilities for all available positions for which they may be qualified when the position(s) applied for is unavailable.</p>	
<p>10. As positions become vacant and are filled, ensure that HR is reviewing the physical/mental job requirements, confirming that any such requirements are job related and consistent with business necessity.</p>	

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11. By September 30 of each year, submit EEO-1 and VETS-100A forms.	
12. Periodically audit compliance with disposition tracking and record-keeping obligations imposed by the Internet Applicant regulations. For each candidate who was considered for a particular position, met the basic qualifications of the job, and at no point prior to an offer of employment withdrew from considerations, can the employer identify at which point in the selection process every non-hired individual dropped out, and why?	
13. Has the employer confirmed either that it does not use tests in its selection process, or, if it uses tests, that those tests have been properly validated?	
14. List all non-executive positions with the appropriate employment service delivery system. <a href="http://www.dol.gov/ofccp/regs/compliance/faqs/jvafaqs.htm#Q14">http://www.dol.gov/ofccp/regs/compliance/faqs/jvafaqs.htm#Q14</a> If you intend to fill a position from the outside, and it is non-executive, non-temp, you must list it with the state job bank: <a href="http://www.jobbankinfo.org/">http://www.jobbankinfo.org/</a>	
15. Review contracts to determine whether they contain any E-Verify requirements [FAR 52.222-54]	
16. Review contracts to determine whether they contain the new employee rights obligation. If so, ensure that the new Employee Rights Under the NLRA Poster is posted in English (and any other language that is spoken by a significant number of employees), and that the language to notify downstream vendors and purchasers is incorporated by reference in procurement documents. 75 Fed. Reg. 28369 (May 20, 2010).	
17. Review contracts for executive compensation reporting obligation [FAR 52.204-10] or subcontractor reporting obligations and ensure that you know whether you do or don't have to report.	