

## Alissa A. Horvitz

Shareholder  
Co-Chair, OFCCP Practice Group

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## Practice Areas

Affirmative Action/OFCCP Compliance

## Overview

Alissa A. Horvitz is co-chair of Littler Mendelson's Office of Federal Contract Compliance Programs (OFCCP) Practice Group. Her experience includes:

- Preparing affirmative action plans
- Representing government contractors before the Office of Federal Contract Compliance Programs
- Preparing for and defending OFCCP audits and onsite visits
- Responding to OFCCP information requests
- Evaluating compensation disparity claims
- Evaluating single entity claims
- Opposing OFCCP jurisdictional claims for companies without government contracts
- Petitioning OFCCP for separate facility exemptions
- Evaluating compliance with the Uniform Guidelines on Employee Selection Procedures

She has prepared and defended hundreds of desk audit submissions and has significant on-site defense experience preparing and defending managers in interviews and in preparing employees for interviews. She has specific knowledge of the following statutes, Executive Orders, and regulations:

- Executive Order 11246
- Section 503 of the Rehabilitation Act of 1973
- The Vietnam Era Veterans Readjustment Assistance Act
- The Jobs for Veterans Act of 2002
- 41 C.F.R. Parts 60 and 61
- The Uniform Guidelines on Employee Selection Procedures
- The Lilly Ledbetter Fair Pay Act of 2009
- The Equal Pay Act
- Federal Acquisition Regulations (52.222-xx)

- Executive Order 13496

Alissa also prepares adverse impact analyses associated with reductions-in-force, conducts privileged compensation analyses, and provides guidance regarding outreach to women, minorities, individuals with disabilities, and veterans.

Additionally, she advises employers on:

- The preparation of EEO-1 and VETS-100A forms
- The overlap between affirmative action and diversity
- Myriad issues arising out of their obligations under OFCCP regulations

Working with any company that is a direct contractor or subcontractor to a contract with the federal government, Alissa's clients span the following industries:

- Construction
- Defense
- Health care and medical suppliers
- Trucking and transportation
- Retail
- Pharmaceutical
- Warehousing
- Universities
- Information technology

She frequently speaks to government contractor groups on various affirmative action and audit preparation topics. She also is frequently quoted by reporters in their analysis of OFCCP events and is widely-regarded as a thought-leader on OFCCP topics.

Prior to working at Littler, Alissa spent 16 years at another well-respected law firm, developing and growing the affirmative action and OFCCP practice. While there, she also successfully litigated a disability discrimination jury trial, an employee benefits bench trial, a wrongful termination case, and several federal class and collective action cases involving allegations of race and age discrimination.

## **Professional and Community Affiliations**

- Member, Maryland State Bar Association
- Member, Labor and Employment Law Section - American Bar Association

## **Education**

J.D., George Washington University Law School, 1990

B.S., Cornell University, 1987

## **Bar Admissions**

District of Columbia

Maryland

## Courts

U.S. Supreme Court  
U.S. Court of Appeals, 4th Circuit  
U.S. Court of Appeals, D.C. Circuit  
U.S. District Court, District of Columbia  
U.S. District Court, District of Maryland

## Publications & Press

**June 29, 2012**

New Contractor Hiring Regs Could Push Away Small Businesses  
*Law360.com*

**May 17, 2012**

Littler Provides In Depth Review of Recent OFCCP Developments

**May 17, 2012**

Co-Chair of Affirmative Action and OFCCP Practice Group Alissa A. Horvitz Testifies Before the U.S. House of Representatives

**April 19, 2012**

OFCCP Proposed Rule Criticized on Capitol Hill  
*Society for Human Resource Management (SHRM)*

**April 18, 2012**

OFCCP Hiring Rules Draw Contractors' Ire  
*Law360.com*

**November 1, 2011**

Federal Contractors Get New Scrutiny  
*SHRM Magazine*

**May 4, 2011**

OFCCP Issues Proposed Regulations Requiring Significantly Broader Veterans Affirmative Action Obligations for Federal Contractors and Subcontractors  
*Littler ASAP*

**February 16, 2011**

OFCCP Announces Regulatory and Enforcement Initiatives in FY 2012 Budget Justification  
*Littler ASAP*

**October 27, 2010**

OFCCP Jurisdiction and the Health Care Industry  
*Law 360*

**October 26, 2010**

ALJ Finds Hospitals Receiving More than \$50,000 in TRICARE Reimbursement Subject to OFCCP Regulations  
*Littler ASAP*

**August 10, 2010**

Recent Developments Relevant to Federal Government Contractors: August 2010  
*Littler Insight*

**April 2010**

A High Bar  
*HR Magazine SHRM*

**August 21, 2009**

An Employment Law Guide for Federal Contractors in the Wake of the American Recovery and Reinvestment Act of 2009  
*Littler Report*

**July 21, 2009**

Companies Seeking Stimulus Funds Should Expect a More Aggressive OFCCP  
*Littler ASAP*

**June 25, 2009**

Hospitals Providing Medical Services to Federal Employees Through an HMO are Covered Subcontractors Under OFCCP's Jurisdiction  
*Littler ASAP*

**April 2009**

Ten Tips for Training Recruiters and Hiring Managers in Dispositioning Applicants: Ways to Make Sure That Your Company is Fully Using the Internet Applicant Definition and is Able to Recreate and Explain its Hiring and Selection Decisions  
*EEO Insight Biddle Consulting Group*

**November 14, 2008**

E-Verify Rule for Federal Contractors Published  
*Littler ASAP*

**July 30, 2008**

Important EEO Data Filing Deadlines Are Fast Approaching  
*Littler ASAP*

**Oct/Nov 2007**

Government Contractor Conundrum: The JVA Rule and VETS-100 Form  
*Legal Report SHRM*

**September 12, 2007**

New EEO-1 Rules

*Littler ASAP*

**August 9, 2007**

OFCCP Issues Final Veterans Regulations for Government Contractors

*Littler ASAP*

**June 22, 2007**

Alissa Horvitz and Mark Ogden Comment on Federal Agencies

*InsideCounsel*

**Jan/Feb 2007**

Risky Volunteer Work: Self-Audits of Compensation

*Legal Report SHRM*

**January 10, 2007**

OFCCP'S Record Year For Financial Recoveries Will Fuel More Audits In 2007

*Littler Press Release*

**August 31, 2006**

Alissa Horvitz and Joshua Roffman Discuss the Risks Associated with Self-Analysis

*BNA's Affirmative Action Compliance Manual*

**June 16, 2006**

OFCCP Issues Final Guidance on Standards for Investigating Systemic Compensation Discrimination and Conducting Self Audits of Contractor Compensation Systems

*Littler ASAP*

**May 26, 2006**

Employers May Not Use Affirmative Action Goals to Justify Hiring Preferences

*Littler ASAP*

**April 21, 2006**

Renowned OFCCP Corporate Compliance Group Joins National Employment Law Firm Littler Mendelson

*Littler Press Release*

## **Speaking Engagements**

**December 14, 2011**

OFCCP's New Revised Audit Letter and Attached Itemized Listing Requires Contractor Attention Now

Littler Mendelson Webinar

**December 12, 2011**

OFCCP's New Revised Audit Letter and Attached Itemized Listing Requires Contractor Attention Now  
Littler Mendelson Webinar

**July 27, 2011**

How Significant is Statistical Significance? - A Practical Perspective  
2011 National Conference - Industry Liaison Group, New Orleans, LA

**June 17, 2011**

OFCCP Regulatory and Enforcement Update  
Indianapolis Industry Liaison Group Meeting

**June 8, 2011**

The 2011 Littler Health Care Summit  
Littler Mendelson, New York, NY

**June 7, 2011**

The Implications of OFCCP's Active Case Enforcement Directive and Proposed Veterans Regulations  
Southern Nevada Industry Liaison Group Meeting

**April 2011**

Complying with OFCCP's Internet Applicant Regulations: A Primer for Recruiters and Hiring Managers  
Client Presentation

**April 2011**

Preparing for an OFCCP Compliance Review Under Active Case Enforcement  
Client Presentation

**April 2011**

Federal Construction and Federally-Assisted Construction Contractor Compliance with OFCCP's Regulations  
Client Presentation

**March 9, 2011**

The Employment Compliance Costs of Doing Business  
Littler Mendelson, Indianapolis, IN

**February 17, 2011**

Audit Enforcement and Regulatory Update: OFCCP's FY 2011 Agenda  
Littler Mendelson Webinar

**February 15, 2011**

Audit Enforcement and Regulatory Update: OFCCP's FY 2011 Agenda  
Littler Mendelson Webinar

**February 8, 2011**

Preparing Compliant 2011 Supply and Service Affirmative Action Plans in Light of Current OFCCP Enforcement Initiatives  
A Complimentary Update  
Littler Mendelson Webinar

**January 28, 2011**

The Employment Compliance Costs of Doing Business With the Federal Government  
Littler Mendelson, Albuquerque, NM

**January 2011**

Web 2.0 and OFCCP's Internet Applicant Rule  
Minnesota Affirmative Action Compliance Council

**November 6, 2010**

The Employment Compliance Costs of Doing Business with the Federal Government  
Littler Mendelson, Chicago, IL

**November 5, 2010**

The Employment Compliance Costs of Doing Business with the Federal Government  
Littler Mendelson, Milwaukee, WI

**October 14, 2010**

The Employment Compliance Costs of Doing Business with the Federal Government  
Littler Mendelson, Minneapolis, MN

**October 13, 2010**

The Employment Compliance Costs of Doing Business with the Federal Government  
Littler Mendelson, Des Moines, IA

**September 2010**

Extreme Makeover at OFCCP: Update on Developments Affecting Government Contractors  
Industry Liaison Group of Arkansas

**September 2010**

Twitter, Facebook, LinkedIn and Other Informal Recruiting Techniques: Compliance with OFCCP's Internet Applicant  
Regulation and Record Keeping Obligations in a Web 2.0 World  
Industry Liaison Group of Arkansas

**July 27, 2010**

OFCCP Audit Jurisdiction Expanding to Hospitals and Health Care Systems  
Littler Mendelson Webinar

**April 22, 2010**

Ten Best Practices to Ensure OFCCP Compliance Under the New Administration  
Littler Mendelson, Houston, TX

**April 22, 2010**

Twitter, Facebook, LinkedIn and Other Informal Recruiting Techniques: Compliance with OFCCP's Internet Applicant Regulation and Record Keeping Obligations in a Web 2.0 World  
South West and Rocky Mountain Regional Conference - ILG

**April 22, 2010**

OFCCP's Focus During Compliance Reviews: The Contractor's Response to the Itemized Listings  
South West and Rocky Mountain Regional ILG Conference

**April 2010**

OFCCP Regulatory and Enforcement Update  
Pennsylvania Bar Institute's Annual Employment Law Institute

**March 2, 2010**

A Littler OFCCP Webinar Series  
Littler Mendelson Webinar

**March 17, 2010**

Compensation Discrimination Law: the Ledbetter Fair Pay Act and the Paycheck Fairness Act -- Why Employers Need to Worry About More than OFCCP Investigations  
Space Coast Industry Liaison Group, Florida

**March 2, 2010**

OFCCP Regulatory and Enforcement Update  
Jacksonville Industry Liaison Group

**November 13, 2009**

The Labor & Employment Compliance Costs of Federal Contracting  
Littler Mendelson Webinar

**November 2009**

Employer Roundtable: OFCCP Best Practices  
New England Industry Liaison Group Meeting

**July 29, 2009**

Compensation Discrimination Law: the Ledbetter Fair Pay Act and the Paycheck Fairness Act -- Why Employers Need to Worry About More than OFCCP Investigations  
2009 National Conference - Industry Liaison Group, Atlanta, GA



**April 2009**

OFCCP Perspective on Employers' Use of Tests in the Hiring Process: The Implications of Ricci v DeStefano  
Annual Employment Law Institute - Pennsylvania Bar Institute

**June 27, 2007**

OFCCP's Fiscal Year 2007 Audit Agenda: Compensation Reviews and Selection Processes  
Littler Mendelson, Newark, NJ

**May 10, 2007**

OFCCP's Fiscal Year 2007 Audit Agenda: Compensation Reviews and Selection Processes  
Littler Mendelson, Boston, MA

**February 26, 2007**

Company Got an OFCCP Audit Letter... Now What?  
Littler Mendelson Webinar

**July 18, 2006**

OFCCP Final Compensation Guidelines: What You Should Know Now  
Littler Mendelson Webinar

**Books & Book Chapters**

- Labor and Employment Issues in The Government Contracting Process, *Navigating the Government Contracts Process*, Thomson Reuters/Aspatore, 2008

**Blog Posts**

**November 19, 2012**

OFCCP Continues to Push for Jurisdiction Over Health Care Providers Based on TRICARE  
*Healthcare Employment Counsel*

**May 11, 2012**

Employers Should be on the Lookout for New OFCCP Letters  
*Employment Law Update*

**June 8, 2009**

Hospitals that Provide Medical Services to Federal Employees Through an HMO are Covered Subcontractors Under  
OFCCP's Jurisdiction  
*Employment Law Update*