

[6570-06-M]

Title 29—Labor

CHAPTER XIV—EQUAL EMPLOYMENT
OPPORTUNITY COMMISSIONPART 1607—UNIFORM GUIDELINES
ON EMPLOYEE SELECTION PROCE-
DURES (1978)

Title 5—Administrative Personnel

OFFICE OF PERSONNEL
MANAGEMENTPART 300—EMPLOYMENT
(GENERAL)

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF
JUSTICE

PART 50—STATEMENTS OF POLICY

Title 31—Money and Finance:
TreasuryCHAPTER I—MONETARY OFFICES:
DEPARTMENT OF THE TREASURYPART 51—FISCAL ASSISTANCE TO
STATE AND LOCAL GOVERNMENTSTitle 41—Public Contracts and
Property ManagementCHAPTER 60—OFFICE OF FEDERAL
CONTRACT COMPLIANCE PRO-
GRAMS, DEPARTMENT OF LABORPART 60-3—UNIFORM GUIDELINES
ON EMPLOYEE SELECTION PROCE-
DURES (1978)Adoption of Questions and Answers
To Clarify and Provide a Common
Interpretation of the Uniform
Guidelines on Employee Selection
Procedures

AGENCIES: Equal Employment Opportunity Commission, Office of Personnel Management, Department of Justice, Department of Labor and Department of Treasury.

ACTION: Adoption of questions and answers designed to clarify and provide a common interpretation of the Uniform Guidelines on Employee Selection Procedures.

SUMMARY: The Uniform Guidelines on Employee Selection Procedures were issued by the five Federal agen-

cies having primary responsibility for the enforcement of Federal equal employment opportunity laws, to establish a uniform Federal government position. See 43 FR 38290, et seq. (Aug. 25, 1978) and 43 FR 40223 (Sept. 11, 1978). They became effective on September 25, 1978. The issuing agencies recognize the need for a common interpretation of the Uniform Guidelines, as well as the desirability of providing additional guidance to employers and other users, psychologists, and investigators, compliance officers and other Federal enforcement personnel. These Questions and Answers are intended to address that need and to provide such guidance.

EFFECTIVE DATE: March 2, 1979.

FOR FURTHER INFORMATION
CONTACT:

A. Diane Graham, Assistant Director, Affirmative Employment Programs, Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415, 202/632-4420.

James Hellings, Special Assistant to the Assistant Director, Intergovernmental Personnel Programs, Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415, 202/632-6248.

Kenneth A. Millard, Chief, State and Local Section, Personnel Research and Development Center, Office of Personnel Management, 1900 E St., NW., Washington, D.C. 20415, 202-632-6238.

Peter C. Robertson, Director, Office of Policy Implementation, Equal Employment Opportunity Commission, 2401 E Street, NW., Washington, D.C. 20506, 202/634-7060.

David L. Rose, Chief, Employment Section, Civil Rights Division, Department of Justice, 10th Street and Pennsylvania Avenue, NW., Washington, D.C. 20530, 202/633-3831.

Donald J. Schwartz, Psychologist, Office of Federal Contract Compliance Programs, Room C-3324, Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210, 202/523-9426.

Herman Schwartz, Chief Counsel, Office of Revenue Sharing, Department of the Treasury, 2401 E Street, NW., Washington, D.C. 20220, 202/634-5182.

James O. Taylor, Jr., Research Psychologist, Office of Systemic Programs, Equal Employment Opportunity Commission, 2401 E St., NW., Washington, D.C. 20506, 202/254-3036.

INTRODUCTION

The problems addressed by the Uniform Guidelines on Employee Selection Procedures (43 FR 38290 et seq., August 25, 1978) are numerous and im-

portant, and some of them are complex. The history of the development of those Guidelines is set forth in the introduction to them (43 FR 38290-95). The experience of the agencies has been that a series of answers to commonly asked questions is helpful in providing guidance not only to employers and other users, but also to psychologists and others who are called upon to conduct validity studies, and to investigators, compliance officers and other Federal personnel who have enforcement responsibilities.

The Federal agencies which issued the Uniform Guidelines—the Departments of Justice and Labor, the Equal Employment Opportunity Commission, the Civil Service Commission (which has been succeeded in relevant part by the Office of Personnel Management), and the Office of Revenue Sharing, Treasury Department—recognize that the goal of a uniform position on these issues can best be achieved through a common interpretation of the same guidelines. The following Questions and Answers are part of such a common interpretation. The material included is intended to interpret and clarify, but not to modify, the provisions of the Uniform Guidelines. The questions selected are commonly asked questions in the field and those suggested by the Uniform Guidelines themselves and by the extensive comments received on the various sets of proposed guidelines prior to their adoption. Terms are used in the questions and answers as they are defined in the Uniform Guidelines.

The agencies recognize that additional questions may be appropriate for similar treatment at a later date, and contemplate working together to provide additional guidance in interpreting the Uniform Guidelines. Users and other interested persons are invited to submit additional questions.

ELEANOR HOLMES NORTON,
*Chair, Equal Employment
Opportunity Commission.*

ALAN K. CAMPBELL,
*Director, Office of
Personnel Management.*

DREW S. DAYS III,
*Assistant Attorney General,
Civil Rights Division, Depart-
ment of Justice.*

WELDEN ROUGEAU,
*Director, Office of Federal Con-
tract Compliance, Department
of Labor.*

KENT A. PETERSON,
*Acting Deputy Director,
Office of Revenue Sharing.*

I. PURPOSE AND SCOPE

1. Q. What is the purpose of the Guidelines?

A. The guidelines are designed to aid in the achievement of our nation's