

Government Contractors Need to Update Their Pay Transparency Statements

By Jessica Summers

SUMMARY: The OFCCP recently modified the pay transparency statement that government contractors need to include in their handbooks and post for employees and applicants. The original pay transparency statement requirement went into effect on January 11, 2016, but the OFCCP has now modified the notice that employers need to use to comply.

On April 8, 2014, President Obama issued amended Executive Order 11246 which prohibits discrimination or retaliation by government contractors against employees or applicants who “has inquired about, discussed, or disclosed” their own compensation or that of other employees. The Executive Order was implemented by final regulations published by the Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) on September 11, 2015. The regulations, which went into effect on January 11, 2016, require government contractors to include a specific pay transparency statement in any employee handbook or manual and to post the statement (either physically or electronically) in a conspicuous place where it will be available for employees and applicants.

The OFCCP recently updated the required statement to include a citation to the regulation at the end of the notice. Government contractors therefore need to update their pay transparency provisions and posters accordingly. The new poster can be obtained [here](#) and the new policy language (which is identical but without formatting) can be obtained [here](#). Government contractors who have not previously posted the pay transparency statement and/or included it in their employee handbooks, should do so as soon as possible using the new form.