

# *PREPARING YOUR 2020 AFFIRMATIVE ACTION PLANS*

*Presented by:*

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# Flat Fee for Preparing AAP's

## \$2,650

### What we need from you.

# **Directory Information**

- Correct name of Property
- Name and title of highest official on property as of January 1, 2020 (normally the General Manager)
- Name, title, address and phone number of EEO Coordinator (the person who will be listed in the plans as the one responsible for implementation)
- Your plan year if other than January 1, 2020 – December 31, 2020

# Employee Data

- In Excel format
- Employee “snapshot” as of:
  - Start of plan year (e.g. 1/1/20)
  - Twelve months earlier (e.g. 1/1/19) (I don't need this if we did your plan last year)
- All employees (full time, part time, temporary if on your payroll)
- Name, race, sex, job title, hire date, job group or EEO category (and IWD status for start of plan year, e.g. 1/1/20)

# Personnel Activity Data

- In Excel format
- For the 12 months preceding AAP (e.g. 1/1/19 – 12/31/19)
- “Applicants”
  - Name, race, sex, protected veterans status, IWD status, date of app., job applied for, job group, disposition, date of disposition
  - Review all job requisitions for the year and make sure all applicants are dispositioned

# **Internet Applicant**

## **OFCCP DEFINITION**

(1) Internet Applicant means any individual as to whom the following four criteria are satisfied:

(i) The individual submits an expression of interest in employment through the Internet or related electronic data technologies;

# Internet Applicant

(ii) The contractor considers the individual for employment in a particular position;

FOR EXAMPLE:

- ☐ Data mining/sampling

(iii) The individual's expression of interest indicates the individual possesses the basic qualifications for the position;

FOR EXAMPLE:

- ☐ the job requires 3 years experience and the individual has one year

## **Internet Applicant**

(iv) The individual at no point in the contractor's selection process prior to receiving an offer of employment from the contractor, removes himself or herself from further consideration or otherwise indicates that he or she is no longer interested in the position.

### **FOR EXAMPLE:**

- ☐ if a job requires someone to be available to work any day of the week (Sunday – Saturday), and a person checks off that they are only available to work Monday – Friday, then they don't meet the minimum requirements



# Internet Applicant

## OTHER EXAMPLES:

- ☐ the individual wants a salary higher than the position allows
- ☐ the individual does not respond to an invitation to do a phone interview or respond to some other inquiry
- ☐ the individual does not show up for a scheduled interview

# Personnel Activity Data (Cont'd)

- In Excel format
- For the 12 months preceding AAP (e.g. 1/1/19 – 12/31/19)
- Offers and Hires
  - Name, race, sex, protected veterans status, IWD status, date of offer or hire, job title, job group, indicate whether offer or hire
- Promotions
  - Name, race, sex, protected veterans status, IWD status, date of promotion, job title and job group of position promoted ***from*** and position promoted ***to***
  - *IMPORTANT – NEED BOTH FROM AND TO*

# Job Group

## § 60-2.12 Job group analysis.

**(b)** In the job group analysis, jobs at the establishment with similar content, wage rates, and opportunities, must be combined to form job groups. Similarity of content refers to the duties and responsibilities of the job titles which make up the job group. Similarity of opportunities refers to training, transfers, promotions, pay, mobility, and other career enhancement opportunities offered by the jobs within the job group.

Normally EEO-1 Categories because of size of establishments

## **Personnel Activity Data (Cont'd)**

- In Excel format
- For the 12 months preceding AAP (e.g. 1/1/19 – 12/31/19)
- Terminations
  - Name, race, sex, date of term., job title, job group, reason for term (voluntary vs. involuntary)

## **Personnel Activity Data (Cont'd)**

- For the 12 months preceding AAP (e.g. 1/1/19 – 12/31/19)
- Protected veteran applicants
- Protected veterans hired
- Individuals with disabilities applicants
- Individuals with disabilities hired
- Job openings and jobs filled

# **Why Protected Veteran Data?**

- Must annually update
- Five factors required
  1. Number of protected veteran applicants
  2. Number of all applicants
  3. Number of job openings and jobs filled
  4. Number of protected veterans hired
  5. Number of all applicants hired
    - Maintain for 3 years

# Why IWD Data?

- Must annually update
- Five factors required
  1. Number of IWD applicants
  2. Number of all applicants
  3. Number of job openings and jobs filled
  4. Number of IWD's hired
  5. Number of all applicants hired
    - Maintain for 3 years

# Other Information Needed

- Portions of last year's plan (if you had one and we did not prepare it)
  - Availability analysis
    - Reasonable recruitment areas and weights
    - Feeder job groups and weights
    - Weighting between external and internal sources
  - Utilization analysis
  - Goals



## Other Information Needed

- No prior year plan
  - Availability analysis
    - Reasonable recruitment areas and weights
    - Feeder job groups and weights
    - Weighting between external and internal sources
  - Snapshot of workforce when acquired and date when acquired (name, race, sex, job title, job group)

# Availability Analysis

## **§ 60-2.14 Determining availability.**

(a) *Purpose:* Availability is an estimate of the number of qualified minorities or women available for employment in a given job group, expressed as a percentage of all qualified persons available for employment in the job group. The purpose of the availability determination is to establish a benchmark against which the demographic composition of the contractor's incumbent workforce can be compared in order to determine whether barriers to equal employment opportunity may exist within particular job groups.

(b) The contractor must separately determine the availability of minorities and women for each job group.

# **Availability Analysis**

## **§ 60-2.14 Determining availability (Continued)**

(c) In determining availability, the contractor must consider at least the following factors:

(1) The percentage of minorities or women with requisite skills in the reasonable recruitment area. The reasonable recruitment area is defined as the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question.

(2) The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. Trainable refers to those employees within the contractor's organization who could, with appropriate training which the contractor is reasonably able to provide, become promotable or transferable during the AAP year.

# What you need to Prepare

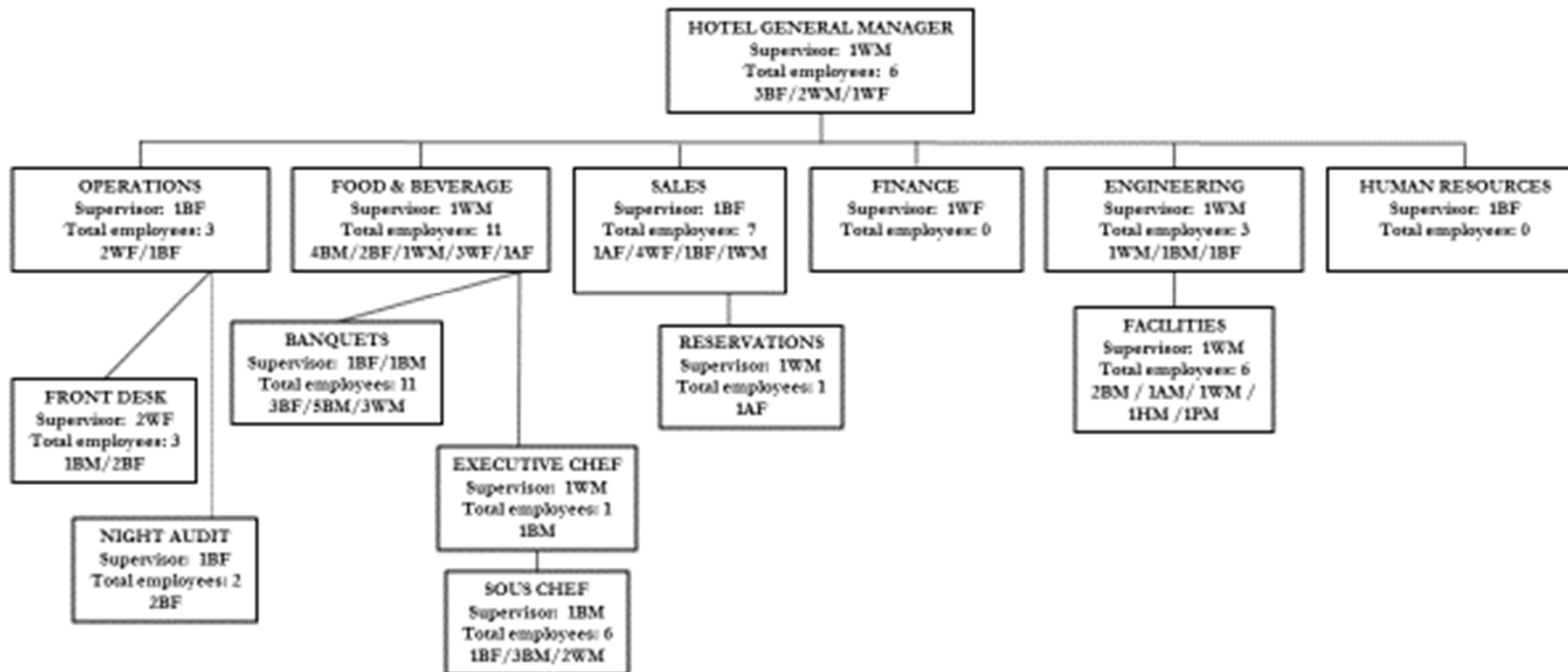
- Organizational display or workforce analysis
- Have signed by official
- Post vets and disabled policies

# Contents – Organizational Display



YOUR HOTEL LOGO/NAME

## Organizational Display



# Contents – Workforce Analysis

## Workforce Analysis

DEPARTMENT/WORK UNIT: Accounting - Billing					MALES						FEMALES					
Job Title	Wage Rate	EEO-1 Category	Job Group	Total Employees	Total	White	Black/African American	Asian/Pacific Islander	American Indian/Alaskan Native	Hispanic	Total	White	Black/African American	Asian/Pacific Islander	American Indian/Alaskan Native	Hispanic
Controller	S-C	1	1	1	1			1								
Pricing – Billing Manager	S-E	1	1	1	1	1										
General Ledger Accountant	S-F	2	2	1							1	1				
Payroll Administrator	S-H	2	2	1	1	1										
Billing Clerk	H-5	5	5	3	1					1	2	2				
Material Pricing Clerk	H-5	5	5	3	1	1					2	1	1			
Administrative Assistant	H-8	5	5	2							2	1	1			
DEPARTMENT TOTAL				12	5	3		1		1	7	5	2			

# Timeline

- OFCCP allows 30 days to prepare new plan
- We are targeting 60 days
- Data to FP by 2/21/20
- AAP normally prepared within 2-3 weeks from receipt of all information

# Biggest Errors from Last Year

- “Not specified” employees in snapshot, hires, terminations and promotions – **Almost half the properties (9)!**
- Line cook applicants coded as laborers (should be service)
- Utility applicants coded as service (should be laborers)
- IWD’s not shown in snapshot or hires/promotions



# Adverse Impact

- 90-95% of all \$ collected by OFCCP is due to statistically significant adverse impact
- Pay attention to results of adverse impact analysis

## Adverse Impact (cont'd)

- Standard deviation – amount of variance
- 2 S.D. means 1 in 20 probability it occurred by chance
- If adverse impact and  $\geq 2$  standard deviations – be concerned!

# **Best Practices to Address Adverse Impact**

- Check your data!
- Review sample of unsuccessful candidates versus successful males/whites
- Try to determine why females or minorities are not as successful

# **Best Practices to Address Adverse Impact (Cont'd)**

- It could be unconscious or conscious bias
  - E.g. males are better suited to banquet setup
  - E.g. females should be maids; males should be housekeeping utility
  - Other assumptions
  - OFCCP's focus on "steering"

# **Best Practices to Address Adverse Impact (Cont'd)**

- Train supervisors to avoid assumptions and the risk of not documenting decisions
- Review hiring or promotion decisions
  - Require justification for hiring white/male if job group shows adverse impact
  - Perform additional adverse impact analysis quarterly

# **Best Practices to Address Adverse Impact (Cont'd)**

- If you find a reason other than bias for the adverse impact
- Document the reason
  - Too many unqualified female/minority applicants
  - Other
- Determine how to eliminate



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