

 e-Alert

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e-Alert: Federal Contractors Have until July 25, 2023, to Implement Revised Voluntary Self-Identification Form

Background

The Office of Federal Contract Compliance Programs (OFCCP) updated its form for prospective and current employees to voluntarily identify as an individual with a disability, also known as the [Voluntary Self-Identification of Disability Form \(CC-305\)](#). This form is applicable for employers who are a federal contractor or subcontractor covered under Section 503 of the Rehabilitation Act.

Summary

Federal contractors and subcontractors must begin using this new form by July 25, 2023. The revised form, with an April 30, 2026, expiration date, has updated language and formatting changes. Specifically, the form says that “completing the form is voluntary,” whereas the previous form stated, “identifying yourself as an individual with a disability is voluntary.” Additional revisions also include new examples and descriptions of disabilities,

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as well as broadening response options about having a disability. The changes are relatively non-substantive and do not materially change a covered employer's obligation to invite applicants and employees to self-identify.

The voluntary self-identification form has been approved by the Office of Management and Budget (OMB) and the only portion that contractors may modify or delete is the "For Employer Use Only" section, which was added to give contractors flexibility to enhance their recordkeeping for data analysis required by OFCCP's regulations.

Employer Next Steps

We have summarized key steps employers should take to comply with this regulation.

- Covered employers must prepare to begin using the [new form](#) by July 25, 2023
- This new form provides a good opportunity for employers who have recently become a federal contractor, or those who have not reviewed their processes in a while to review their onboarding process
- Covered employers should revise any references to the specific form that could be included in your employee manuals or training materials
- If you have any questions regarding this e-Alert, please [email us](#) or review the OFCCP's [FAQs](#)

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