



Thousands Of Government Contractors Slated To Be Evaluated As Feds Release FY2020 Audit Scheduling List

Insights

9.14.20

In keeping with the promise to make the agency more transparent, the Office of Federal Contract Compliance Programs just released a list of over 2,000 federal contractors that will be soon subject to compliance reviews. By being included on the [2020 Corporate Scheduling Announcement Letter \(CSAL\) List](#), 2,250 supply and service establishments and 200 construction contractors now have a minimum 45-day courtesy notification before the OFCCP will begin sending OMB-approved scheduling letters. What do employers need to know about this development?

[Ed. Note: A week after its initial release, OFCCP amended the CSAL list. The September 18 amendment included several terminology changes, 79 Type of Review Changes, three slight changes to either parent or establishment name, the addition of two new locations, and the removal of two locations as duplicates. Contractors should review [the updated list](#) to determine what, if any, impact the amendment may have.]

Quick Background And Update

OFCCP released its last comprehensive list in March 2019. At that time, the agency identified approximately 3500 contractors who had been scheduled for compliance reviews. Later, OFCCP followed with some updates, also published in the FOIA Reading Room, that identified contractors subject to Focused Reviews under Section 503 and VEVRAA.

In the past, OFCCP has pushed through with its prior CSAL lists, even after publishing a new fiscal year list. The agency continues to review establishments from the March 2019 CSAL list. It is not immediately clear from the agency whether the compliance reviews from the FY 2019 CSAL list will continue or how the FY 2020 CSAL list will be incorporated for scheduling and compliance review purposes.

Details About 2020 List

The agency's [September 11 release](#) includes a number of [resources](#) for government contractors. Besides the list of [Supply and Service establishments](#) and [construction contractors](#), the OFCCP has also produced a set of [Frequently Asked Questions](#) and other information to assist affected employers.

Notably, OFCCP limited the Supply and Service scheduling list to no more than 10 establishments of any parent company. Further, according to OFCCP, no establishment that has concluded a review or

progress report monitoring resulting from a conciliation agreement or consent decree within the last two year is included on the scheduling lists.

What Should Contractors Do?

Contractors who are on the 2020 CSAL list should ensure that their affirmative action programs and other regulatorily required documents and postings are prepared for a compliance review. Responsible individuals should notify their EEO coordinators as well as their top U.S. ranking officials to be on the lookout for Scheduling Letters from OFCCP.

The receipt of the Scheduling Letter begins the timeline for the compliance reviews. Once the Scheduling Letter is received, contractors will have the standard 30 days to submit their Affirmative Action Programs (AAPs). OFCCP notes that this 30-day time frame, combined with the CSAL list, gives contractors 75 days' advance notice to have their AAPs ready for submission. However, the agency will grant a one-time 30-day extension for supporting data where AAPs are otherwise timely provided.

We will continue to monitor developments regarding this issue. Make sure you are subscribed to Fisher Phillips' Alert System to get the most up-to-date information. If you have questions about how this development impacts your organization, please reach out to your Fisher Phillips attorney or any member of our Affirmative Action and Federal Contract Compliance Practice Group.

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