

Dear HR Knowledge, does my company need a formal written Affirmative Action plan?

Many employers confuse needing to comply with the requirements of Title VII and state equal opportunity laws with needing an Affirmative Action Plan (AAP) in place. While equal employment opportunity laws prohibit unlawful discrimination against applicants and employees because of their age, disability, gender, race, religion, or national origin, they usually do not require formal affirmative action programs.

An organization that has a federal contract for \$50,000 and has 50 or more employees is required by Executive Order 11246 to have a formal written affirmative action plan for minorities and females. Employers generally implement formal affirmative action programs as a condition of doing business with the federal government, but an affirmative action program could also be required as a condition of a bid process, or required by the court as a remedy for discrimination or as a voluntary remedy for past patterns of discrimination.

Depending on the size of the contract, federal contractors may also be subject to Section 503 of the Rehabilitation Act of 1973, requiring affirmative action for individuals with disabilities, or the Vietnam-Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), requiring affirmative action for Protected Veterans.

Affirmative action programs are complex to create. Most employers do not choose to implement them unless they are required to do so. Employers should not try to implement an AAP on their own. We recommend working with a third party familiar with the intricacies of a formal AAP. If you need to implement an AAP, consider using our Affirmative Action Planning services to ensure that your plan is up-to-date, compliant, and being used appropriately.

For more information on these services, please [contact us](#).

About HR Knowledge

Founded in 2001, HR Knowledge, Inc. is a privately funded company providing integrated outsourced HR services tailored to our clients' needs. Our full array of offerings includes managed payroll, employee benefits administration, and HR consulting and support services, such as training, compliance, custom-built software solutions, and Hiring Process Management™, our comprehensive recruitment service that takes you from finding to onboarding new talent. Our major markets are fast-growing small- and medium-sized businesses, many of which are venture-capital-backed; foreign companies expanding into the states; and charter schools. Partnering with HR Knowledge can reduce your administrative costs, minimize your legal risk, help you find and develop talent, and alleviate the HR burden so that you can focus on your core business.

This content is provided with the understanding that HR Knowledge is not rendering legal advice. While every effort is made to provide current information, the law changes



regularly and laws may vary depending on the state or municipality. The material is made available for informational purposes only and is not a substitute for legal advice or your professional judgment. You should review applicable laws in your jurisdiction and consult experienced counsel for legal advice. If you have any questions regarding this blog, please contact HR Knowledge at 508.339.1300 or [email us](#).