

# PUBLICATION

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## OFCCP Finally Releases Timeline for Affirmative Action Program (AAP) Verification Portal

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December 10, 2021

Government contractors have been waiting for months on news from the Office of Federal Contract Compliance Programs (OFCCP) regarding the still non-functional AAP Verification Interface. The portal, which is intended to require annual certification by covered federal contractors as to whether they have developed and maintained an AAP for each establishment as required by Executive Order 11246, has been in limbo since the OFCCP launched a website in approximately April 2021 with a "coming soon" banner and no further information.

On December 2, 2021 the OFCCP launched a [FAQ page](#) with respect to the portal, identifying for the first time specific dates and deadlines:

- Feb. 1, 2022: Contractors may begin registering for access to the portal. OFCCP strongly recommends that contractors start registering as soon as possible. All covered contractors are required to register.
- March 31, 2022: Contractors will be able to certify their AAP compliance (or lack thereof).
- June 30, 2022: Existing covered contractors must certify whether they have developed and maintained an affirmative action program for each establishment and/or functional unit, as applicable.

### Takeaway

New government contractors still have 120 days following entry into the first applicable contract to develop an AAP. The new portal will not apply to construction contractors unless they are also supply and service contractors.

The OFCCP suggests in the FAQ that the portal will be used to upload written AAPs during compliance evaluations (audits). Although the OFCCP has not yet done so, it would seem likely that it will provide additional guidance, instructions, and information about the portal in the coming months before it goes live. Employers should determine if they are currently compliant or discuss compliance with counsel now.

If you have any questions on this topic, please contact the author or any member of Baker Donelson's [Labor and Employment Team](#) or [Government Contracts Team](#).