Selective Service Registration Verification
FREQUENTLY ASKED QUESTIONS

There have been numerous questions about the new law requiring verification of selective service registration for new employees who are males from 18 & less than 26 years of age. The following are questions resulting from this requirement, with responses to them provided by the Office of General Counsel and the Office of Human Resources.

1. What is the appropriate "proof" of registration or "exemption" from registration? Is there a specific kind of registration form that we should accept? Is there a form that will show that they are "exempt?"

   There is no definition of "proof." The following are suggestions: the original registration card or on-line verification on the federal web site http://www4.sss.gov/regver/verification1.asp. A copy of the registration card, the exemption, or a copy of the on-line verification can be made for the record.

2. Non-immigrant aliens are exempt from the Selective Service. What should we require for proof of exemption for non-immigrant aliens that we employ?

   Provisions of the Selective Service Act are not applicable to non-immigrant aliens. Proof of exemption is NOT required unless an applicant is a male citizen or national in the covered age group.

3. Does this law apply to non-appointed employees, such as flat rate workers and casual employees?

   Yes, it does apply to covered employees who may not be appointed but who are paid through a UT Payroll office. The bill (H.B. 558) makes no distinction as to type of employee. It simply indicates that we "may not hire a person as an employee."

4. If someone has applied for registration (sent in the form or completed the on-line registration) but hasn't yet received their "proof" of registration, are they eligible to be hired?

   If the individual cannot "prove" registration or exemption from the requirement to register, he cannot be hired. Under the bill, it is the prospective employee’s obligation to "present proof." As indicated in #1 & #5), on-line verification of registration may be used as proof.

5. If someone has previously registered, but has lost their "proof" can we accept a hard copy of the on-line verification screen as proof of registration?

   Yes, on-line verification by the federal government is sufficient. As indicated previously, "proof" has not been defined. This screen should be printed and retained with the University of Texas Selective Service Registration Verification Form. Such documentation must be added to the individual’s personnel file.

6. Can we ask for "proof" or "exemption" ONLY AFTER the offer of employment has been extended?

   The University of Texas System will request verification of selective service registration from only the final candidate for a position.

7. If the offer has been extended, but the person has not registered or if the person has applied for registration, but doesn't yet have proof, are we obligated to HOLD the position for the person while they register and obtain "proof?"

   No, you are not obligated to hold the position for the individual. You may hold a position should you wish to do so, but it is not required.
8. Can we add a question to the Employment Application regarding registration with Selective Service, so that we can determine immediately whether we are considering an applicant who could not be hired?

It is the position of the U.T. System that component institutions should NOT ask such questions on the Application for Employment. A statement alerting applicants of the requirement that the U.T. System verify selective service registration should be included on the Application for Employment Form.

9. If someone is older than 25 (the oldest age to register) but never registered, can we hire them? Do we have to ask males 26+ years of age if they were registered?

If an individual did not register and is 26 or over, he does not need to comply. The bill only requires compliance of an individual of a specific age and gender.

10. Some of our employees have breaks in service due to the academic calendar and, thus, do not have continuous service. Will these employees have to provide proof of registration after each break in service? This would include faculty and other teaching staff and both academic and non-academic student employees. Also, does a break in service during the summer of 1999 mean these employees have to provide proof of registration for their appointment beginning on September 1, 1999?

"Continuous" employment is not defined in the Statute. The UT System Office of General Counsel opinion is that the university has a strong argument that these types of employees are "continuous."

11. What are the consequences for a person who begins work in a department without providing proof of registration? If we find that they have not registered and therefore are unable to provide proof, do we pay them then terminate them as soon as we find out about the situation?

This requirement is a condition of employment. Without proof of registration, the employee is not eligible for employment. Legally, you could terminate the individual unless he proves he has registered.

12. If the "best qualified applicant" is eligible for registration but has not yet registered, is there a "grace period" that would permit us to allow the person go to work, with the understanding that they will register and provide proof of registration?

No. We cannot hire an employee without first having him provide proof of registration.