



Top Takeaways July 2026

The Institute is committed to keeping our members informed regarding cutting-edge developments. Below are the top highlights from Tuesday, July 21 Member Roundtable with Institute Leaders Nita Beecher, Laura Mitchell and David Cohen as well as Faculty Member Chris Wilkinson and Special Guest Jone Papinchock of DCI Consulting.

Please share these key takeaways with your internal leaders. The replay of the July 2026 Roundtable is located [here](#). Members will need to log in for full access.

Highlights

- **Section 503 Form.** Laura Mitchell reported that OMB had approved the Section 503 self identification form federal contractors use to collect disability data from applicants and employees. The approval is for three years even though OFCCP appears to be proposing to eliminate the self-id obligation.
- **New York Times articles.** Nita Beecher, Laura and David Cohen discussed the July 19th New York Times article on the elimination of OFCCP and the void left to workers as a result. This is the latest in a series of articles by the NYT over the Trump Administration's attacks on civil rights agencies.
- **EEOC Votes to Propose Rescission of EEO Reports.** On July 23rd EEOC voted 2 to 1 to place a proposal to rescind all the EEO Reports including EEO-1 Reports in the Federal Register. The proposal was published in the Federal Register on Thursday, July 23rd and comments are due on Monday, August 25, 2026. The Institute has asked for an extension of the comment period to 60 days, has asked to testify at the upcoming August 11, 2026 public hearing and is preparing a letter of comment on the proposal.
- **DOJ OLC "Slip Opinion."** Faculty member Chris Wilkinson, David Cohen and DCI guest speaker Jone Papinchock outlined the recent DOJ opinion declaring EEOC's UGESP guidelines to be unconstitutional and claiming a new standard for plaintiffs making disparate impact claims. The slip opinion claims that to avoid disparate impact being considered unconstitutional a new standard of proof is necessary which provides that employers only have to demonstrate a practice is rational, convenient or helpful for serving a valid business purpose while the plaintiff must prove satisfy a robust causality requirement that the challenged employment practice caused the disparate impact and must establish that there is an alternative practice which creates less adverse impact and would be equally effective for serving the employer's valid business purpose.
 - The DOJ opinion is taking away an affirmative defense for employers by eliminating UGESP which provides a safe harbor for employers.

- ➔ **Member Roundtable Meeting: August 18th at 2 pm Eastern.** Please click [here](#) for the zoom information.
- ➔ **Webinars – Always complimentary to all members.** Registration information is located [here](#).