

Affirmative Action, OFCCP and Government Contract Compliance

In an era of heightened enforcement and regulatory activity, employers cannot afford to wait to begin preparations until after the OFCCP has selected your company for an audit.

Overview

Our Affirmative Action Compliance, OFCCP and Government Contract Compliance Practice Group's diverse team annually prepares over 4,500 affirmative action plans, skillfully defends them throughout the country in OFCCP audits, and provides sophisticated legal representation in the event of discrimination allegations, back-pay demands or pay discrimination claims for employers, large and small. At all times, we use a team approach and offer employers comprehensive and practical solutions to affirmative action compliance.

For federal contractors, we regularly provide specialized assistance in developing and implementing affirmative action plans (AAPs). Some of the specific services we offer include:

- Identifying pertinent labor market areas and analyzing census-related statistical data;
- Providing sample plan texts, notices, letters and policy statements;
- Preparing utilization and availability analyses; and
- Conducting impact ratio and compensation analyses.

To help covered employers understand their affirmative action obligations and the procedure for plan development, we train management so they can update their plan annually without significant cost. We defend clients against the imposition of citations and allegations of discrimination in connection with audits by the OFCCP and in related litigation brought on the OFCCP's behalf by the Solicitor's office of the U.S. Department of Labor.

We also prepare AAPs for and defend against audits by state and local affirmative action agencies. To identify and resolve potential adverse impact and compensation disparity discrimination liability, we perform highly-specialized vulnerability audits. For federal contractors and non-federal contractors alike, we advise on implementing lawful diversity initiatives and voluntary AAPs, set-aside, and vendor and franchisee preference programs; counsel on affirmative action coverage issues; and conduct preventive analyses during downsizing.

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*The National Operations Center serves as the firm's central administration hub and houses the firm's Facilities, Finance, Human Resources and Technology departments.