



PRE-AUDIT CHECKLIST

Executive Order AAP for Minorities and Females

1. Preliminary Matters

How Many AAPs and Who is in Them? (41 CFR Sec. 60-2.1)

- Separate AAP for each “establishment” with 50 or more employees?
- Are employees who report to managers at locations other than where they work in the AAP(s) of their managers? (2.1(d)(1))
- Have employees from locations with less than 50 employees been placed in an appropriate AAP? (2.1(d)(2))
- Are employees whose hiring selections are made at a higher level in the AAP for the location where the hiring decision was made? (2.1(d)(3))
- Are employee FAAP placements consistent with the FAAP agreement structure? (2.1(d)(4))
- Have Organizational Profiles and Job Group Analyses been correctly annotated to reflect employee AAP placements? (2.1(e))

2. Contents of Your Executive Order AAP

Organizational Profile (41 CFR Sec. 60-2.11)

- Organizational Display (2.11(b)) or
- Workforce Analysis (2.11(c))?
- Organized by Department or Organizational Unit?
- Lists of separate work units and/or separate lines of progression within each department or organizational unit? (2.11(b)(2))

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**Job Group Analysis and
Job Group Placement of Incumbents (41 CFR Secs. 60-2.12 & 2.13)**

- Do all Job Groups contain only job titles with similar content (defined), wage rates (not defined) and opportunities (defined)? (2.12(b))
- Are any job groups large enough to be subdivided into smaller ones?
- Has Job Group Analysis been annotated? (2.12(c))
- Have you incorporated Similarly Situated Employee Groups (SSEGs) used for compensation analyses into the job group structure?

Current Availability Determinations (41 CFR Sec. 60-2.14)

- Are you using the most current and discrete statistical information? (2.14(d))
- Is your selection of a reasonable recruitment area defensible? (2.14(e))
- If using more than 2 factors, are they supported by recruiting/hiring data?
- Have you identified internal “feeder groups” using historical promotion data and/or are they defensible? (2.14(f))

Utilization / Availability Comparisons (41 CFR Sec. 60-2.15)

- Is the Minority or Female utilization “less than would reasonably be expected” expected when compared to availability in any Job Group? (2.15(b))
- Have you used all available statistical methods to determine the above?

Establishment of Placement Goals (41 CFR Sec. 60-2.16)

- Are annual percentage Job Group placement goals, if any, at least equal to the applicable Minority or Female availability for those Job Groups? (2.16(c))
- Are any individual Minority group goals required in any Job Group? (2.16(d))

3. Additional Required Elements of Your Executive Order AAP

a. Designation of Responsibility (41 CFR Sec. 60-2.1/7(a))

- Does the designated individual have the requisite authority, resources, support of and access to top management?

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b. Identification of Problem Areas (41 CFR Sec. 60-2.17(b))

In analyzing each of the following areas have any of the following been identified as “problem areas”?

- Organizational units with Minority or Female distribution problems?
- Job Groups with Minority or Female utilization problems? If so, have you done further analysis each to determine if there are any problems at the job title level? See (60-3.4C)

c. Personnel Activity (41 CFR Sec. 60-2.17(b)(2))

1. Applicant Tracking -
 - Have you correctly determined which “job seekers” are “applicants” within the meaning of the Internet Applicant Rule? (41 CFR 60-1.3)
 - Have you accurately recorded the step in the employment process at which each unsuccessful “job seeker” was eliminated and the reason for non-selection?
2. Hiring -
 - Can every hire into a Job Group or Job Title be found in the applicant pool being analyzed for selection disparities in that Job Group or Title?
3. Promotions -
 - Are you analyzing all promotions, only competitive promotions, or only those resulting in a change in Job Group or Job Title?
 - Do you have a written definition of a promotion?
4. Terminations
 - Are you analyzing all terminations and/or involuntary terminations (i.e., those in which the employer made the selection decision)?

d. Compensation Systems (41 CFR Sec 60-2.17(b)(4))

- Do you have written compensation policies, processes, matrices, etc.?
- Do you limit compensation analyses only to policies and practices?
- Do you conduct compensation analyses of current employee pay?
- If so, do you conduct those analyses by Job Title, Job Group or SSEGs?
- Do you conduct compensation analyses by starting pay or pay increases?
- Did the compensation analyses disclose significant disparities by race or gender?

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e. Selection, Recruitment, Referral, other Personnel Procedure
(Sec. 60-2.17(b)(4))

- Have you accurately recorded the step in each employment process at which each unsuccessful “candidate” was eliminated and the reason for non-selection?

f. Action-Oriented Programs (Sec. 60-2.17(c))

- Do your action-oriented programs adequately address identified problem areas?
- Have identified barriers to employment opportunities been removed or corrected?
- Are your Minority and/or Female recruitment sources producing well-qualified applicants in Job Groups with placement goals?

g. Internal Audit and Reporting Systems (Sec. 60-2.17(d))

- How frequently are you analyzing personnel activity to determine if there are any incipient problem areas?
- Do you periodically report to management on the achievement of progress toward organizational AAP objectives? How often?
- Do you review AAP results with various levels of management? How often?
- Do you advise top management on AA program effectiveness and/or make recommendations for improvements in unsatisfactory areas?

4. Impact Analyses Under the Uniform Guidelines on Employee Selection Procedures (UGESP) (41 CFR Sec. 60-3.4 & 3.15)

Have you Conducted the Suggested impact Analyses of Employee Selections (i.e., Personnel Activity)?

- Are hiring impact analyses using only “Internet Applicants”? (60-1.12(d))
- Where Impact Analyses show that a total selection process for a job (or job group) has an adverse impact, are you conducting similar analyses of the individual components of the selection process? (60-3.4C)
- Did you analyze personnel activity by Job Group or Job Title? (60-3.4C)
- If done by Job Group and statistically significant disparities for Minorities and Females are disclosed, did you re-analyze by Job Title? (60-3.4C)

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- Did analyses of personnel activities (applicants, hires, promotions, and terminations) disclose statistically significant differences by race or gender?
- If Job Tile analyses disclose statistically significant disparities did you analyze by individual steps in the process or other method? (60-3.4C)
- Did you analyze for individual Minority groupings? (60-3.15A(2))

5. Miscellaneous Matters

a. Equal Opportunity Statements and Notices (Sec. 60-1.4(a) (1-7))

- Have you posted all required notices where they can be seen by both applicants and employees? (60-1.4(a)(1) and 60-1.42)
- Do all of your employment solicitations / advertisements contain appropriate equal opportunity / non-discrimination language (i.e., EEO Tagline)? (60-1.4(a)(2) and 60-1.41)
- Have you sent required notices of your EEO / AA obligations and commitment to all labor unions who represent any of your employees in this AAP? (60-1.4(a)(3))
- Have you included the required language in all of your subcontracts and / or purchase orders? Are copies available? (60-1.4(a)(7))

b. Record Retention (41 CFR Sec. 60-1.12))

- Are your organizations record retention policies compliant with OFCCP record retention requirements?
- Have you audited your personnel records to ensure that they are complete and will be available if requested by OFCCP?
- Are your records of adverse impact analyses complete? (60-3.15A)
- Do you have establishment EEO-1 forms for the past 3 years? (60-1.7)

c. Training:

Did you provide training to Managers and Supervisors on:

- Outreach / Recruitment of Minorities or Women, in Job Groups with Placement Goals;
- Meeting AAP Goals applicable to positions under their supervision;
- Equal Employment Opportunity and Affirmative Action, in general;
- Employee Harassment based on gender, race, ethnicity, or other prohibited basis of discrimination?

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d. Third Party Notifications

(42 CFR Sec. 60-1.4(a))

Have you provided required notice of your status as a government contractor and of your EEO policy and AA Program to:

- All outreach and recruitment sources;
- Trade unions with which the company has Collective Bargaining Agreements;
- Subcontractors, vendors, and suppliers;
- All employees and applicants for employment?

e. Review & Evaluation

Contractors are required to review and analyze each of the following areas to ensure that they are free of any potential bias or barriers to employment or advancement:

- All HR/Personnel forms, policies, practices and processes;
- Training programs, including tuition re-imbusement programs;
- Position descriptions; and
- Compensation, including bonus and commission programs.

NOTE: This Checklist is NOT intended to be an all-inclusive list. Rather it is an overview of the most significant aspects of its Affirmative Action Program and implementation efforts that a federal contractor must safely navigate in order to emerge successfully from an OFCCP Compliance Evaluation.

Please consult a Gaucher Associates Senior Staff member if you have any questions about any of the matters discussed herein or any other matter pertaining to your EEO and AA Programs.