

Significantly Expanded OFCCP Scheduling Letter and Itemized Listing Now In Effect

Government Contractor Compliance & Regulatory Update on **August 28, 2023**

On August 25, 2023, OFCCP [announced](#) the implementation of its revised [Combined Scheduling Letter and Itemized Listing](#), which “applies to supply and service compliance evaluations scheduled on or after August 24, 2023.” The documents are provided to contractors at the outset of OFCCP audits and set forth the materials contractors must submit for the initial phase of the evaluation.

As we previously [reported](#), OFCCP originally proposed significant revisions to the Scheduling Letter and Itemized Listing in November 2022, and in April 2023 the Office of Management and Budget published a slightly revised version of the documents for review and comment.

The documents have now been approved. The final revised Scheduling Letter and Itemized Listing adopt the proposal published in April 2023 with one modification of note: in a change from the prior draft of the revised Itemized Listing, the final version does not require contractors and subcontractors to provide documentation indicating the method of compensation analysis they employed as part of their annual compensation analysis.

Even so, and as previously reported [here](#) and [here](#), the new Scheduling Letter and Itemized Listing significantly expand the volume of information contractors are required to submit at the outset of an OFCCP audit. The 26 broad categories of materials must be submitted within 30 days of receipt of the Scheduling Letter, and OFCCP’s current [policy](#) states that extensions of the deadline will only be provided “in the event of extraordinary circumstances.”

Accordingly, contractors should become familiar with the new Scheduling Letter and Itemized Listing to ensure they are prepared for a potential audit – which may come with [little or no advanced notice](#).

OFCCP has published a list of Scheduling Letter and Itemized Listing frequently asked questions, which is available [here](#).

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