

OFCCP's Contractor Portal Is Now Open for AAP Certification

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As previously reported, federal government contractors must certify their compliance with the requirement to develop and maintain Affirmative Action Programs ("AAPs"). The certification must be submitted through the newly created Contractor Portal, which opened for registration on February 1, 2022 and is now open to receive certification submissions.

On March 31, 2022, OFCCP held a webinar explaining the new Contractor Portal certification process. The window to certify opened March 31, 2022, and closes on June 30, 2022. OFCCP "strongly recommends" that new contractors (i.e., those within the first 120 days of their first covered contract) register and certify their current status to reflect that they are in the process of developing compliant AAPs before the June 30, 2022 deadline. OFCCP instructs that after the AAPs have been developed, new contractors will then be able to update their certification status in the Contractor Portal.

The Contractor Portal will prompt users to select one of three options to certify their current status with regard to AAPs:

- (1) Entity has developed and maintained Affirmative Action Programs at each establishment, as applicable, and/or for each functional or business unit.
- (2) Entity has been party to a qualifying federal contract or subcontract for 120 days or more and has not developed and maintained Affirmative Action Programs at each establishment, as applicable.
- (3) Entity became a covered federal contractor or subcontractor within the past 120 days and therefore has not yet developed applicable Affirmative Action Programs.

Contractors must submit this certification annually.

The Contractor Portal has an online <u>help request form</u>, or you can call (800) 397-6251 with any questions.

We will continue to relay any updates for contractors regarding the Contractor Portal and other OFCCP developments here.

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Guy Brenner

Partner