

Monthly Member Roundtable  
Top Takeaways  
April 14, 2020

The Institute is committed to keeping our members informed regarding cutting-edge developments. Below are the top highlights from Tuesday's April 14, 2020 member roundtable with Co-Chairs David Cohen and David Fortney; Institute Strategic Advisor Laura Mitchell and Institute Faculty member Gary Siniscalco.

Please share these key takeaways with your internal leaders.

The replay of the April Roundtable is located [here](#). Members will need to login for full access.

### **Highlights**

- 1. OFCCP During COVID-19.** Co-Chair David Cohen and Strategic Advisor Laura Mitchell outlined what the OFCCP is doing during COVID-19 pandemic.
  - The agency is still conducting audits, issuing scheduling letters and RFIs.
  - Contractors can get:
    - Automatic 30-day extensions for desk audit submissions and an additional 30-day extension if they submit their AAP narratives.
    - 14 to 30 day extensions on RIF responses.
  - New CSAL notices are expected to be issued in fall 2020.
  - OMB [approved](#) new OFCCP scheduling letters with minimal changes.
  - With the new VEVRAA scheduling letter expect VEVRAA focused reviews to begin.
  - OFCCP is conducting virtual on-site interviews for Section 503 focused reviews.
  - The OFCCP [provided](#) a national interest exemption in affirmative action obligations for three months to new contractors which was met with a large amount of protest from civil rights advocates.
  - The OFCCP responded to The Institute's [letter](#) on data security by ensuring that they are taking necessary steps to ensure data remains secure during this time.
- 2. Oracle litigation.** Institute faculty member Gary Siniscalco and Co-Chair David Fortney updated members on the federal lawsuit filed by Oracle against OFCCP on the constitutionality of OFCCP's enforcement system. Recently, seven states including California, New Jersey and the District of Columbia as well as more than fifty civil rights groups are seeking to support the Department of Labor. Oracle filed the federal lawsuit in response to the OFCCP's administrative litigation against the company alleging pay discrimination. The ALJ in pay discrimination case is expected to issue a decision by late summer.
- 3. EEOC's Guidance during the pandemic.** Co-Chair David Fortney spoke about the EEOC's [commitment](#) to providing companies with updated guidance on how to comply with ADA regulations and on discrimination and harassment during the pandemic. EEOC has also confirmed that it is not issuing right-to-sue letters unless requested during the pandemic.

**Member Roundtable Meeting: May 12, 2020 at 2 pm Eastern.** [Registration](#) in advance of meeting is required.

**2020 Webinars-** Always complimentary to all members. Registration information is located [here](#).