



South Carolina Lawyer Discusses OFCCP's Revised Directive on Compensation Compliance

News

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In an interview with *SHRM*, **Sheila Willis** breaks down what employers need to know about the Office of Federal Contract Compliance Programs (OFCCP) revised directive on compensation compliance. The new directive addresses concerns that a prior version intruded upon communications protected by attorney-client privilege.

Sheila explains that the revised directive provides three alternative nonprivileged documentation federal contractors can supply to the agency during a compliance audit. These include:

- Providing a redacted version of a review, removing the confidential and privileged portions.
- Conducting a new, separate audit that is not privileged.
- Providing the OFCCP with an affidavit regarding compliance.

"Contractors should ensure that, when reviewing their compensation systems, they have a privileged and nonprivileged approach to demonstrating their compliance obligations or that they plan to create a second, nonprivileged analysis that they may provide to OFCCP," Sheila added.

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