

Keeping HR Compliant with Digital Recruitment



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As a Human Resources or recruiting professional, it is crucial to ensure compliance in your company's recruiting and hiring practices. Diversity and nondiscrimination are now a necessity for a successful business, and there are repercussions for those who fail to be compliant with such requirements.**

The OFCCP and YOU

The Office of the Federal Contract Compliance Program (OFCCP), part of the United States Department of Labor (DOL), ensures that employers doing business with the Federal Government comply with laws and regulations requiring nondiscrimination. The OFCCP runs on the underlying principle that all employment opportunities generated by federal compensation are available to all legal American [citizens](#). It requires all federal contractors and subcontractors with at least \$10,000 in [contracts](#) with the United States Government to take the proper affirmative action to ensure equal employment opportunities. The OFCCP monitors compliance through random evaluations and arbitrary yearly [audits](#).

While this all sounds simple, the OFCCP's mission creates several different and detailed [requirements](#). These include the development of a written affirmative action plan, creation of an internal audit and reporting system, the posting of several notices of nondiscrimination and employee rights, retention of employment records, and the filing of an annual EEO-1 report with the Equal Employment Opportunity Commission, or EEOC.



The OFCCP also investigates claims of individual employment discrimination and misconduct based on race, color, religion, sex, sexual orientation, gender identity, national origin, disability, and protected Veteran [status](#). Job applicants and employees may use the OFCCP complaint form to report discrimination and misconduct in hiring, pay, promotion, and other business practices.

The Audit Process

There are several steps to the Compliance Evaluation Process, which follows the Active Case Enforcement (ACE) procedure. Before the process begins, you will receive a Corporate Scheduling Announcement Letter (CSAL), which notifies you that your business has been selected for a compliance evaluation during the next scheduling [cycle](#). The OFCCP primarily uses the Federal Contractor Selection System (FCSS), a mathematical model used to identify and select those who are most likely to be in violation of affirmative action laws, and uses a twice-yearly cycle for scheduling. After this, a Scheduling Letter begins the process by notifying the business that the process is scheduled,

and requesting copies of the contractor's Affirmative Action Plans and other supporting data. Once the process begins, there are several steps: compliance review, compliance check, off-site review of records, focused review, and a pre-award compliance [evaluation](#).

First is a compliance review containing three stages: a desk audit, on-site review, and off-site [analysis](#). In the desk audit, a business will provide proper documentation of affirmative action plans and supporting data for all employee compensation. This information and other considerations, such as your response to the initial request and delivery of requested materials, will determine if an on-site audit is necessary.

Following the desk audit, there are two possible scenarios. The first is that no violations were found and the audit closed. Once an audit is closed, you will not be open to another audit for two [years](#). The second outcome is that your business will receive notice of possible discriminatory practices, and an on-site review will be conducted. This review will be a more detailed analysis of your business, and require additional information on compensation data, personnel files, policies, procedures, and interviews with managers and staff. The rest of the process will continue from [there](#).

The OFCCP's [website](#) is a great resource for outlining the protocols and procedures in more detail.



Repercussions of Being Found Non-Compliant

The repercussions of being found non-compliant with affirmative action and other OFCCP requirements are quite significant. The OFCCP does not leverage fines for [non-compliance](#), but businesses who fail to comply often face large monetary settlements from victims of its discrimination. However, the OFCCP does recover back pay for employees found to be victims of pay discrimination. Damage to a company's reputation is also significant. According to a report conducted by [Glassdoor](#), 69% would not take a job with a company that had a bad reputation, even if they were currently unemployed.

What Information Do I Need During an Audit?

Proper tracking and documentation of applicants is critical. As an employer, it is your responsibility to be able to provide evidence of your digital footprint. You should be tracking the activity of searches in your resume database, as well as job posting information, such as how many times a candidate clicked apply on a job. Data such as the number of applicants

who self-identify, number of veteran applicants, the number of jobs open and filled, and much more. Information pertaining to applicants and hires must be retained for three years.



Be Proactive, Not Reactive, in Case of an Audit**

As an HR professional, you should be able to write a page summary on every person you chose NOT to hire. Because of this, candidate self-selection is vital, and your business needs to ensure that candidates not right for the job they are applying to realize it and choose to opt out of the application process early.

It is imperative that your human resources department is able to provide clear, concise data on your job postings during an audit. Using an Applicant Tracking System, or ATS, is a great way to show exactly where your jobs have been viewed, how many candidates viewed them, and how many applies you received.

Sherm Conger, the Human Resources Director at Campbell Scientific, was quoted in an interview with [Newton Software](#) as saying,

“Having an applicant tracking system that meets OFCCP compliance standards is absolutely the number one thing you need to successfully get through an OFCCP audit”.

Working with Digi-Me Makes Video Work for You

[Research](#) shows that people comprehend and retain up to 95% of the information they see in a video versus a 10% retention rate reading text alone. Utilizing video job ads also reduces cost-per-hire by up to 50% and saves time and paperwork in case of an audit.

Digi-Me’s innovative video job ads also enable easy metrics tracking, seamless ATS integration, and simple sharing potential, which means visibility that dwarfs even the most extensive job board. Digi-Me provides up-to-date intelligence on where and how candidates are seeing your videos the most, enabling HR professionals to focus their efforts. It also provides clear, accurate data for an OFCCP audit. By implementing video, you can unobtrusively aid job seekers in their decision to opt in or out of the application process.

Digi-Me also offers cultural insight and candidate expectation videos, which are an excellent way to display your company’s diversity and show candidates exactly what to expect upon being hired. Video’s sharing and posting potential also easily markets to the widest, most diverse possible, especially when using tools such as social media.

Implementing Digi-Me job ad, cultural insight, and candidate expectation videos is the key to attracting and retaining diverse top talent, and can help provide clear, concise data in case of an OFCCP audit.

Impressive view-to-apply conversion rates show that video, the future of the internet, is now the future of job posts, focused, diverse talent acquisition, and HR compliance.

The success of the Digi-Me video job post solution is based off of overwhelming video statistics and the simple fact that if an employer wants to remain relevant in today's rapidly changing world, they must deliver all content in relevant ways.

To begin harnessing the innovative power of video to improve multiple aspects of your company, visit our website today at www.digi-me.com.

****Disclaimer: Employers should always consult with an affirmative action expert or labor attorney for official guidance.**

The OFCCP continually updates their rules and regulations. Monitoring their [website](#) and frequently asked questions (FAQ) [page](#) is a good way to stay on top of changes.

This article was written to help educate our readers based off of facts found during research other articles, as appropriately sourced. Digi-Me does not claim to be an OFCCP, affirmative action, or labor professional, and recommends that in case of OFCCP action or audit, a proper professional be contacted.

