

Your Annual Workforce Compliance and Non-Discrimination Program Responsibilities: Have You Covered Everything?

Between dealing with new legislation and proactively identifying any equity, fairness, and legal vulnerabilities in your organization through federal- and state-regulated, as well as non-discrimination workforce compliance programs, compliance professionals' calendars are busy indeed.

Let's make this process less overwhelming! Follow the steps below to maximize the effectiveness of your efforts and ensure that no details get overlooked.



Develop a Strategy for Your Workforce Compliance and Non-Discrimination Program

Recent changes to the regulatory landscape have had a disruptive impact on federal contractors, creating big shifts in employer requirements. However, these changes may ultimately allow for more flexibility in your overall approach to workforce compliance strategy.

Kick off your program by assembling your project teams, scheduling a kickoff meeting, and building your plan. Have you:

- ☐ **Identified your workforce compliance plan obligations and reporting requirements, including—**
 - Federal contractor requirements such as VEVRAA and Section 503 affirmative action planning, and VETS-4212 reporting?
 - Employer requirements such as EEO-1 reporting and plans that validate compliance with federal anti-discrimination laws, such as Title VII of the Civil Rights Act and the Equal Pay Act?
 - State contractor AAP/EEO plan obligations and reporting?
 - Global requirements that address the EU's Pay Transparency Directive and the UK's Equality Act?
- ☐ **Defined plan structure(s), data specifications, additional data fields, and reporting requirements?**
- ☐ **Decided how information will be distributed (reports and/or dashboards) and who will have access?**
- ☐ **Developed written internal policies and practices supporting your commitment to non-discrimination and your workforce compliance plans?**
- ☐ **Ensured the plans align with the latest regulations governing affirmative action and non-discrimination, along with relevant local, state, and federal laws?**
- ☐ **Defined employer (including federal contractor) training obligations for employees?**
- ☐ **Included specific actions taken to identify problem areas, maintain/update policies and practices, self-audit internal procedures, and train appropriate employees?**



Analyze Workforce Data

In the month following your kickoff, you can launch into analysis. Have you:

- ☐ **Reconciled your employment data for completeness, accuracy, and consistency?**
- ☐ **Conducted a comprehensive analysis of applicant and employee data so you can analyze representation and benchmark information by job groups or families throughout the talent lifecycle, from hires to promotions to terminations, to understand the following:**
 - Current workforce representation, including veterans and individuals with disabilities?
 - Potential internal pay disparities?
 - Employment selection rates for protected classes?
 - Trends in hiring, promotion, and retention?



Establish Goals and Benchmarks

Armed with your workforce data, you'll need to look at internal and external sources for benchmarks and set the action plans your organization should strive for in the next period. Have you:

- ☐ **Reviewed utilization of individuals with disabilities in each job group to identify areas where representation is lower than 7%?**
- ☐ **Tracked protected veteran hiring to compare to current published benchmarks?**
- ☐ **Reviewed total workforce representation by protected class to identify areas of opportunity for improvement compared to the benchmark?**



Perform Ongoing Recruitment and Outreach

Outreach is an essential pillar of your program, ensuring a steady flow of suitable candidates to consider for recruitment. Have you:

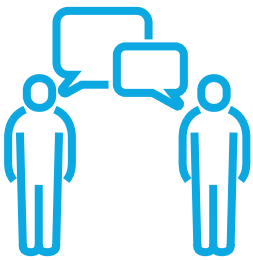
- ☐ **Implemented proactive recruitment strategies to attract the best-qualified candidates, including targeted outreach specifically for veterans and individuals with disabilities?**
- ☐ **Evaluated and adjusted recruitment sources and methods to ensure maximum effectiveness and better inclusion outcomes?**
- ☐ **Measured sourcing effectiveness with various recruitment activities to ensure current methods are adding value to the organization's efforts?**



Continuously Revisit Your Selection Process

Once candidates are funneled toward your business, they must enter a fair process that has a higher chance of delivering on your goals. Have you:

- ☐ Reviewed and revised selection criteria, merit-based practices, and procedures to minimize bias and ensure fair evaluation of both external and internal candidates?
- ☐ Provided equal opportunities for training, advancement, and promotion within the organization?
- ☐ Reviewed selection rates for hires, promotions, and terminations to address any area with adverse impact?



Deliver Training and Communicate With the Business

Employers are required to deliver training and provide information on certain topics—and doing so will help your workforce understand what you're trying to achieve. Have you:

- ☐ Conducted EEO, Section 503, and VEVRAA training for employees, including managers, recruiters, and anyone involved in the hiring process?
- ☐ Provided appropriate training based on industry, local, and state laws as needed?
- ☐ Communicated the organization's non-discrimination and compliance efforts to employees, stakeholders, and the wider public to promote transparency and accountability?
- ☐ Provided channels for employees to express concerns or report discrimination?



Keep Records, Report, Monitor, and Evaluate

Finally, your ongoing improvements should include periodic reporting, monitoring, and evaluation of your programs to ensure agility and overall effectiveness. Have you:

- ☐ **Maintained accurate and up-to-date records related to your efforts, including:**
 - Applicant data?
 - Workforce data?
 - Recruitment activities?
 - Employment transactions (hires, promotions, and terminations)?
- ☐ **Prepared required reports to regulatory agencies, as mandated by applicable laws and regulations (for example, VETS 4212 and EEO Reporting)?**
- ☐ **Regularly assessed the effectiveness of non-discrimination and compliance initiatives and made necessary adjustments?**
- ☐ **Reviewed your program during the plan year (and monitored it annually or semi-annually)?**
- ☐ **Addressed areas of adverse impact? In some cases, additional analysis may be needed to remove unintentional barriers in selection practices.**
- ☐ **Monitored and evaluated the impact of policies and practices on the workforce?**
- ☐ **Conducted internal audits to ensure compliance with applicable laws (federal, state, and local)?**
- ☐ **Reviewed compensation and compensation practices, including:**
 - Making sure appropriate documentation and support are accessible and explain pay differences when needed?
 - Addressing areas of concern and making a plan to remedy statistically significant disparities?

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