



# OFCCP POLICY UPDATES

PRESENTER(S): TINA WILLIAMS,  
CHRIS SEELY, MARCUS STERGIO

*Thank*  
**YOU**  
SPONSORS  
FOR YOUR SUPPORT  
♥





## ***Tina Williams***

*Director of Policy and Program Development  
U.S. Department of Labor -  
Office of Federal Contract Compliance Programs*

Tina Williams is the Policy Director for the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP), National Office; where she is responsible for overseeing the development and coordination of new directives, regulations, agency policies and procedures, the OFCCP Training Academy, and the development of public education and outreach materials. In 2006, she began her federal career with the U.S. Department of Justice and joined OFCCP in 2013. Mrs. Williams brings a wealth of knowledge in federal government compliance, EEO, Title VII, ADA, Public Policy and Rulemaking.



## ***Christopher Seely***

*Acting Deputy Director for Policy and Program Development  
Office of Federal Contract Compliance Programs*

Chris Seely currently serves as the Acting Deputy Director for Policy and Program Development. He joined OFCCP in 2008 as a compliance officer in the Southeast Regional Office, and became the Branch Chief for Regulatory, Legislative, and Policy Development in 2014. He has worked on most of the agency's policy, rulemakings, and OMB approvals over the past several years.



# ***Marcus Stergio, Ombudsman***

*U.S. Department of Labor's Office of Federal Contract Compliance Programs*

Marcus Stergio serves as the Ombudsman for the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP). Spearheading the agency's Ombuds Service, Marcus is a neutral and confidential resource available to all OFCCP stakeholders nationwide, including federal contractors and subcontractors, contractor representatives, industry groups, law firms, complainants, worker rights organizations, and current and potential employees of federal contractors and subcontractors. Given the agency's mission to protect workers, promote diversity, and enforce civil rights laws, Marcus addresses concerns related to OFCCP policies and practices, serves as an informal facilitator of disputes, and advocates for transparency, fair processes, and efficient operations as they relate to and include all relevant constituents.

# OFCCP Policy Updates

- Coronavirus (COVID – 19)
- Rulemaking
- Focused Reviews
- Directives
- Town Halls
- Recognition Programs
- INAERP
- Construction
- TAGs
- CCI
- Ombuds
- Contact Information

# COVID-19 Relief

- Extensions and Adjustments
- National Interest Exemption
- FAQs

# Rulemaking

- TRICARE
  - Effective Date: August 31, 2020
- Religious Exemption
  - Developing Final Rule
- Resolution Procedures
  - Developing Final Rule

# Focused Reviews

- Section 503
  - Note: Updated self-id form implementation date is August 4, 2020
- VEVRAA
  - OFCCP expects to begin scheduling VEVRAA focused reviews in the Summer of 2020.
- Accommodations
  - Religious
  - Disability
- Promotions

# Directives

- DIR 2020-01 Spouses of Protected Veterans
- DIR 2020-02 Efficiency in Compliance Evaluations
- DIR 2020-03 Pre-Referral Mediation Program
- DIR 2020-04 Ombuds Service Supplement

# Town Halls

- Action Plan – 2019
- Virtual Town Halls

# Recognition Programs

- Excellence in Disability Inclusion Award
- New Recognition Programs
  - Closure Letters with Distinction
  - FAAP

# Indian and Native American Employment Rights Program (INAERP)

- INAERP focuses on support to federal contractors and their efforts to foster outreach and inclusion of Native Americans.
- INAERP provides concierge service to federal contractors who are proactively recruiting Native Americans for job opportunities at their facilities or work projects on or near Indian reservations.
- Completed a refresh of the INAERP webpage on the OFCCP website
  - Added best practices for creating an inclusive workforce on Native Americans
  - Comprehensive list of Native American resources
  - Frequently Asked Questions on Indian Preference

# Construction

- Construction Compliance Check Letter
- Construction Scheduling Letter
- MEGA

# Technical Assistance Guides (TAGS)

- Construction Technical Assistance Guide: OFCCP developed this guide specifically for federal construction contractors.
- Educational Institutes Technical Assistance Guide: OFCCP developed this guide specifically for educational institutions.
- Coming Soon
  - Supply & Service TAG
  - Small Contractor Guide

# Contract Compliance Institute (CCI)

- There are a total of 2,882 registered users
- Current Courses
  - Path to Compliance
  - Affirmative Action Programs
- Will release two more courses soon
  - Supply and Service Compliance Reviews
  - Focused Reviews
- OFCCPLearningPortal for OFCCP staff

# Who is the Ombudsman?

- Marcus Stergio
  - Conflict resolution practitioner who serves as a facilitative resource to OFCCP, contractors, and complainants
- Practices to International Ombudsman Association (IOA) Standards of Practice
  - Confidentiality
  - Neutrality
  - Independence
  - Informality
- Contact the Ombuds Service
  - (202) 693-1174
  - [Stergio.marcus@dol.gov](mailto:Stergio.marcus@dol.gov)
  - Ombuds Service Referral Form

# OFCCP Ombuds Service

- First announced through OFCCP Ombuds Service Directive (DIR 2018-09) in September 2018
- Ombudsman hired in August 2019
- Ombuds Service Supplement Directive (DIR 2020-04) released in April 2020
- Has handled over 80 ombuds referrals to date
  - About 30% of those from contractor representatives
  - Approximately 15% from contractors directly
  - Another 15% received from within OFCCP
- Other resources available at <https://www.dol.gov/agencies/ofccp/ombuds>
  - Ombuds Service Protocol
  - Ombuds Service FAQs
  - Ombuds Service Referral Form
  - Ombuds Service Evaluation Form (Coming Soon)

# What does the Ombudsman do?

- Facilitates ongoing issues between OFCCP and contractors, or OFCCP and complainants
  - Concerns about a District Office's handling of a compliance evaluation
  - Discrepancies in the appropriate scope of a compliance review
  - Impasse reached during contractor and OFCCP conciliation discussions
  - Complainant requests for status updates and measureable progress on complaint investigations
  - Transparency issues identified during compliance evaluation and complaint investigation processes
- Receives more general concerns/issues about OFCCP policies, procedures, and/or personnel
  - Inconsistencies in the management of issues from one District Office to the next
  - Unclear guidelines that prohibit contractors from sufficiently complying
  - Lack of oversight in certain OFCCP offices
  - Lengthy compliance evaluations and lack of communication during them
- Tracks referrals received, issues worked on, trends observed
  - Confidentially reports observations to OFCCP Senior Leadership
  - Produces an Ombuds Service Annual Report
- Identifies training needs, designs and delivers applicable conflict resolution training



# Thank You

Join the NEW NILG LinkedIn Page to stay current on agency news,  
free NILG webinars and national conference updates:

<https://www.linkedin.com/company/nilg>

*Thank*  
**YOU**  
SPONSORS  
FOR YOUR SUPPORT  
♥



# SAVE THE DATE!

---

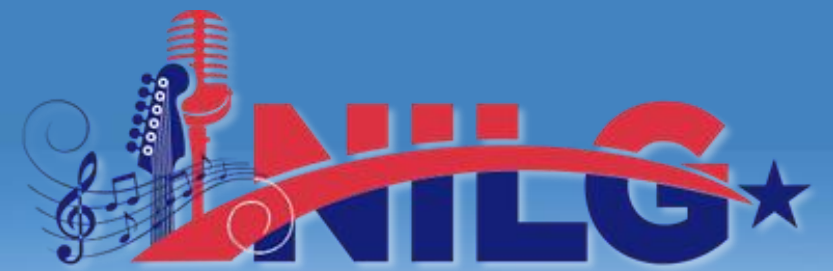
**We hope you'll join us at the  
NILG 2021 National Conference**

August 1 – August 4, 2021  
Omni® Nashville Hotel  
Nashville, Tennessee

**Win a Complimentary  
Registration to the NILG 2021  
National Conference!**

**TO LEARN MORE VISIT:**

<https://www.nationalilg.org/2021-conference-giveaway/>



**2021 NATIONAL CONFERENCE**

**STRIKE A CHORD  
FOR EQUALITY AND COMPLIANCE**





SHRM PDC # 20-QPEXJ  
HRCI Activity # 527151

*"The use of this official seal confirms that this Activity has met HR Certification Institute's® (HRCI®) criteria for recertification credit pre-approval."*