

NEWS RELEASES

PUBLISHED: SEPTEMBER 13, 2011

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Compliance Week: New OFCCP Compensation Review Program May Complicate Matters for Federal Contractors

In the *Compliance Week* article "Compensation at Federal Contractors to Go Under the Lens," Husch Blackwell Partner Deena Jenab commented upon a new OFCCP compensation data collection tool that attempts to recognize pay discrimination within a federal contractor's workforce. Those affected by the proposal have concern that the program might mimic an Equal Opportunity (EO) survey that was discontinued in 2006, which required contractors to submit extensive information and resulted in inconclusive evidence. The former EO survey "caused a lot of complications to federal contractors in the past while not achieving the objective of identifying pay discrimination practices," Jenab said. Jenab went on to say the compliance programs already in place signal authorities when compensation inequalities are enough to cause concern, and that the new practice would create more burden for federal contractors. The new rule isn't to be finalized until 2012; Jenab advises that "contractors should be consistent with their compensation plan and pay practices and examine their pay scale annually" in order to be prepared for whatever change may come.