

ALERT

OFCCP Suspends Compliance Obligations for Federal Contractors

March 17, 2020

WHAT: The Office of Federal Contract Compliance Programs has granted a temporary national interest exemption and waiver from affirmative action program (“AAP”) obligations for new federal contracts that are entered into to provide coronavirus relief. The exemption suspends obligations under Executive Order 11246, Section 503, and the Vietnam Era Veterans’ Readjustment Assistance Act for a period of three months. This suspension includes: affirmative action efforts (but **not** prohibitions on discrimination); written AAPs; posting requirements; EEO Tagline in job postings requirements; and listing of job openings with state workforce agencies.

WHEN: The exemption is in effect from March 17, 2020 to June 17, 2020.

IMPACT ON INDUSTRY: The coronavirus (COVID-19) national interest exemption only applies to new supply & service and construction contracts specifically for COVID-19 relief efforts. Contractors that hold contracts unrelated to coronavirus relief must continue to comply with all equal employment opportunity obligations in their contracts or that they are currently subject to. The exemption does not apply to processing complaints of discrimination and contractors are still prohibited from discriminating. Long-term, it is not clear how this exemption may impact the industry, but contractors who are being called upon to respond to the COVID-19 crisis are advised to review the exemption carefully and contact counsel if there are any doubts as to whether they are covered by its provisions.

The OFCCP memorandum is available [here](#).

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