

AFFIRMATIVE ACTION UPDATE

**** NEWS FLASH ****

Volume 17, No. 5

Douglas B. Brown, LLC

February 23, 2017

CORPORATE SCHEDULING ANNOUNCEMENT LETTERS (CSALS) MAILED OUT BY OFCCP

The first CSAL mailing since 2014 was issued on February 17, 2017. The letters were sent directly to establishments to the attention of the Human Resources Director.

CSALs are mailed directly to all establishments identified on the scheduling lists developed for a given scheduling cycle. Unlike previous years, OFCCP will not send notice to a corporation's headquarters. Instead, the CSAL directs the establishment to forward the notice to corporate headquarters, if such is corporate policy.

There are 800 establishments on this first mailing for FY 2017, which covers 29 industries (based on reported NAICS codes) and 375 distinct companies. This first release also includes 30 Corporate Management Compliance Evaluations (CMCEs). This means some organizations will receive letters for multiple establishments and some may receive a CMCE letter at their headquarters location. OFCCP has not confirmed if/when another round of mailings will go out.

However, OFCCP clarified that a contractor's establishment may be selected for a review outside of those receiving a CSAL notice. The revised FAQ states, "These compliance evaluations may be scheduled by OFCCP when it receives credible information of an alleged violation of a law or regulations the agency enforces, including those deriving from individual or class complaints filed with the EEOC, or state or local fair employment practice agencies (FEPAs) that allege employment discrimination covered under the laws that OFCCP enforces."

Corporate compliance officials should contact their local HR representatives at their company's establishments to ensure they are aware that a letter from OFCCP or the Department of Labor may arrive in the next few days. Additionally, they should be aware that a CMCE letter may arrive at their corporate headquarters. Since OFCCP has once again given contractors advance notice of upcoming audits, it is highly recommended that employers take full advantage of this extra time to ensure they are prepared to submit complete and compliant AAPs and supporting documentation once they receive the audit scheduling notice.

Please contact us if there are any questions regarding the above.

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. The discussion of this matter is for the clients and friends of Douglas B. Brown, LLC and does not represent nor is intended as a substitute for professional legal advice.