

## OFCCP Contractor Portal to Re-Open March 31, 2023

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On March 20, 2023, the Office of Federal Contract Compliance Programs (OFCCP) announced that it will re-open the Contractor Portal on March 31, 2023. Once open, covered federal contractors and subcontractors must certify that they have developed and maintained AAPs before the June 29, 2023, deadline.

In a change from last year that should benefit the contractor community going forward, OFCCP will require contractors to provide its “AAP Coverage Period.” This new information will allow OFCCP to shift away from requiring certification by all contractors at the end of June each year and move to a rolling deadline based on a contractor’s AAP plan year.

In its announcement, OFCCP reiterated that contractors who do not certify by the June 29th deadline would have a greater chance of an audit. This is no idle threat. As we saw with OFCCP’s latest CSAL list, the agency selected contractors for audit that did not complete the annual certification in 2022.

Covered federal contractors and subcontractors that **did not** certify last year should register on the Contractor Portal as soon as possible. New federal contractors and subcontractors will have 120 days from entering a covered contract to prepare written AAPs – according to existing regulations – and 90 days from then to register and certify in the Portal. According to OFCCP’s recent announcement, the Contractor Portal will remain open after June 29th to account for these new contractors.

Last year, contractors encountered many technical difficulties trying to register and certify. Hopefully, OFCCP has worked out these “kinks” with the Portal. Nevertheless, we highly recommend contractors start the certification process as early as possible in case of unforeseen challenges.

We continue to monitor developments with the Contractor Portal and will provide updates as new information becomes available.

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