

# AFFIRMATIVE ACTION UPDATE

## \*\* NEWS FLASH \*\*

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Douglas B. Brown & Associates, LLC

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### **CORRECTION: POSTING AND NOTICE REQUIREMENTS**

This is a correction to last week's New Flash on new posting and notice requirements under the "Pay Secrecy" regulations. In last week's release, it was stated that additional verbiage was required to incorporate by reference the new regulatory language into contracts and purchase orders.

This was incorrect. **No new language is required.** Rather, the existing reference to 41 C.F.R. Part 60-1.4 will meet the incorporation by reference obligation.

The recommended language appears below:

#### **EEO CLAUSE**

#### **TO BE INCLUDED ON ALL COVERED CONTRACTS, SUBCONTRACTS AND PURCHASE ORDERS**

As applicable, the provisions of the Equal Opportunity Clauses pursuant to Section 202 of Executive Order 11246, as amended, and 41 CFR Section 60-1.4; as well as 29 C.F.R. Part 471, Appendix A to Subpart A, are herein incorporated by reference. Further, sellers who (1) are not otherwise exempt as provided by 41 CFR 60-1.5, (2) have 50 or more employees and, (3) have a contract, subcontract or purchase order amounting to \$50,000 that is necessary to the completion of a covered federal contract or subcontract are hereby notified of their obligations to file EEO Standard Form 100 and to prepare an affirmative action plan(s) as required under the regulations set forth above.

**This contractor and subcontractor shall abide by the requirements of 41 CFR §§ 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals on the basis of protected veteran status or disability, and require affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and individuals with disabilities.**

**Note:** The 2<sup>nd</sup> paragraph must be in **BOLD** font.

We apologize for any confusion or inconvenience caused by this error.

If there are any questions or comments concerning anything contained above, they can be directed to this office by calling us at 440-564-7987 or sending an email to [dbb@dbbrown.com](mailto:dbb@dbbrown.com). The discussion of this matter is for the clients and friends of Douglas B. Brown & Associates, LLC and does not represent nor is intended as a substitute for professional legal advice.