



# HR GUMBO

**a vibrant conference centered around how HR, AAP, Inclusion, and Pay Equity intersect to create a beautifully balanced work culture.**



# Flow Beyond Compliance

Applicant Tracking



# Agenda

Applicant Definition

Best Practices

Mitigating Risk

# Speaker



**Renee Arazie**

Manager, Operations/Team Lead





# Who Is An Applicant?

OFCCP issued definition

Good news – qualifications!

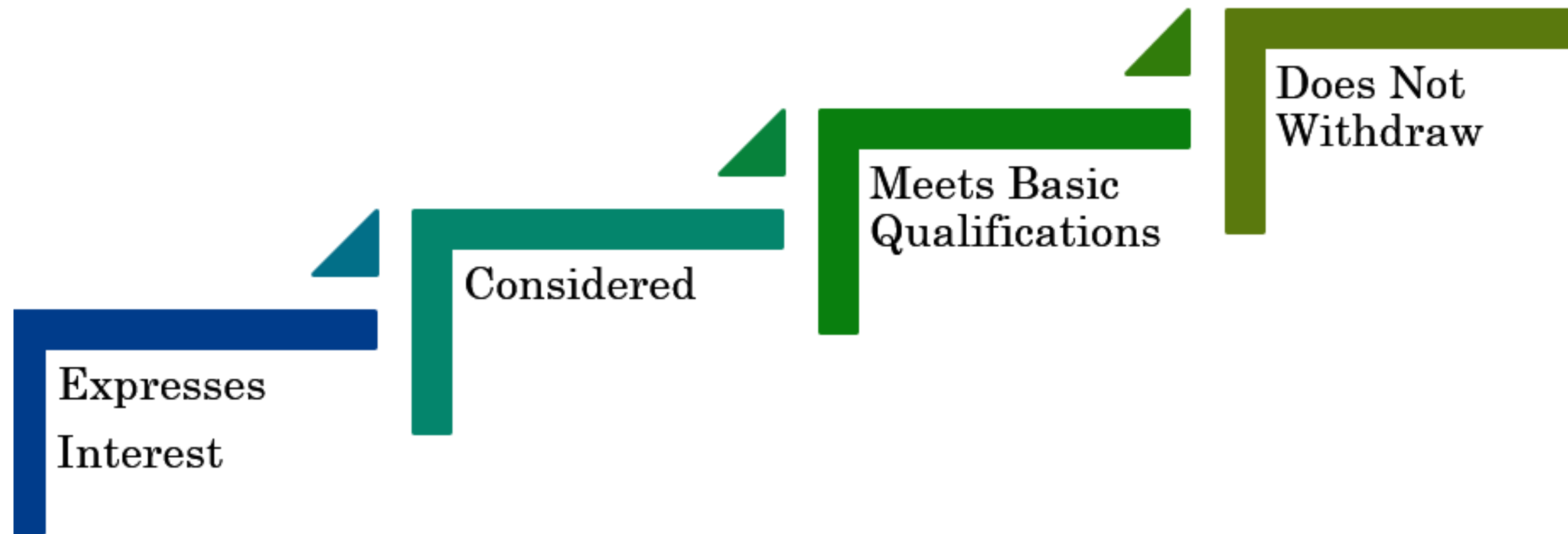
- Final Rule – effective February 6, 2006
- 41 CFR PART 60-1  
Obligation To Solicit Race and Gender Data for Agency Enforcement Purposes
  - \*60-1.3 New Definition of Internet Applicant
  - \*60-1.12 Revised Record Retention



# Applicant Definition



Four prongs to the Internet Applicant Ruling





## Solicit Race, Ethnicity, Gender

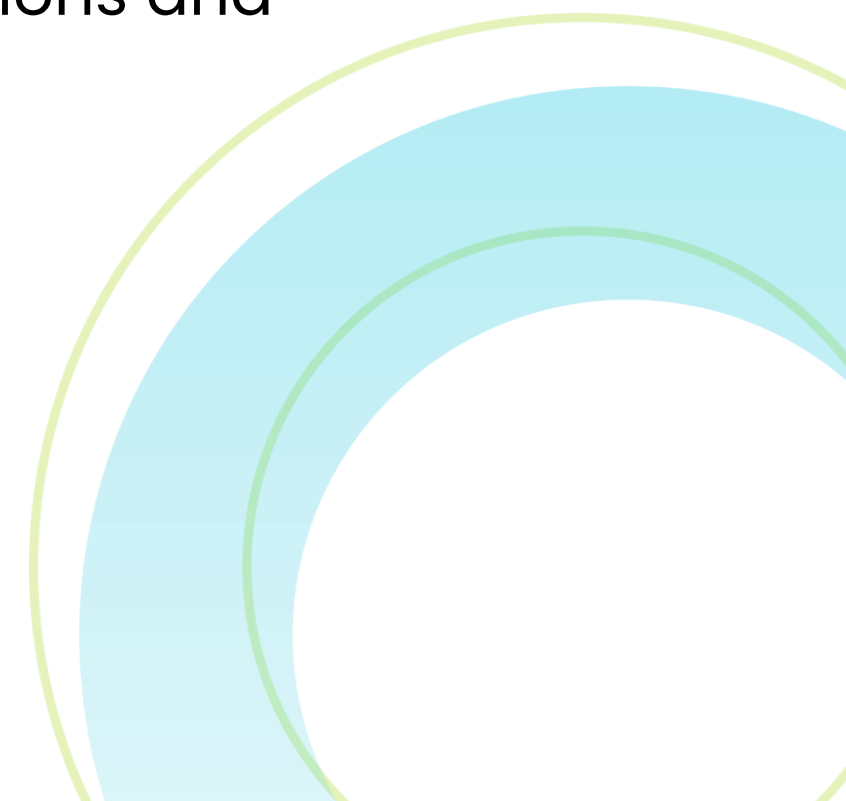
“Under the final rule, contractors are required to solicit race, ethnicity, and gender data from all individuals who meet the definition of Internet Applicant.

OFCCP does not mandate a specific time or point in the employment process that contractors must solicit this information, so long as the information is solicited from all Internet Applicants.”



# OFCCP Rules for Record Retention

- All expressions of interest through Internet or related electronic data technologies considered for particular position
- Internal resume databases: must maintain date each resume was added, position for which search was made, date of search
- External databases (like monster.com): maintain record of position for which each search was made, criteria used, date, and resumes which met basic qualifications and were considered





# Keep in Mind...

- Your recruiting practices must be uniformly & consistently applied
- OFCCP intent on having sufficient information to assess contractors' hiring practices for systemic discrimination
- Data management techniques must be neutral in terms of race, ethnicity, gender, and other protected factors



The use of a recruiting firm in the hiring process **does not relieve** a contractor of its recordkeeping obligations under 41 CFR 60-1.12; the contractor will be held accountable if the specified records are not maintained.



# Mitigating Risk

- Review current recruiting practices
- Follow a formal application process
- Avoid “informal” expressions of interest
- Set up an active consideration period
- Don’t accept applications for “any opening”
- Posting temp to hire opportunities
- Review employee referral selection process
- Set and utilize minimum qualifications – track outcomes
- Review pay practices
- Review testing validation



# Applicant Flow Log

REQUIRED

STRONGLY ENCOURAGED

\*If your ATS separates race from ethnicity, these two may be provided in separate fields.

LOCATION NAME	APPLICANT NAME	RACE	ETHNICITY*	SEX	INDIVIDUAL WITH DISABILITY?	PROTECTED VETERAN?	JOB GROUP	JOB TITLE	REJECTION REASON	REQ ID	FINAL STEP	REFERRAL SOURCE	DATE HIRED	APPLICATION DATE	APPLICANT ID
Headquarters	Jane Doe	Black (Non-Hispanic or Latino)	Hispanic or Latino	F	N	Y	1.2B	IT Manager	Hired	2024-7878	Hired	Career Website	MM/DD/YYYY	MM/DD/YYYY	12345
New York	John Doe	Asian	Non-Hispanic or Latino	M	Y	N	2	HR Generalist	Unable to contact	2024-9292	Phone Screen	Job Fair	MM/DD/YYYY	MM/DD/YYYY	12346

# Sample Disposition Process



New Applicant – Submits expression of interest

Next Step

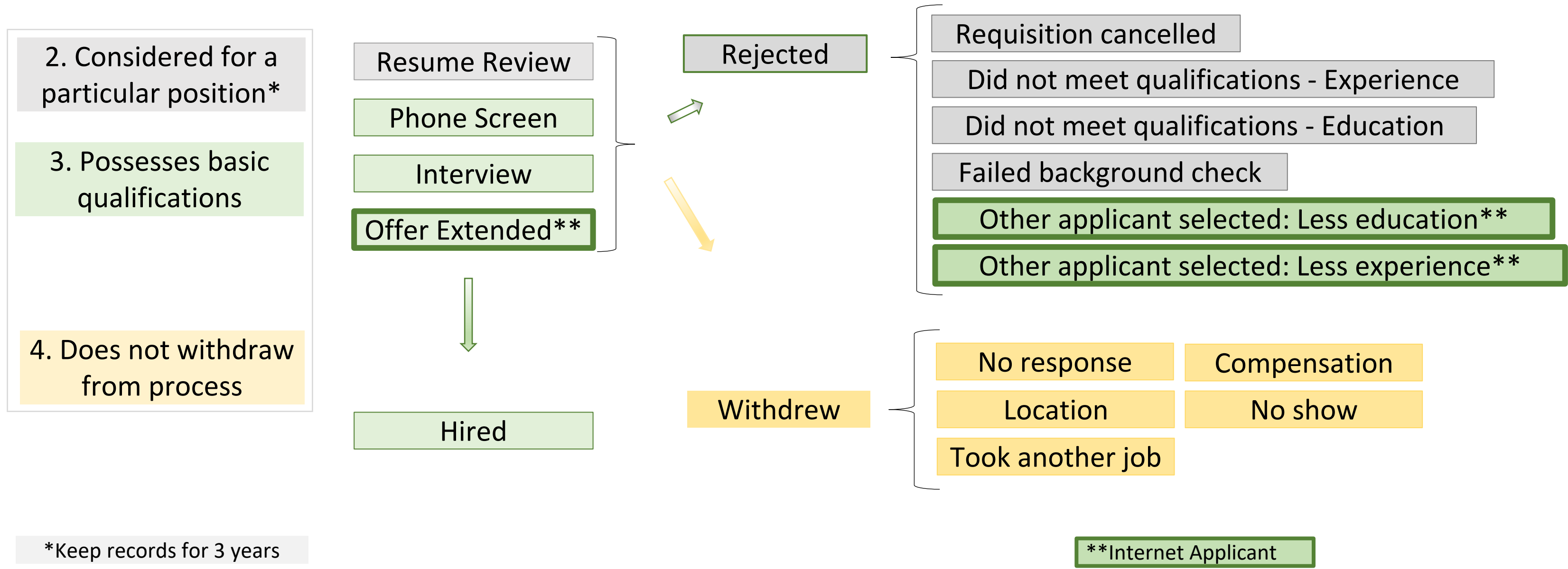
Application  
Not  
Reviewed

Data management technique

Requisition cancelled

Requisition filled

# Sample Disposition Process cont.





## Disparity Analysis – Hires

- Hires vs. Applicants
- Analyze selections made during the plan year for substantially different selection rates
- Review Results
  - Research selections with disparities
  - Document findings and resolutions



# Red Flags in Disparity Analysis

Job Group 7A has 28 hires but zero applicants – this is a red flag during an audit.

<b>7A - Operatives General</b>											
Non-Favored vs Favored	Total Hires	Total Pool	Total Unknowns	Non-Favored Hires	Non-Favored Pool	Favored Hires	Favored Pool	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Female vs Male	28	0	0	11	0	17	0	N/A	N/A	N/A	No

Job Group 1B has the same number of applicants as hires – this is a red flag during an audit.

<b>1B - Entry &amp; Mid Level Managers</b>											
Non-Favored vs Favored	Total Hires	Total Pool	Total Unknowns	Non-Favored Hires	Non-Favored Pool	Favored Hires	Favored Pool	Non-Favored Selection Rate (%)	Favored Selection Rate (%)	Standard Deviation	Disparity
Female vs Male	1	1	0	1	1	0	0	100.00%	N/A	N/A	No

This job group has disparities against Black/African Americans and Hispanics – this is a red flag during an audit.

Black vs 2+	147	374	3666	53	240	94	134	22.08%	70.15%	9.13	Yes
Hispanic vs 2+	335	972	3666	241	838	94	134	28.76%	70.15%	9.36	Yes



# Assessment & Evaluation of Outreach

## Sample Assessment of Outreach and Recruitment Activities

Time Period: \_\_\_\_\_

Location: \_\_\_\_\_

Outreach/ Recruitment Activity	Date of Activity	Description	Evaluation
Listed job openings with local Veteran Advocacy Group	Ongoing	In addition to listing openings with local Employment Service Delivery System (ESDS), openings are also listed with a local Veteran Advocacy Group.	Received 32 applications from protected veterans, of which 4 were hired. This is an effective activity.
Annual meeting with local Disabled Veterans' Outreach Program (DVOP) specialist	December 1, 2022	Briefed DVOP of Contractor's outreach and recruitment efforts. Discussed anticipated openings (and job descriptions) for 2022.	DVOP will conduct training first quarter of 2022 with hiring managers regarding hiring IWDs and reasonable accommodations to expand the inclusion of IWDs in contractor's workforce. Also, Contractor will send 2022 job openings to DVOP.
Participated in Disability Job Fair	January 15, 2023	Disability Job Fair was hosted by the local disability advocacy groups, and over 30 employers participated.	Received 15 applications from qualified individuals with disabilities. 1 was hired. Resumes were retained for consideration in future job openings.

**Assessment of Effectiveness of Totality of Outreach/Recruitment Efforts:**  
The Company evaluated the effectiveness of outreach and recruitment efforts for qualified veterans and individuals with disabilities during its prior AAP year. During that period, of the applicants who chose to complete the self-identification form, 9.01% self-identified as a protected veteran and 4.82% self-identified as an individual with a disability. The company determined the above activities and efforts were effective since not only did it expand our outreach efforts, but these activities resulted in referrals.

### Criteria for Evaluation:

1. Did the activity attract qualified applicants who are protected veterans and/or individuals with disabilities?
2. Did the activity result in the hiring of protected veterans and/or individuals with disabilities?
3. Did the activity expand Contractor's outreach to protected veterans/individuals with disabilities in the community?
4. Did the activity increase Contractor's capacity/capability to include protected veterans/individuals with disabilities in its workforce?

# Questions





# Renee Arazie

[rarazie@outsolve.com](mailto:rarazie@outsolve.com)

843-410-6494



**HRGUMBO** | [outsolve.com](https://outsolve.com)

