

Being OFCCP Compliant with Avature

Avature
Get Engaged to Talent

Be Compliant and Stay Compliant

As a leading provider of Talent Solutions, Avature helps customers to efficiently meet the requirements outlined by the U.S. Department of Labor and its Office of Federal Contract Compliance Programs (OFCCP).

Avature ATS allows you to automate the collection and storage of compliance-related data, ensuring accurate and consistent data for reporting purposes, and eliminating the need for spreadsheets and paper-based forms, which become difficult to maintain as the volume of candidates continues to increase. Due to the flexibility and adaptability of Avature ATS, you can keep pace with the OFCCP requirements by easily making adjustments according to changes in the regulation.

Avature ATS actually lets you go beyond compliance: with the support of Avature's Consulting team, you can design a recruiting strategy that not only meets your OFCCP obligations but also provides a seamless experience for your candidates and recruiters.



Avature took the pain out of the audit process by giving our customers the ability to respond easily and in real time to very specific audit requests regarding processes and compliance data."

DIMITRI BOYLAN, AVATURE CEO

Meeting OFCCP Requirements

OFCCP administers and enforces three legal authorities that require equal employment opportunity:

Executive Order 11246: Requires Affirmative Action Plans and prohibits discrimination on the basis of race, color, religion, sex, gender identity, sexual orientation and national origin.

Section 503 of the Rehabilitation Act of 1973: Requires Affirmative Action Plans and prohibits discrimination on the basis of disability.

Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA): Requires Affirmative Action Plans and prohibits discrimination against protected veterans.

In this document you will find an explanation of how the following OFCCP requirements can be met with Avature:

1. Pre-Offer & Post-Offer Self-Identification Forms
2. Disposition Codes
3. Candidate Searches
4. Documentation, Reports and Applicant Flow Log
5. Record Keeping

1. Pre-Offer & Post-Offer Self Identification Forms

Pre-Offer and Post-Offer Self-Identification Forms are used to invite those who apply and those offered a position to self-identify on the basis of race, color, religion, sex, gender identity, sexual orientation, national origin, disability and protected veteran status. The law defines six forms that should be used:

- EO Pre-Offer EEO Self-ID Form
- EO Post-Offer EEO Self-ID Form
- CC-503 Pre-Offer Self-ID Form
- CC-503 Post-Offer Self-ID Form
- VEVRAA Pre-Offer Self-ID Form
- VEVRAA Post-Offer Self-ID Form

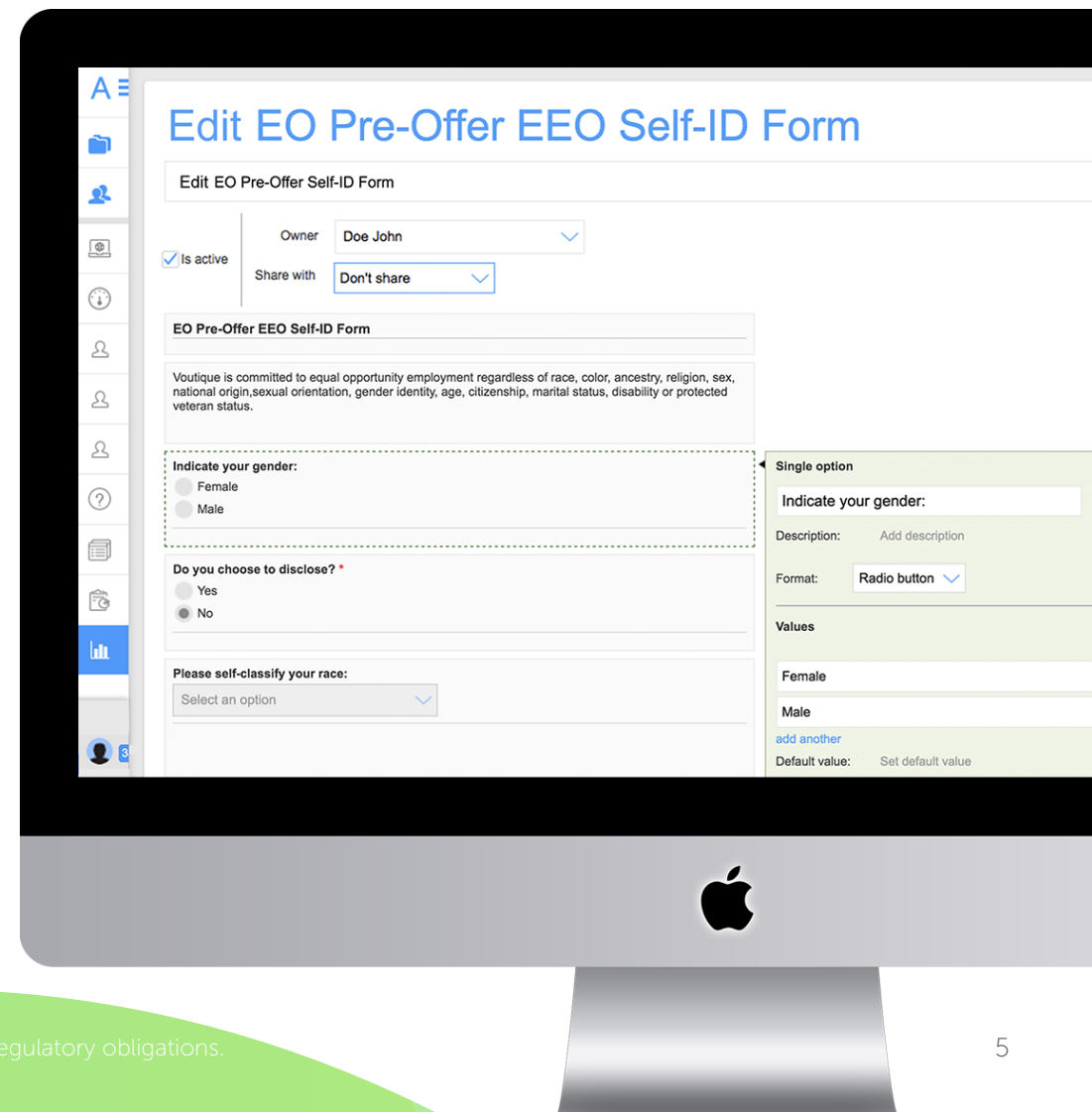
Avature provides a sample of each form, which can be customized to follow your Legal team's instructions. During the implementation process, your Avature Consultant will work closely with you to make the adjustments required. For example, you can choose to:

- Set questions as optional or mandatory with a "Do not wish to disclose" option
- Include a custom statement in the form to declare the voluntary nature of this inquiry and/or to note that the information supplied will only be used for standard statistical reports to be submitted to the federal government, and not for the decision to hire
- Define who in your organization has access to the form (specific groups and/or users) to ensure confidentiality

Also, you can choose where in the process to present the forms to the candidate:

- Pre-Offer forms can be presented during the application process within the career site, or at a later stage in the selection process by sending the form to the candidate via email
- Post-Offer forms can be sent to candidates together with the offer, or separately as part of another step before the applicant begins the job duties. The first option allows you to collect data even from those you offered a position but who ultimately didn't join your organization. From a compliance perspective, they also count as a "hire", because what really counts is the intention of hiring

With global implementations, the process can be configured so that Forms are presented only to candidates applying to requisitions subject to OFCCP's regulations.



1.1 EO Pre-Offer & Post-Offer EEO Self-ID Forms

As an employer subject to OFCCP regulations, you are required where possible to identify the race, gender and ethnicity of those who apply to work at your organization. This is carried out by inviting candidates to complete the EO Pre-Offer EEO Self-ID Form.

You can choose to include in the form the federal government definitions of Black, Hispanic, Asian, White, Hawaiian and Native American. This has a tendency to increase the completion rates, especially for people of mixed ethnicity, as it helps them identify the category/ies they belong to.

To optimize the candidate's user experience, your process can be configured so that the form is only presented to jobseekers who:

- Are applying for the first time, or
- Applied before, but chose not to disclose

The data collected in the EO Pre-Offer EEO Self-ID Form can be used to build an Applicant Flow Log Report, avoiding the compliance headache of recording the applicant flow log information in a spreadsheet for each applicant and each job they apply for.

Following the offer process, contractors are required to “identify” the race, sex and ethnicity of each employee, prior to the first day of employment.

The method of collection can be either through self-identification, which implies inviting candidates to complete the EO Post-Offer EEO Self-ID Form, or by asking the employee’s manager to make a visual identification to avoid asking the candidate again to self-identify.

Therefore, your process can be configured to:

- Request candidates to complete the EO Post-Offer EEO Self-ID Form. You can opt to send the form only to those who chose not to disclose at the pre-offer stage, or
- Send a reminder to HR managers to make a visual identification if you would prefer not to ask the candidate again for this data

1.2 Pre-Offer & Post-Offer CG-503 Forms

These forms are used by contractors to invite those who apply (Pre-Offer) and those offered a job (Post-Offer) to voluntarily self-identify whether they are an individual with a disability.

To ensure the consistency of appearance and ease of reading, OFCCP requires that these forms meet certain specifications such as containing the text without alteration, using sans-serif font and at least 11-pitch for font size. Also, the forms should include the OMB number and expiration date, so that jobseekers know that they are officially approved government forms.

You can choose, however, to supplement the forms with further information (e.g. provide additional information about reasonable accommodation)

and make non-substantive changes (e.g. alter the margins of the form, change the color of the section headings, present the form in a page branded the same as the other pages in the application process).

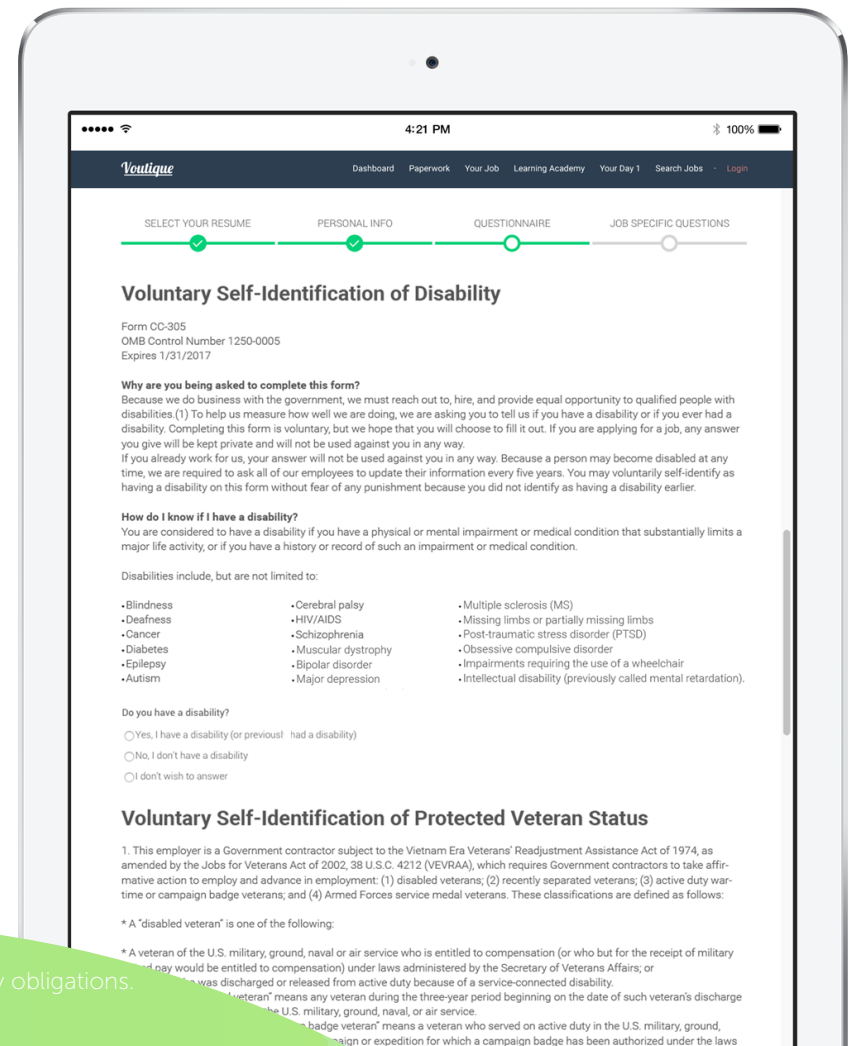
1.3 Pre-Offer & Post-Offer VEVRAA Forms

OFCCP requires contractors to survey applicants and employees for veteran status at the Pre-Offer and Post-Offer stages.

During Pre-Offer, jobseekers are invited to self-identify as protected veterans.

During the Post-Offer stage, you can choose to either ask the same question as at the Pre-Offer, or ask them to identify which specific category of protected veteran they belong to.

To increase the response rate and make it easier for jobseekers to know whether they belong to a category or not, you can include the definitions of the four categories of protected veterans in both Pre-Offer and Post-Offer forms.



2. Disposition Codes

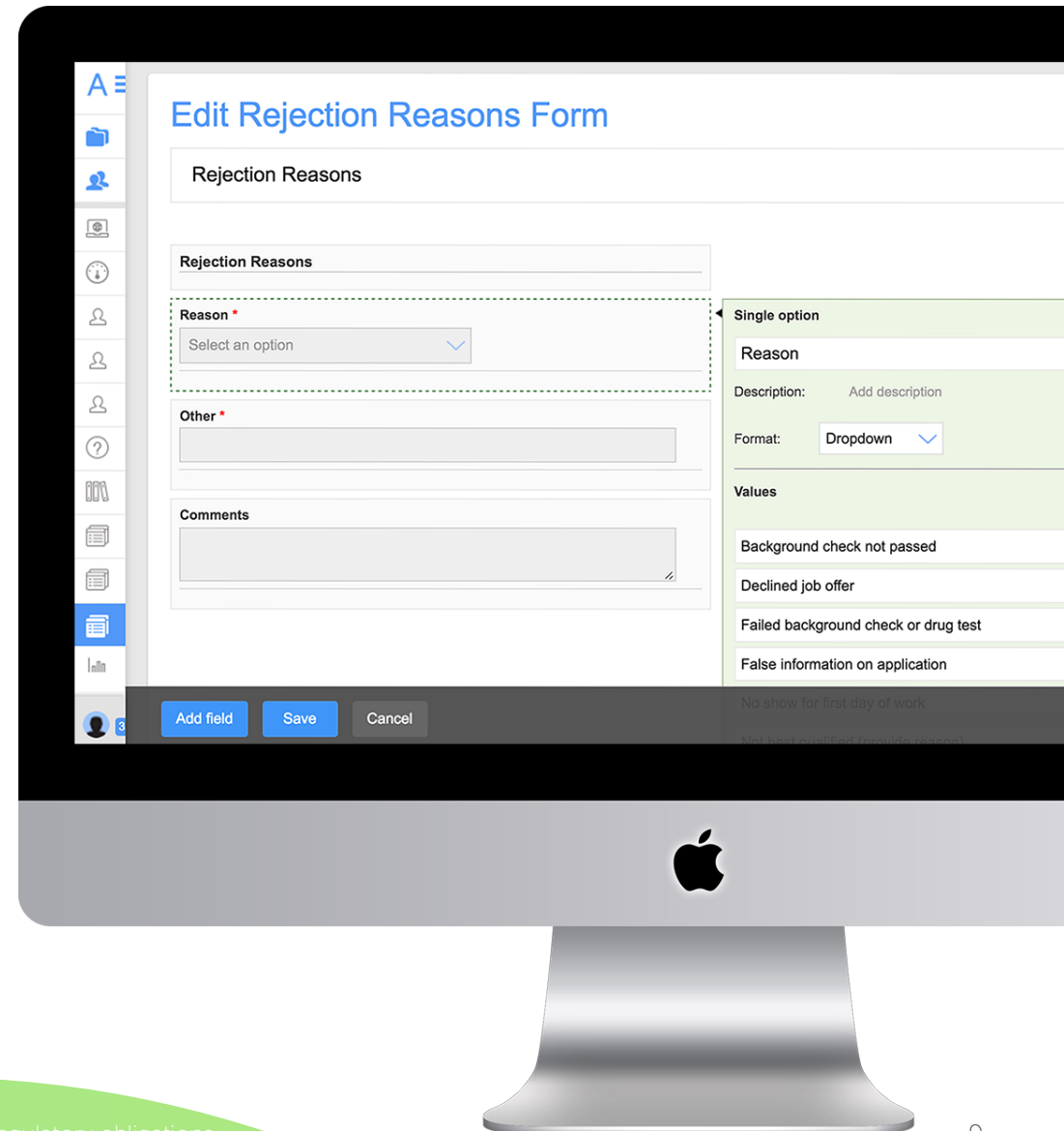
When defending class action lawsuits and OFCCP audits, the federal government will require you to explain the legitimate reason for non-selection of an Applicant.

Thus, disposition codes should help you to:

- Easily identify jobseekers who are not in fact “Applicants”, as the law defines them, and
- Document the legitimate reason for disposition

In Avature, Disposition Codes can be customized to include those that make sense to your business. Besides, they can be mapped to categories that determine whether the jobseeker counts as an Applicant or not, making reporting easier. For example, you can have a disposition code “could not reach jobseeker to call in for an interview” mapped

to a “Not an Applicant” category, because the individual withdrew interest.



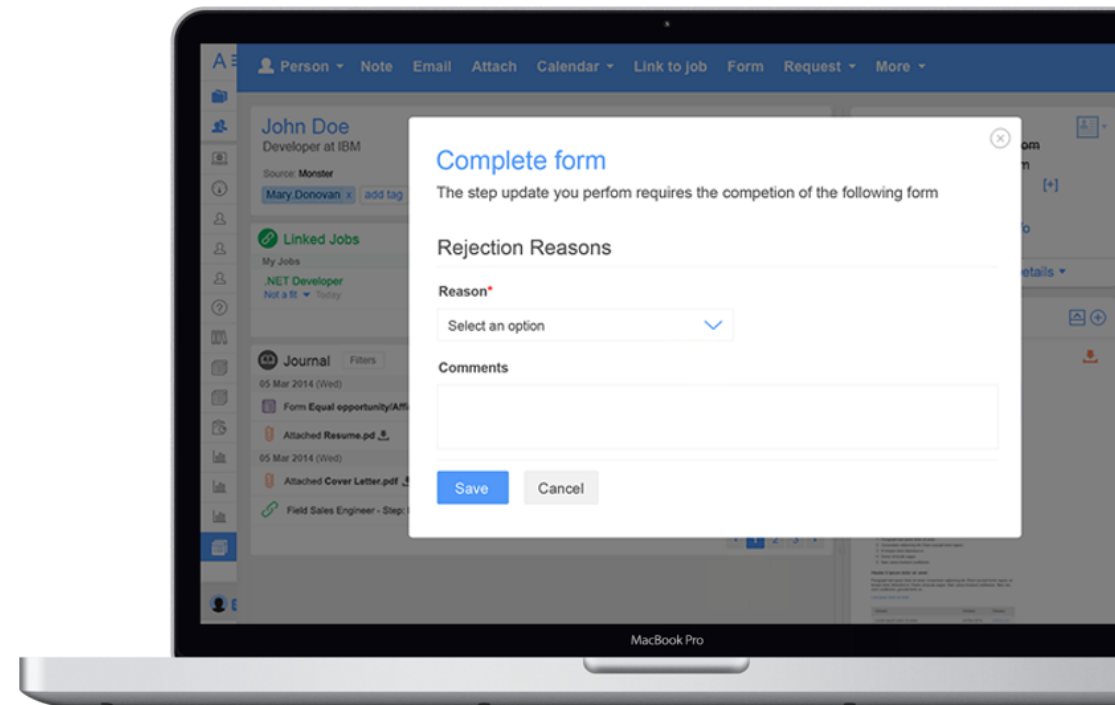
Statistically, the larger the applicant pool, the greater the possibility of adverse impact and the greater the employer's potential liability. Avature helps you better manage your applicant pool by automatically:

- Dispositioning all candidates who don't meet the basic qualifications defined for a job
- Closing a job when it's been filled to prevent further applications
- Dispositioning all candidates who haven't been considered (e.g. candidates who remained in the "new applicant" step) by the time a job is closed

To make sure your recruiters don't forget to disposition all candidates they review, the process can be configured so that:

- Recruiters are prompted to actively fill in the disposition code when they move a candidate to a "Not a fit" step

- When a record is accessed, the candidate is automatically moved to a "Reviewed" step and the job can't be closed if there are candidates in this step or in any other step that is not an end-step. Thus, recruiters are required to move all candidates to an end-step (e.g. "Hired" or "Not a fit") to be able to close the job



3. Candidate Searches

Avature WebSources is an interface that lets your recruiters search for potential candidates both in multiple external job boards and your own database.

In accordance with OFCCP recordkeeping requirements for internal and external resume database searches, Avature stores the following data for each search run through Avature WebSources:

1. The position for which each search was made, which recruiters are required to enter to be able to run the search
2. The search criteria used for each search
3. The date when the search was conducted
4. A record of each resume added to the database and the date when the resume was imported
5. Resumes viewed by the recruiter

Avature provides a detailed report that includes all the above information, which is available and accessible at any time.

4. Documentation, Reports & Applicant Flow Log

Avature keeps track of all the data required by each OFCCP Program, allowing you to get rid of the spreadsheets you may be using to keep track of compliance information.

Executive Order

- The number of “Applicants” and hires
- The reason for the rejection of an “Applicant”

VEVRAA

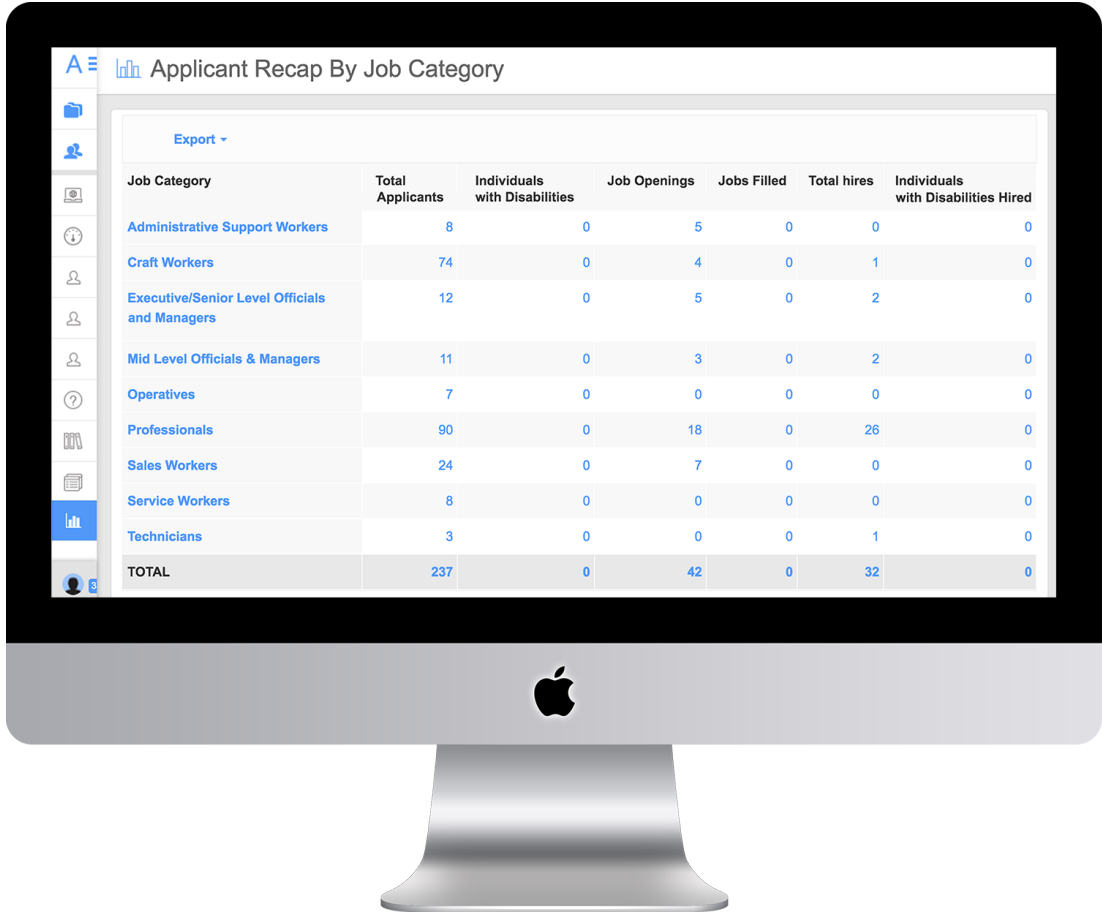
- The number of Applicants who self-identified as protected veterans, or who are otherwise known as protected veterans

- The total number of job openings and total number of filled jobs
- The total number of Applicants for all jobs
- The number of protected veteran Applicants hired
- The total number of Applicants hired

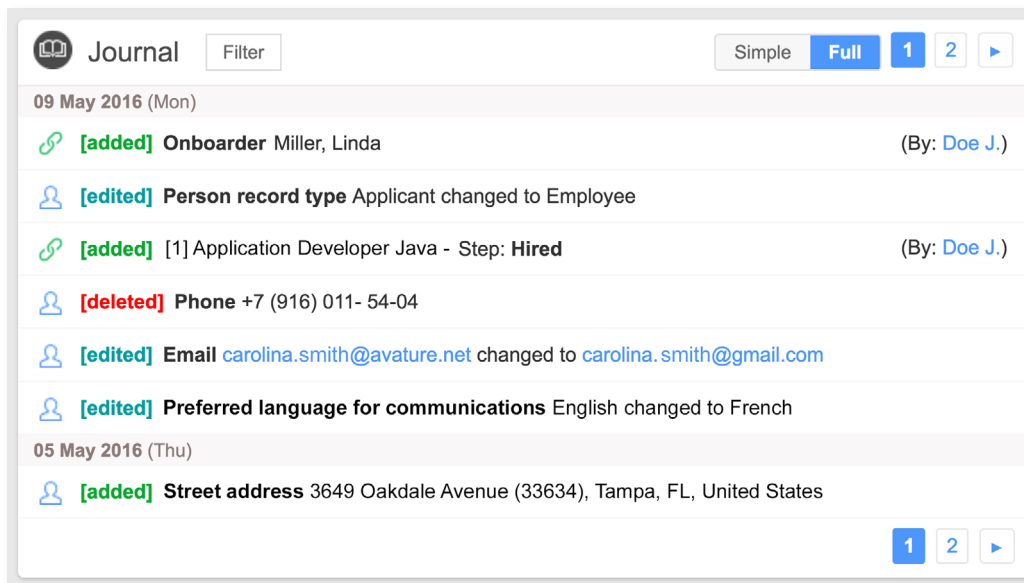
Section 503

- The number of Applicants who self-identified as individuals with disabilities, or who are otherwise known to be individuals with disabilities
- The total number of job openings and total number of filled jobs
- The total number of Applicants for all jobs
- The number of Applicants with disabilities hired
- The total number of Applicants hired

Your candidate and job records data is exportable, reportable and can be accessed at any time, ensuring timeliness, accuracy, and consistency.



Besides, Avature's Full Journal enables you to keep a full audit trail of all updates in person and job records. You can see all additions (e.g. forms attached, step updates), editions (e.g. fields changed) and deletions (e.g. forms, attachments, fields) that have been made to those records.



5. Record Keeping

Avature retains all records until the end of the term of service or until you instruct the ATS to delete them, letting you comply with OFCCP regulations, which require you to:

- Keep any personnel or employment record “made or kept” or any records “pertaining” to recruitment, hiring, employment, pay, benefits and termination, etc.
- Retain data for 1, 2 and 3 years (depending on the number of employees in your company, the contract you have with the government and the type of record)

Avature's security program is based on the ISO 27001 standard, which means it employs industry standard controls to protect your data.

Contact Us to Learn More

For more information about Avature ATS,
please contact your Avature representative or visit our website

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