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## Who me, a federal contractor?

Shafeeqa Giarratani, Partner  
Norton Rose Fulbright US LLP

### Speaker



#### Shafeeqa Giarratani, Partner

##### Austin

Shafeeqa Giarratani is a partner in the firm's labor and employment group and leads the firm's OFCCP and Affirmative Action Practice.

Shafeeqa has successfully handled numerous audits for federal contractors from desk audit to conciliation. She regularly represents employers in federal and state court and before administrative agencies such as the Equal Employment Opportunity Commission, the Texas Workforce Commission, and the Office of Federal Contract Compliance Programs.

Shafeeqa also regularly advises clients on proactive diversity practices, including properly performing pay analysis.

## Agenda

- Who is a Federal Contractor?
- Key Obligations/Enforcement
- Recent Developments



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## Heightened Focus on Federal Contractor Status

- Increasing number of federal contracts being awarded
- Record increase in budget for government agencies enforcing federal obligations
- Great public pressure for accountability in use of federal funds



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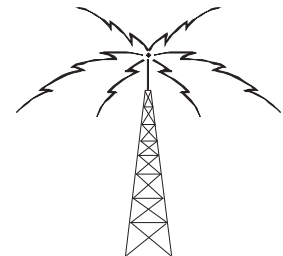
## Large Settlements

- \$2.2 million – Cargill – alleged sex and race discrimination in hiring
- \$1.8 million – G&K Services – alleged systemic hiring and pay discrimination
- \$1.5 million – Westat – alleged sex and race discrimination
- \$1 million – Lincoln Electric – alleged race discrimination
- \$400,000 – Hospira Inc. – alleged sex discrimination
- \$360,000 (for two employees) – John's Hopkins – alleged race and sex discrimination
- \$235,000 – Savannah River Nuclear Solutions – alleged wage discrimination

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## Who is a federal contractor?



- **Government contract**

Any agreement or modification thereof between any contracting agency and any person for the furnishing of supplies or services, or for the use of real or personal property including lease agreements. The term “services,” as used here, includes, but is not limited to, the following: utility, construction, transportation, research, insurance, and fund depository, regardless of whether the Government is the purchaser or seller. The term “Government Contract” does not include (a) agreements in which the parties stand in the relationship of employer and employee; and (b) Federally assisted construction contracts. See 41 CFR 60-1.3, 250.2 and 741.2.

- “Contractor” means, unless otherwise indicated, a prime contractor or **subcontractor**. 41 CFR 60-1.3

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38<sup>th</sup> Annual Corporate Counsel Institute session

"Federal Contractor—Who, Me?"