



Federal Contractors/ Subcontractors Affirmative Action Update

The OFCCP recently published two updates for federal contractors and subcontractors.

One publication updated the veteran (VEVRAA) hiring benchmark. When first established in 2014, the hiring benchmark was 7.2%. In 2015, the benchmark was changed to 7% and for 2016, the benchmark has again slightly decreased to 6.9%. As you may recall, the benchmark is reviewed on an annual basis by the OFCCP based upon data released by the Bureau of Labor Statistics. Companies may choose to use the national benchmark or to calculate their own based upon a formula supplied by the OFCCP.

The second update is the OFCCP's sex discrimination final rule. Most of these updates simply bring the OFCCP guidelines into line with the EEOC and court rulings because the guidelines haven't been updated since 1970. The rule prohibits discrimination in:

- pregnancy, childbirth, and related medical conditions
- pay and benefits
- caregiving to family members
- sex stereotypes
- jobs and training

It also prohibits sexual harassment.

One piece that is newer and will continue to be evolving is the protection for transgender workers which is covered under sex discrimination. As you've probably already heard, this rule requires contractors to allow workers to use bathrooms, changing rooms, showers, and similar facilities consistent with the gender with which the workers identify. We will continue to update you as this evolves. The Final Rule becomes effective on August 15, 2016.

You can find more information on the OFCCP website, click [here](#).

If you have any questions about these updates or about Affirmative Action Programs, please contact [Lori Lewellen](#) in Columbus, [Carolyn Potter](#) or [Carol Reubel](#) in Cincinnati.



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