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OFCCP RESCINDS ACTIVE CASE MANAGEMENT DIRECTIVE

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Action which has been long-expected finally happened on December 2, 2010 when the Office of Federal Contract Compliance Programs (OFCCP) posted a new Directive to its employees regarding how they will conduct their audits of federal contractors.

Under the previous administration, a policy was enacted to improve efficiency of the Compliance Evaluation process. That policy was dubbed, Active Case Management. Up to that change, the agency had been making on-site visits as part of every audit. The Active Case Management (ACM) policy said the expense of an on-site audit should only be necessary if there were indicators of discrimination or non-compliance with affirmative action regulations at the Desk Audit stage of the process.

Current OFCCP Director, Patricia Shiu, has decided to follow recommendations of the National Equal Pay Enforcement Task Force and rescind Directive Number 285 which implemented ACM on September 17, 2008.

In her directive, Director Shiu said, "While ACM has identified a number of systemic cases since its implementation, it has also caused OFCCP to narrow the focus of its enforcement efforts and has eroded OFCCP's enforcement authority."

You will find the PDF version of the new Directive Number 292 at:
<http://www.dol.gov/ofccp/regs/compliance/directives/dir292.pdf>

What is the consequence for federal contractors? If you are notified that you have been scheduled for an audit in your affirmative action establishment, there is a good chance that you will have an on-site visit in addition to the desk audit. Of course, one item has been struck from OFCCP's list of on-site activities. OFCCP is no longer reviewing I-9 Forms for compliance. That responsibility has been returned to the Immigration and Customs Enforcement (ICE) folks.

SIX WAYS TO GET MORE RESPECT AND RECOGNITION THIS YEAR

By Meryl Runion

There are six things you can do that will help you get respect and recognition for your personal and professional makeover action plans.

Create a clear vision. Picture what you and your life will be like once you've implemented your resolution. Make your vision detailed and concrete. This will both fuel your resolve and prepare you to paint compelling pictures for others. Imagine a scene with the new you in it. Describe what you're seeing and saying, whom you're talking to – make it concrete. Put the coffee on the stove and the boots by the door in your vision.

Commit to action. Before you tell anyone what you intend to do, decide what steps you will take to achieve it. Then, measure your resolve. How committed are you? If you're uncertain, the cynics in your life will pick your plan apart. If you question whether you will do what it takes to succeed, adapt your resolutions until every cell in your body says "This year I WILL..."

Identify your reasons. Make a list of benefits that motivate you to change. This is the "why." Say, "I will do this because..." List at least five reasons that inspire you.

Anticipate objections. Anticipate the protests, belly-aching and doubts that are likely to come your way. If possible, prepare to explain how your changes will benefit your associates. Fill in the phrase, "I understand you're concerned that (concern.) I (or others) have shared that concern. I know I will succeed because (reasons.) Plan to use the word "because" liberally.

Share your plans with prepared phrases. Have the phrases ready to use, and adapt as needed. If you lose your focus, just say what you mean and mean what you say without being mean when you say it.

Ask for support outright. Say something like, "I'd really like you to help me succeed here. Can I count on you for support?"

Of course there will always be those who are threatened by change and will never respect even a simple declaration and plan of action. Let go of needing to convince anyone. It's great to have support, but the only person you really need to convince is yourself. These tips will help you convince both yourself and others.

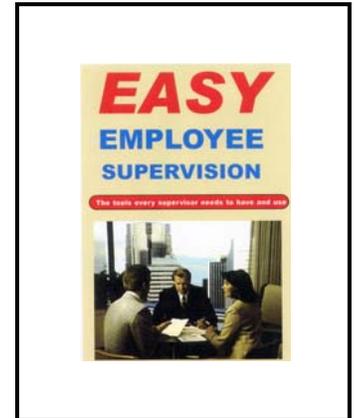
"No matter what sort of changes you are contemplating in your life, your biggest obstacle won't come from within. It will be the naysayers in your life." - Meryl Runion

Meryl Runion graduated from Vanderbilt University with a degree in Political Science and received a Masters in the Science of Creative Intelligence from MERU European Research University. Meryl's seven books about character-based communication have sold 350,000 copies worldwide. She can be reached toll-free at 1-800-457-8746 or by email at merylrunion@peakstrong.com

Easy Employee Supervision

Start the New Year right. Get a copy of this outstanding resource for each of your supervisors and managers. It will save them time and keep them current in their daily duties. More importantly, it will help them lead from the front rather than push from behind.

http://www.management-advantage.com/products/easy_book.htm



POTPOURRI

- **EASY ACCESS TO STATE EEO LAWS & ENFORCEMENT AGENCIES**

If you operate in one or more states that have their own laws on equal employment opportunity, you will need to stay current with those requirements. The question is how to do that easily. Here is one resource you might take a look at:

http://employeeissues.com/state_eeoc.htm At this site you will find listed links to enforcement agencies for states having their own legal requirements, over and above those of the federal government. You can also request an employment lawyer contact you if you wish to pursue a relationship with a new legal representative.

- **DOL PUBLISHES FALL REGULATORY AGENDA**

OFCCP reactivation of the Equal Opportunity Survey to gather compensation data. Expected advanced notice of proposed rule making (ANPRM) in February 2011. (Page 76)

Another NPRM in January will ask for reactions to OFCCP's proposal to require numeric goals for recruitment and placement of veterans and disabled. (Pages 76, 78)

Another NPRM from OFCCP will be coming in July 2011 for updating and changing Construction Contractor affirmative action requirements. (Page 77)

Tracking these new developments will be critical to all federal contractors whether they are in supply & service or construction. http://www.dol.gov/asp/regs/unifiedagenda/fall_2010_agenda.pdf

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WHAT WOULD YOU DO WITH 84% EMPLOYEE TURNOVER?

Don't be surprised if your organization loses top workers in 2011. According to an article in Business News Daily (12/28/2010 by Brian Anthony Hernandez), as many as 84 percent of American workers will be actively looking for new jobs this year. Last year, by comparison, the number was 60 percent. Why the big jump in restlessness?

"Employees are unhappy because of the recession, job market weakness and disruptive economic and workforce changes," according to the article. "Employees' trust has been seriously shaken and there is a general lack of confidence in leaders."

The report was based on a survey conducted by the career-management agency Right Management. For the complete article go to:

<http://www.businessnewsdaily.com/84-percent-employees-seek-new-jobs-2011-0858/>

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