

Ten Steps to Internet Applicant Compliance

The Department of Labor's Office of Federal Contract Compliance Program (OFCCP) has officially defined "Internet Applicant" (see #1 below). By following these ten steps your organization will be on the path to full compliance with the OFCCP regulations.

1. Gather race/ethnicity and gender data on those applicants that meet *all four* of the OFCCP's internet applicant criteria:
 - a. Individual submits a solicited or unsolicited expression of interest in a current opening or future position, via *any* electronic media.
 - b. Individual is considered for a particular position, including the simplest review of any expression of interest in any format.
 - c. Individual has the basic qualifications for the position (*non-comparative, objective, relevant to the position, and applied uniformly and consistently*), as *advertised* in a job announcement or *established* in writing *before* applicant consideration begins.
 - d. Individual remains interested until a hiring offer is made (*does not expressly withdraw from consideration or does not passively show disinterest by refusing interviews, ignoring inquiries, or by showing disinterest in salary level, type of work, or work location*).
2. Apply an "Any = All" test: If you receive even one (*any*) expression of interest via *any* electronic media for a particular hiring action, then *all* applicants in that hiring action must be treated like an internet applicant.
3. Define protocols (*e.g. only solicited applications*) and data management techniques (*e.g. first 50 applications received*) to reduce the numbers of considered applicants; use consistently and non-comparatively.
4. Ask applicants to self-identify race/ethnicity (by *EEO-1 Report's* seven race/ethnicity categories) and gender information as early as possible in the recruiting process.
5. Collect and track applicant race/ethnicity and gender data by job title and hiring requisition number with an electronic Applicant Tracking System (ATS).
6. Test applicant/hire data by race/ethnicity and gender and *document your efforts* to avoid, detect or correct unintentional adverse impact against protected groups.
7. Preserve written Affirmative Action Programs (AAPs) and documentation of good faith efforts for the current and immediately preceding years.
8. Document all database searches on search engines such as *Monster.com, CareerBuilder.com, etc.*, with date, time, search criteria, and name of the recruiter conducting the search.
9. Keep all records "made or kept" of recruiting/hiring actions for two years following the *completion* of hiring actions. Treat all employment records and AA documentation as *Privileged and Confidential* information.
10. Design into *all electronic or web-based recruiting systems* a reasonable accommodation for qualified internet applicants with disabilities.

Examples: all kiosks should be accessible to the disabled, and a contact person should be listed on the front page of your applicant website for individuals who need alternate accommodations to apply.