

OLM/SF-171 Letter

PHOTOCOPY
PRESERVATION

Mr. D. Paul Sondel
Route 10, Box 646
Tallahassee, FL 32310-1169

Dear Mr. Sondel,

Thank you for your letter of August 19 on the date-of-birth item on the SF-171 Federal Personnel Form. As you know, President Clinton is strongly opposed to discrimination in employment in any form, and I appreciate you bringing this issue to my attention.

As I understand it, the date-of-birth item is necessary for the pre-employment security checks and background investigations that are done on ~~all~~ ~~potential~~ candidates for Federal employment. The date of birth is essential information for many police and security files nationwide. Without this piece of information, a proper security check in many cases could not be completed.

I agree with you that the SF-171 is in need of a major revision. It is a confusing and complicated document. The Office of Personnel Management is currently in the process of simplifying the SF-171, and they will be considering this issue along with many others as they work to revise the SF-171. Additionally, the Vice President's National Performance Review will be bringing considerable attention to issues such as the streamlining of Federal forms and paperwork. I am sure that these two initiatives will take the issue of whether the SF-171 date-of-birth item is needed or appropriate into careful consideration.

Mike Schmidt -

19 23 FEB

Being an OPM hand can you

Rt. 10, Box 646
Tallahassee, FL 32310-1169
904/574 3634

Thursday, 8/19/93

Ms. Carol Rasco
Assistant to the President
For Domestic Policy
The White House
Washington, DC 20500

make any suggestions
on a response?

CHK

Dear Ms. Rasco:

The Office of Personnel Management has oversight responsibility for some three-and-a-half million federal employees. To apply for civilian employment with the federal government, each applicant must complete a SF171.

Item four on that form requires the applicant to provide her/his date of birth.

Age -- rightly or not -- is an accepted criterion of employment in less than three per cent (<3%) of the federal work force. Law enforcement personnel and prison employees comprise most of those who must not have attained their 37th birthday before they begin work.

One Hundred per cent of applicants are required to provide those who screen the SF171s with their age, when age is irrelevant for more than ninety seven per cent (>97%) of those who are applying. To set the tone of the federal employment policy so that it resonates in harmony with the push to eliminate illegally discriminatory practices, the requirement for all applicants to supply their birthdate should be dropped.

The SF171 needs a major revision, and that project ought to be undertaken asap. Dropping the birthdate ought not be forced to wait until the, eventual, revision of the SF171 can be accomplished but should be done immediately.

The head of the OPM is appointed by your boss. Mr. Clinton can simply "request" that Mr. King see to it that the date of birth is stricken from the form. The necessity for the tiny percentage of specialized applicants to provide proof of age-based eligibility can be stated in those job announcements. No Congressional approval is required.

As Mr. Clinton is opposed to age discrimination in employment, I would think that he would want to take this action without delay. Your predecessor, Mr. Kolb, always supplied a courteous response to my requests for this change, but it was consistent with President Reagan Bush's administration that nothing was ever done about this. I trust that this Administration will take a fresh approach to this issue.

Cordially,

D. Paul Sondel

p.s. I wrote, directly, to Mr. King. King gave the question to ace bureaucrat Don Holum who has always opposed any change and who, amazingly, is still opposed.



OFFICE OF THE DIRECTOR

UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, D.C. 20415

AUG 9 1993

*Mike -
This seems
sufficient to me.
Any additional
thoughts.*

MEMORANDUM FOR KATHI WAY, SPECIAL ASSISTANT TO THE PRESIDENT
FOR DOMESTIC POLICY

FROM: MICHAEL C. CUSHING
CHIEF OF STAFF

A handwritten signature in cursive script, appearing to read "Mike Cushing", is written over the typed name and title.

Subject: SF-171 "Date of Birth" Item

This is in response to your memorandum of July 30, 1993, on this subject.

You should be aware that OPM did not refer Mr. Sondel's letter to you. Instead, Mr. Sondel himself sent a copy of his letter with a note directly to the White House. I've attached his letter and the envelope.

As you asked, a copy of our response to Mr. Sondel is attached.



United States
**Office of
Personnel Management**

Washington, D.C. 20415-0001

In Reply Refer To.

Your Reference

AUG - 4 1993

Mr. D. Paul Sondel
Route 10, Box 646
Tallahassee, FL 32310-1169

Dear Mr. Sondel:

This is in response to your letter of July 16, 1993, concerning the requirement for job applicants to list their date of birth on the Application for Federal Employment, Standard Form 171. You feel that by doing so, they subject themselves to a possible bias against older workers.

As we noted in our earlier letter to you, we believe the removal of the date of birth from the SF 171 would provide little protection to job applicants against potential age discrimination, because an age range can be determined easily from other information the applicants provide, i.e., date of high school graduation. However, the information is necessary for identification purposes for pre-employment security checks and background investigations, since the date of birth is a necessary search element for most police, security and investigative files.

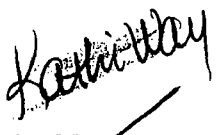
The applications from job candidates who omit the date of birth on their SF 171 will not automatically be rejected by agencies when initially applying for a Federal position. (Assuming the position has no maximum entry age.) Agencies, though, would have to request this information from any final job candidates for a position.

Sincerely,

Donald L. Holum
Assistant Director
for Staffing Policy and Operations

Ms. Based - Perhaps This issue is
one which The White House would
be willing to help? 

Rt. 10, Box 646
Tallahassee, FL 32310-1169
904/574 3634
Friday, 7/16/93

10: 

JUL 21 REC'D

Mr. James King, Director
Office of Personnel Management
1900 E St., NW
Washington, DC 20415-0001

Re: item number four (4) on the SF171 -- "date of birth",

Less than three per cent (3%) of federal civilian employees have specific age limitations. Almost all of those restrictions are not related to job performance, but to retirement provisions.

Still, the other 97 per cent of us who apply for federal jobs must provide our date of birth. By doing so, they subject themselves to whatever conscious or subconscious bias every employment screener might have regarding older workers. Age must be important because it is right up there at the top along with one's name, address, and the job title/number.

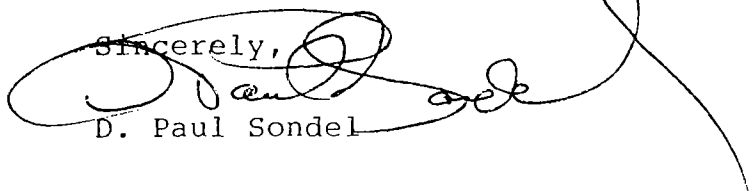
Actually, a person's age is irrelevant when applying for a job. All that an employer needs to know is if the applicant can do the job at the level of performance desired. That is true if the person has one arm, is black, is female, or came to this country from Sri Lanka twenty years ago. So a one armed, black, female applicant whose national origin is Sri Lankan can get a job on the basis of her ability to perform that job satisfactorily, **unless** she is 63 years of age. When the screener sees that this very highly qualified applicant is 63, her paperwork is "trashed."

Why can't the OPM catch up with the current situation in equality of employment opportunity? Why must the federal government lag decades behind the rest of society? Why must you insist that all of us tell you how old we are when we apply for a federal job for which age is irrelevant?

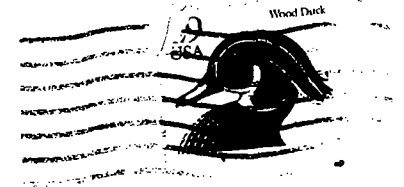
For those jobs for which age is still considered to be a valid criterion, tell people in the vacancy announcements and on the Federal Job Opportunity Listings that they will be required to provide proof of their being not more than "X" number of years of age. Everyone else should just have to tell you if they are less than 18 years of age. That would take care of it.

PHOTOCOPY
PRESERVATION

Sincerely,


D. Paul Sondel

Route 10, Box 646
32310-1169



Ms. Carol Rasco, Chief
Domestic Policy Office
The White House
Washington, DC 20500

100



THE WHITE HOUSE

WASHINGTON

July 30, 1993

1993 JUL -2 P 5:52

MEMORANDUM FOR JAMES KING, DIRECTOR,
OFFICE OF PERSONNEL MANAGEMENT

FROM: Kathi Way, Special Assistant to the President
for Domestic Policy

SUBJECT: SF-171 "Date of Birth" Item

Last week, I received a letter forwarded to the White House from your office. The letter, which I have attached, was addressed to you and concerned the relevancy of the "date of birth" item on the SF-171 personnel form.

I appreciate your sharing this letter with us. It raises some interesting concerns about equity and possible discriminatory affects of the "date of birth" item, concerns which we must take very seriously. However, it seems to me that the expertise and knowledge necessary to answer these concerns resides within OPM, and not here at the White House. I would suggest that you discuss this letter with someone in your shop who deals with the SF-171 form and make sure that the "date of birth" item is being asked for a valid and logical reason (I would suspect that it is). If there is a good reason for the item, please send a response explaining that reason to Mr. Sondel, the author of the letter. I would appreciate it if you would send me a copy of your response. If, on the other hand, you find that there is no reason for the "date of birth" item, call me at 456-7777, and we can discuss this matter in greater detail.