

# **EEO Certifications Institute: OFCCP Internet Applicant Recordkeeping Rule Core Competencies and Study Guide**

## **General Issues and Definitions**

- Knowledge of the reasoning behind the OFCCP establishing a new set of regulations related to applications received via electronic means.
- Knowledge of how the OFCCP's regulations regarding internet applicants affected regulations in existence prior to their implementation.
- Knowledge of when contractors and businesses were required to begin adhering to the new internet applicant recordkeeping rule.
- Knowledge of the effect of the OFCCP's internet applicant recordkeeping rule on a contractor's Affirmative Action Plan.
- Knowledge of the requirements for collecting demographic information from those individuals submitting applications via the internet or other electronic means.
- Knowledge of the definition of "applicant" and "candidate" as used by the Federal Uniform Guidelines on Employee Selection Procedures.
- Knowledge of what information a contractor is required to share with an applicant related to the "type of applicant" they consider them to be.
- Knowledge of the implications of the OFCCP's internet applicant recordkeeping rule on a contractor when the contractor is recruiting across multiple geographic regions for the same kinds of jobs.
- Knowledge of the types of technologies that, when used as part of the recruitment and application process result in the requirement to comply with the OFCCP's internet applicant recordkeeping rule.
- Knowledge of the factors that a contractor can use to distinguish between a person who should be considered an "internet applicant" from one who may be simply considered one expressing interest in a job.
- Knowledge of how automated searches (e.g., "BOTs") of electronic databases affect whether or not a job seeker is to be considered an internet applicant under OFCCP regulations.
- Knowledge of what statistics and approach the OFCCP will use to determine whether an employer's methodology for reducing candidate pools results in disparate impact.
- Knowledge of the general guidelines that may be applied to determine when an internet applicant is no longer interested in a position and thus may be excluded from further consideration.
- Ability to determine when an applicant should be considered an internet applicant or a non-internet applicant based on current OFCCP regulations.
- Ability to identify appropriate strategies for reducing the pool of applicants when more applications were received than can reasonably be reviewed.

## **Basic Qualifications**

- Knowledge of when and how basic qualifications must be identified and operationalized during the recruitment process.
- Knowledge of the kinds of data collected via electronic means that a contractor can collect without automatically resulting in job applicants being considered "internet applicants."
- Knowledge of how employment tests relate to basic qualifications under the OFCCP's internet applicant recordkeeping rule.

## **Record Keeping**

- Knowledge of what records and recruitment information must be collected and maintained by contractors accepting applications via electronic means.
- Ability to apply the OFCCP's internet applicant recordkeeping rule to practical situations that are likely to be faced by a contractor.
- Ability to determine the length of time a contractor must maintain records related to internet applicants based on contractor characteristics such as size, etc.
- Knowledge of how the OFCCP will confirm and evaluate the way contractors implement the internet applicant recordkeeping rule.
- Knowledge of the data that a contractor must maintain when a job applicant is determined no longer to be interested in being considered for the position (e.g., they withdraw from the process).
- Knowledge of which record keeping responsibilities a contractor may delegate to a third party vendor in order to comply with OFCCP internet applicant recordkeeping rules.

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**USEFUL STUDY MATERIALS**

- **OFCCP's Internet Applicant Recordkeeping Rule Questions and Answers**  
<http://www.dol.gov/esa/regs/compliance/ofccp/faqs/iappfaqs.htm>