

GOVERNMENT CONTRACTORS/ AFFIRMATIVE ACTION

Moore & Van Allen's Employment and Labor Attorneys have experience in representing clients before the Office of Federal Contract Compliance Programs (OFCCP), the Office of Administrative Law Judges, the Administrative Review Board, and in federal courts on a variety of matters relating to compliance reviews of federal contractors. Such matters have included challenges to OFCCP jurisdiction, its failure to use neutral selection criteria in its designation of our clients for compliance reviews, and its finding of violations. In our representation of clients during the compliance review phase we often use expert labor economists to assist in identifying those non-discriminatory practices contributing to perceived underutilization in the protected categories of individuals. Some examples of our experience include:

- Representing a financial institution in a lawsuit filed against the Secretary of Labor challenging the selection of our client for several compliance reviews as a violation of the U.S. Constitution.
- Marshaling evidence to rebut findings of violations affecting a multitude of unsuccessful applicants for employment that led to the withdrawal of the entire notice of violation issued following the OFCCP compliance review.
- Advice and counsel on compliance with the internet applicant record keeping requirements of the OFCCP.