

## OPM GOVT-7

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### ***System Name:***

Applicant Race, Sex, National Origin, and Disability Status Records.

### ***System Location(s):***

Records in this system may be located in the following offices:

- a. Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415.
- b. Division for Management and Chief Financial Officer, Center for Equal Employment Opportunity, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415.
- c. OPM's Service Centers, and any register-holding offices under the jurisdiction of the Service Center.

### ***Categories of Individuals Covered by the System:***

Current and former Federal employees and individuals who have applied for Federal employment, including:

- a. Applicants for examinations administered either by OPM or by employing agencies.
- b. Applicants on registers or in inventories by OPM and subject to its regulations.
- c. Applicants for positions in agencies having direct hiring authority and using their own examining procedures in compliance with OPM regulations.
- d. Applicants whose records are retained in an agency's Equal Opportunity Recruitment file (including any file an agency maintains on current employees from under-represented groups).
- e. Applicants (including current and former Federal employees) who apply for vacancies announced under an agency's merit promotion plan.

### ***Categories of Records in the System:***

The records include the individual's name; social security number; date of birth; statement of major field of study; type of current or former Federal employment status (*e.g.*, career or temporary); applications showing work and education experience; and race, sex, national origin, and disability status data.

**Note:** The race and national origin information in this system is obtained by three alternative methods: (1) Use of an agency's OMB approved form on which individuals identify themselves as to race and national origin; (2) by visual observation (race) or knowledge of an individual's background (national origin); or (3) at the agency's option, from the OPM/GOVT-1 system in the case of applicants who are current Federal employees. Disability status is obtained by use of Standard Form 256, "Self Identification of Medical Disability," which allows for a description by self-identification of the handicap.

### ***Authority for Maintenance of the System:***

5 U.S.C. 7201, sections 4A, 4B, 15A(1) and (2), 15B(11), and 15D(11); Uniform Guidelines on Employee Selection Procedures (1978); 43 FR 38297 et seq. (August 25, 1978); 29 CFR 720.301; and 29 CFR 1613.301.

***Purpose(s):***

These records are used by OPM and agencies to:

- a. Evaluate personnel/organizational measurement and selection methods.
- b. Implement and evaluate agency affirmative employment programs.
- c. Implement and evaluate agency Federal Equal Opportunity Recruitment Programs (including establishment of minority recruitment files).
- d. Enable OPM to meet its responsibility to assess an agency's implementation of the Federal Equal Opportunity Recruitment Program.
- e. Determine adverse impact in the selection process as required by the Uniform Guidelines cited in the Authority section above. (See also "Questions and Answers," on those Guidelines published at 44 FR 11996, March 2, 1979.)
- f. Enable reports to be prepared regarding breakdowns by race, sex, and national origin of applicants (by exams taken, and on the selection of such applicants for employment).
- g. To locate individuals for personnel research.

**Note 1:** These data are maintained under conditions that ensure that the individual's identification as to race, sex, national origin, or disability status does not accompany that individual's application nor is otherwise made known when the individual is under consideration by a selecting official.

***Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of such Uses:***

- a. To disclose information to the Equal Employment Opportunity Commission (EEOC), in response to its request for use in the conduct of an examination of an agency's compliance with affirmative action plan instructions and the Uniform Guidelines on Employee Selection Procedures (1978), or other requirements imposed on agencies under EEOC authorities in connection with agency Equal Employment Opportunity programs.
- b. To disclose information to the Merit Systems Protection Board or the Office of the Special Counsel in connection with the processing of appeals, special studies relating to the civil service and other merit systems in the executive branch, investigations into allegations of prohibited personnel practices, and such other functions; e.g., as prescribed in 5 U.S.C. chapter 12, or as may be authorized by law.
- c. By OPM or employing agency maintaining the records to locate individuals for personnel research or survey response and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related workforce studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

- d. To disclose information to a Federal agency in response to its request for use in its Federal Equal Opportunity Recruitment Program to the extent that the information is relevant and necessary to the agency's efforts in identifying possible sources for minority recruitment.
- e. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- f. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, when the Government is party to a judicial or administrative proceeding.
- g. To disclose information to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which the agency is authorized to appear, when:
1. The agency, or any component thereof; or
  2. Any employee of the agency in his or her official capacity; or
  3. Any employee of the agency in his or her individual capacity where the Department of Justice or the agency has agreed to represent the employee; or
  4. The United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the agency is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.
- h. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.
- i. To disclose information to contractors, grantees, or volunteers performing or working on a contract, service, grant cooperative agreement, or job for the Federal Government.

### **Policies and Practice for Storing, Retrieving, Accessing, Retaining, and Disposing of Records in the System:**

#### **Storage:**

These records are maintained in file folders and on magnetic tape and disks.

#### ***Retrievability:***

Records are retrieved by the name and social security number of the individuals on whom they are maintained.

#### ***Safeguards:***

Records are retained in locked metal filing cabinets in a secured room or in a computerized system accessible by confidential passwords issued only to specific personnel.

#### ***Retention and Disposal:***

Records are generally retained for 2 years, except when needed to process applications or to prepare adverse impact and related reports, or for as long as an application is still under consideration for selection purposes. When records are needed in the course of an administrative

procedure or litigation, they may be maintained until the administrative procedure or litigation is completed. Manual records are shredded or burned and magnetic tapes and disks are erased.

**Note 2:** When an agency retains an automated version of any of the records in this system, maintenance of that record beyond the above retention schedules is permitted for historical or statistical analysis, but only so long as the record is not used in a determination directly affecting the individual about whom the record pertains after the prescribed destruction date.

***System Manager(s) and Address(es):***

Deputy Associate Director, Center for HR Systems Requirements and Strategies, U.S. Office of Personnel Management, 1900 E Street, NW., Room 6H31, Washington, DC 20415.

***Notification Procedure:***

Those individuals wishing to inquire if this system contains Information about them should contact the system manager; OPM's Service Centers covering the locations where the application for Federal employment was filed; or the personnel, Equal Employment Opportunity, or Equal Employment Opportunity Recruitment office or other designated office where they took an exam, filed an application, or where they are employed. Individuals must furnish the following information for their records to be located and identified:

- a. Name.
- b. Social security number.
- c. Title of examination, position, or vacancy announcement for which they filed.
- d. The OPM or employing agency office where they are employed or submitted the information.
- e. Signature.

***Record Access Procedures:***

Individuals wishing to request access to records about themselves should contact the appropriate office shown in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

- a. Name.
- b. Social security number.
- c. Title of examination, position, or vacancy announcement for which they filed.
- d. The OPM or employing agency office where they are employed or submitted the information.
- e. Signature.

An individual requesting access must also follow OPM's Privacy Act regulations on verification of identity and access to records (5 CFR part 297).

***Contesting Record Procedures:***

Individuals wishing to request amendment of their records should contact the appropriate office shown in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified.

- a. Name.

- b. Social security number.
- c. Title of examination, position, or vacancy announcement for which they filed.
- d. The OPM or employing agency office where they are employed or submitted the information.
- e. Signature.

An individual requesting amendment must also follow OPM's Privacy Act regulations on verification of identity and amendment of records (5 CFR part 297).

***Record Source Categories:***

Information is provided by the individual to whom the record pertains, on forms approved by the Office of Management and Budget or is obtained directly from other agency or OPM records (e.g., race, sex, national origin, and disability status data may be obtained from the OPM/GOVT-1, General Personnel Records system).

