

Office of Federal Contract Compliance Programs (OFCCP) Provides Guidance on Disability Goals and Veteran Benchmarks

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In the fourth, and final, installment of its “**Moving Toward Compliance**” series, OFCCP today provided guidance to contractors on the new disability utilization goals and veteran hiring benchmarks. In addition to providing insight on the regulations the webinar included presentations from two disability and veteran organizations.

The Agency spent considerable time walking through examples of computing the veteran benchmark for those employers who choose not to adopt the national percentage of veterans in the civilian labor force data provided by OFCCP. During the presentation the presenters remarked that OFCCP “doesn’t expect employers to use the best approach, just an approach that is reasonable.” Despite that, it is clear based on today’s presentation that those employers who choose to go down the “create- your-own” route need to be prepared to defend the methodology and prove to OFCCP that their approach is “reasonable.”

Additional insights from the webinar included OFCCP confirming contractors are not permitted to use the 80% rule or any other statistical analyses when evaluating disability utilization and instead must look at “any difference” when assessing utilization achievement.

OFCCP also clarified that (despite seeming to infer to the contrary on slide 8 of the presentation) employers with 150 or fewer, but more than 100 employees, must apply the utilization goal by job group based on their job group structures. For employers with less than 100 employees the utilization goal can be applied to the entire workforce captured in the AAP.

OFCCP concluded the webinar with promises of “additional webinars to come on a variety of topics.” So as always, stay tuned . . .

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