

OFCCP Seeks Applicants for “Ombudsman” Position



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Quick Hit: OFCCP has requested applications for its newly created [“Ombudsman” position](#). The opening follows the issuance of [Directive 2018-09](#) (the “Directive”), which announced the “planned implementation of an Ombud Service” to address specific concerns “raised by OFCCP external stakeholders.”

Key Takeaways: OFCCP issued Directive 2018-09 in September. As we noted in this [blog](#) at the time, the Directive did not establish an Ombud Service – it merely announced OFCCP’s intention to implement the service. The posting of the “Ombudsman” position is OFCCP’s first concrete step (which has been made public) towards actually implement the service.

OFCCP’s choice of who will serve as the first Ombudsperson will be a significant decision. The individual chosen will be responsible for designing the Ombud Service. As noted in our prior [post](#), the utility of the new Ombud Service will depend on the details of the program which have yet to be established. The choice of the first Ombudsperson will give contractors the first sense of what the Ombud Service may look like.

Obviously, the contractor community would welcome the selection of a person who has experienced OFCCP oversight from a contractor’s perspective. From the posting, however, OFCCP is not specifically seeking such experience in its first Ombudsperson; instead, OFCCP seeks someone with one-year of experience “in facilitating the resolution of disputes with regulated businesses, industries and other external stakeholders; and conducting a wide range of qualitative and

quantitative analyses to assess and improve program effectiveness.”

When OFCCP announces the identity of the new Ombudsperson we will report it here.

More Detail: As set forth in the Directive, OFCCP is planning to establish an Ombud Service to “facilitate the fair and equitable resolution of concerns raised by OFCCP’s external stakeholders, conduct independent and impartial inquiries into issues related to the administration of the OFCCP program, and propose internal recommendations to continuously improve the quality of services OFCCP provides to its stakeholders.” The OFCCP’s job posting is the first public step the agency has taken to establish this service.

The Ombudsperson’s main responsibilities, as set forth in the job posting, are to:

- Design[], implement[], and execute[] the Ombud Service to bring an impartial and independent perspective to facilitate communication with external stakeholders on OFCCP matters.
- Manage[] all aspects of OFCCP’s Ombud Service. Plan[] work to be accomplished, set[] and adjust[] priorities and prepare[] schedules for completion of work, and provide[] recommendations to the director regarding resolution of concerns raised by external stakeholders.
- Provide[] regular reports to the director on Ombud activities, and ad hoc reports or recommendations on a range of issues related to OFCCP programs.
- Provide[] recommendations to the director to improve the efficiency and effectiveness of internal OFCCP operations in support of achieving the agency’s priorities, goals, and objectives.

For a more detailed review of the Directive and the creation of the Ombud Service, see our previous reporting on the subject [here](#).

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