

Dear Valued Gaucher Client:

ACTION REQUIRED: Implement the Newly Revised Disability Self-identification Form into Your Applicant and Employee Systems & Processes by August 4, 2020

At the request of the Office of Federal Contract Compliance Programs (OFCCP), a new disability survey was approved for use by the Office of Management and Budget on May 5, 2020. Contractors have until August 4, 2020 to implement the new form. OFCCP's reason for updating the disability solicitation form is to increase the response rate on the part of applicants and employees.

New Disability Self-Id Form (<https://www.dol.gov/agencies/ofccp/self-id-forms>)

Disability FAQs (<https://www.dol.gov/agencies/ofccp/faqs/section-503#Q8>)

HOW IS THE NEW FORM DIFFERENT FROM THE OLD FORM? It's shorter; the newly revised form fits on one page versus the two pages occupied by the original form. The list of possible disabilities, while not exhaustive, is expanded and the reasonable accommodation notice has been removed. Also, the new form has a section titled "For Employer Use Only" and allows employers to modify it for record-keeping purposes.

BACKGROUND. Federal contractors and subcontractors first became obligated to solicit disability status from both applicants (pre-offer) and employees (post-offer) within 12 months of the start of their AAP cycle beginning after March 24, 2014 – the effective date of the revised Section 503 Disability regulations. At that time, the OFCCP prescribed a form specifically for this purpose. While that original form expired on January 31, 2020, the new form was not approved for use until May 5, 2020. Now that a new form has been approved contractors can use it immediately; however, the OFCCP is permitting the use of the original form until August 4, 2020 to allow contractors sufficient time to implement the new form.

REMINDER – DISABILITY SURVEY OBLIGATIONS

In addition to requiring each federal contractor or subcontractor to solicit disability status at the pre-offer as well as post-offer stages of the employment process, the amended disability regulations also required that each contractor and subcontractor:

- survey its workforce for disability status during its first AAP year beginning after the effective date of the amended regulations;
- re-survey the workforce at five-year intervals thereafter; and
- issue at least one interim reminder in between each five-year interval.

We encourage you to contact any member of our senior consulting staff should you have any questions about, or need assistance with, any aspect of disability self-identification.

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