

THE NATIONAL LAW REVIEW

VETS-4212 Filing Season Is Open

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The filing season for the [VETS-4212 Report](#) (Report) officially opened on Aug. 1, 2018 and will close Sept. 30, 2018. Federal contractors and subcontractors who have entered into a single contract or subcontract in the amount of \$150,000 or more with any department or agency of the United States for the procurement of personal property or non-personal services must file the annual Report. The filing of the Report is required by the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA).

The Report provides the Office of Federal Contract Compliance Programs (OFCCP) information regarding the number of employees and new hires working for the contractor who are "protected veterans" under VEVRAA. "Protected veterans" include:

- Disabled veterans;
- Active duty wartime or campaign badge veteran;
- Armed Forces service medal veterans (veterans who, while serving on active duty in the Armed Forces, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985); and
- Recently separated veterans (veterans within 36 months from discharge or release from active duty).

How do covered contractors collect this information?

Covered contractors must ask applicants to self-identify as a protected veteran during the pre- and post-offer stage. A contractor may include the pre-offer invitation to self-identify in its application materials. Once the contractor extends a job offer, the contractor must again ask the applicant to self-identify as a protected veteran. Although a contractor must make these inquiries, the response from applicants is voluntary.

Contractors should refer to the VEVRAA regulations and consult with legal counsel when developing self-identification forms. In addition, contractors who are new to this filing requirement should contact legal counsel for guidance, particularly if the contractor has not previously collected protected veteran data.

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