



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Thursday, April 17, 2014

MEMORANDUM FOR: Chief Human Capital Officers

FROM: Katherine Archuleta Director

Subject: Call for Agencies' Review of Recruitment and Hiring Practices to Ensure Fair Employment Opportunities for Applicants Who Are Unemployed or Facing Financial Difficulty Through No Fault of Their Own

The Federal Government is our Nation's largest employer. As the Federal Government seeks to hire a talented and productive workforce, we must all lead by example and ensure every individual receives a fair opportunity throughout the Federal recruitment and hiring process.

President Barack Obama issued a memorandum on January 31, 2014, *Enhancing Safeguards to Prevent the Undue Denial of Federal Employment Opportunities to the Unemployed and Those Facing Financial Difficulty Through No Fault of Their Own*. For your reference, the memorandum is available at <http://www.whitehouse.gov/the-press-office/2014/01/31/prevent-undue-denial-federal-employment-opportunities-unemployed-and-tho>.

The memorandum states that agencies "shall not make an unfavorable determination with respect to the suitability, fitness, or qualifications of an applicant for Federal employment because that applicant (i) is or was unemployed; or (ii) has experienced or is experiencing financial difficulty through no fault of their own, if the applicant has undertaken a good-faith effort to meet his or her financial obligations."

Consequently, agencies are required to review their recruiting and hiring practices, in accordance with Section 1(c) of the memorandum, to determine whether their processes intentionally or inadvertently place these applicants at an undue disadvantage. Agencies should report any processes that may unduly disadvantage applicants as well as those that support fair opportunities for Federal employment. If you believe your practices are compliant, please disclose that affirmatively, so that OPM will know you have considered the question, as required by the memorandum, and have reached a definitive conclusion.

We realize that it may be difficult, in some instances, to distinguish between what practices are acceptable (for example, disqualifying a candidate for lack of relevant experience or finding a candidate unsuitable on the grounds that s/he has failed to undertake an honest effort to discharge financial obligations) and what practices may run afoul of the policy announced in the memorandum (for example, disqualifying a candidate on the basis of unemployment *per se* or finding a candidate unsuitable simply because s/he has outstanding financial obligations). If you are in doubt, please feel free to consult with OPM for further guidance. Examples of recruitment and hiring practices that support fair opportunities may include: advertising that neither

discourages nor discriminates against individuals who are unemployed; application procedures that neither inadvertently nor intentionally put individuals at a disadvantage based on their unemployment status; and using recruitment practices that cast a broad net and encourage all qualified individuals to apply.

Agencies must report results to the Office of Personnel Management (OPM) by Wednesday, April 30, 2014.

Send your input to outreach@opm.gov and put "January 31 Presidential Memo" in the subject line.

Based on reported results, OPM will issue guidance to Chief Human Capital Officers to assist agencies with implementing this memorandum, including recruiting and hiring best practices.

If you have questions, please contact Kimberly Holden, Deputy Associate Director for Recruitment and Hiring by phone 202-606-8097 or by email at kimberly.holden@opm.gov.

cc: Human Resources Directors