

**PilieroMazza Weekly Update for  
Government Contractors and Commercial Businesses**  
June 7, 2019

If you have questions concerning the content below, please visit this [link](#).

**CYBERSECURITY & DATA PRIVACY**

**PilieroMazza hosted a dynamic conference on June 5, 2019 entitled “Gaining a Competitive Edge through Cyber, Data, & Personnel Security.”** Nearly 100 attendees (federal contractors and their service providers) participated in multiple panel discussions that brought together perspectives from leading practitioners from GSA, Leidos, and NTT Data to discuss how cybersecurity, supply chain risk management, data rights, and personnel security are shaping the competitive landscape for federal prime contracts and subcontracts.

**LABOR & EMPLOYMENT LAW**

**U.S. Supreme Court** – According to Law360, the U.S. Supreme Court unanimously ruled that federal courts may be able to hear discrimination claims under Title VII of the Civil Rights Act even if workers do not bring them to the Equal Employment Opportunity Commission (EEOC) or state workplace bias watchdogs first. The Court [held](#) that Title VII’s requirement that workers give the EEOC or a state enforcer a chance to resolve their claims before bringing them in court was not “jurisdictional.”

**Department of Labor** – The DOL [announced](#) that it debarred Pro-Fit Development Inc.—a development, construction, and roofing contractor based in Tampa, Florida—after an investigation found the employer violated requirements of the Davis Bacon and Related Acts (DBRA) and the Contract Work Hours and Safety Standards Act (CWHSSA). Debarment prohibits the employer from bidding on federally funded construction projects for three years.

**DOL Office of Federal Contract Compliance Programs** – According to Bloomberg Government, Craig Leen—the head of OFCCP—wants to be briefed by lawyers before they file legal complaints against federal contractors stemming from OFCCP audits. Bloomberg Government reported that Leen and Labor Solicitor Kate O’Scannlain—who oversees the DOL’s primary office of attorneys—signed a memo in March that also instructs lawyers to consult with OFCCP before filing material motions and briefs in those cases in order to confirm the briefs accurately present the facts and to confer on any policy decisions.

**OFCCP** also released its first opinion letter, finding that colleges and universities do not qualify as federal contractors solely because they participate in the federal Pell Grant program. The opinion letter, dated

May 23, comes months after Director Craig Leen indicated that the agency would start borrowing the practice of issuing opinion letters from the DOL's Wage and Hour Division.

**WEBINAR: Employing Federal Contractors: An Overview of Labor and Employment Requirement for Government Contractors**, June 19, 2019, Speaker, [Sarah Nash](#). [[Register](#)].

#### **GOVERNMENT CONTRACTS LAW**

**Government Accountability Office** – The GAO released a [report](#) regarding its examination of the Department of Defense's (DoD) implementation of acquisition process reforms that were included in recent National Defense Authorization Acts. The GAO found that the DoD has made progress in implementing reforms to restructure the oversight of major defense acquisition programs, and also made four recommendations as questions remained about how other reforms would be carried out.

**EVENT: WOSB Program Training, 2019 Women Impacting Public Policy (WIPP) Business Leadership Conference**, June 24, 2019, Speaker, [Megan Connor](#). [[Register](#)].

#### **SMALL BUSINESS PROGRAMS & ADVISORY SERVICES**

**Small Business Administration** – The SBA [announced](#) the appointment of two new senior executives: George Koklanaris is now serving as the Associate Administrator for the Office of Small Business Development Centers, and Stefanie Baker Wehagen as the National Ombudsman for the Office of the National Ombudsman.