



**DirectEmployers
Association**

Government Contractor Obligations Check-In—What's Still Required, What's Prohibited, What's Still Permitted

Webinar Q&A Guide

Q: Can you define the 4 qualified criteria "of true candidates" under the internet rule?

A: An individual is counted as an Internet Applicant if they meet all four prongs of the Internet Applicant definition.

1. The individual expresses an interest in employment;
2. The employer actually considers the individual for a particular, open position;
3. The individual's expression of interest indicates that he/she meets the basic qualifications for the job; AND
4. At no point prior to an offer of employment does the individual withdraw interest.

Thus, when an employer has actually considered individuals for open roles, determined that the individuals meet the qualifications for the role, and the candidates haven't withdrawn interest, it falls to the employer to explain why it hired who it hired and why all these other qualified candidates were rejected.

Q: Is it still permitted to conduct AAPs for Vets and disability using establishments/locations based on 50 or more employees when you have multiple locations?

A: Yes, it is still permitted to prepare establishment-based AAPs.

