

ALERT

OFCCP Releases 2020 Corporate Scheduling Announcement List

September 17, 2020

WHAT: On September 11, 2020, the Office of Federal Contract Compliance Programs (OFCCP) published the list 2020 Corporate Scheduling Announcement List (CSAL). This list, which is available on the OFCCP's website, is an advance notice of audits that will be scheduled in the future. This year's list includes 2,250 supply and service contractors that have been chosen for one of the following types of review; a Promotion Focused Review, an Accommodation Focused Review, a Compliance Check, a Section 503 Review, or a Corporate Management Compliance Evaluation. Institutions of higher education have also been included in the list and may have been selected for a university compliance review. Several contractors have also been chosen for Functional Affirmative Action Plan (FAAP) reviews.

While focused reviews are not new, the OFCCP has recently placed an emphasis on these types of reviews, as can be seen from the inclusion of two types of focused review on the latest CSAL: Promotion Focused Reviews and Accommodation Focused Reviews. Promotion Focused Reviews will look to how well an organization is advancing minorities, women, and people with disabilities, while Accommodation Focused Reviews will look at how an organization is accommodating both those with disabilities and religious accommodations.

For the first time, the OFCCP has also released a separate list of 200 construction contractors that will be undergoing a review. All of these 200 construction contractors are scheduled for compliance checks, but the OFCCP has noted that later lists will also include compliance evaluations for construction contractors.

Authors

Craig Smith
Partner
202.719.7297
csmith@wiley.law

Practice Areas

Employment & Labor
Employment and Labor Standards Issues in
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WHEN: The CSAL is a courtesy measure alerting contractors to a future audit, it is not a scheduling letter which is the official notice of the start of the evaluation process. The list instead gives contractors extra time to begin its own self-audit and to prepare for the OFCCP audit. The OFCCP publishes the CSAL a minimum of 45 days before it begins to issue the scheduling letters to contractors on the list. The OFCCP has stated it intends to start issuing scheduling letters at the end of October 2020.

WHAT DOES IT MEAN FOR INDUSTRY: Contractors are strongly advised to carefully review the CSAL and, if included in the list, to immediately take proactive steps to ensure that it is in compliance with its equal-employment obligations and that its Affirmative Action Plans (AAP) is in compliance with applicable law. Once a contractor receives a scheduling letter, it only has 30 days to complete and tender to the OFCCP the items requested, therefore, contractors are strongly urged not to miss this vital window of opportunity to prepare and minimize the likelihood of a Notice of Violation.

Wiley's Overview of Equal Employment Opportunity and Affirmative Action Obligations for Federal Contractors is available [here](#).