

**Delegated Examining Operations Handbook:**  
*A Guide for Federal Agency Examining Offices*

U.S. Office of Personnel Management  
June 2019

# Table of Contents

<b>Introduction</b> .....	<b><a href="#">i</a></b>
Purpose of the <i>Delegated Examining Operations Handbook (DEOH)</i> .....	<a href="#">i</a>
Audience.....	<a href="#">i</a>
Materials Needed .....	<a href="#">i</a>
How the <i>DEOH</i> is Organized .....	<a href="#">ii</a>
Importance of Delegated Examining.....	<a href="#">ii</a>
Competitive Examining Process Flow Chart .....	<a href="#">iv</a>
<b>Chapter 1 – OPM and Agency Responsibilities</b> .....	<b><a href="#">1-1</a></b>
Section A – What is Delegated Examining Authority? .....	<a href="#">1-1</a>
Section B – OPM Responsibilities .....	<a href="#">1-3</a>
Section C – Agency Responsibilities .....	<a href="#">1-4</a>
Section D – Delegated Examining Certification Program.....	<a href="#">1-10</a>
Section E – References .....	<a href="#">1-12</a>
<b>Chapter 2 – Identify the Job and its Assessments</b> .....	<b><a href="#">2-1</a></b>
Section A – Review Hiring Flexibilities.....	<a href="#">2-2</a>
Section B – Conduct a Job Analysis.....	<a href="#">2-13</a>
Section C – Identify Assessment Tools .....	<a href="#">2-17</a>
Section D – Submit Request to the Delegated Examining Officer .....	<a href="#">2-35</a>
Section E – References .....	<a href="#">2-36</a>
<b>Chapter 3 – Recruit and Announce the Job</b> .....	<b><a href="#">3-1</a></b>
Section A – Recruitment .....	<a href="#">3-1</a>
Section B – What is Public Notice?.....	<a href="#">3-6</a>
Section C – Create a Job Opportunity Announcement .....	<a href="#">3-11</a>
Section D – References .....	<a href="#">3-17</a>

<b>Chapter 4 – Accept and Review Applications .....</b>	<b><a href="#">4-1</a></b>
Section A – Accepting Applications .....	<a href="#">4-1</a>
Section B – Reviewing Applications.....	<a href="#">4-13</a>
Section C – References .....	<a href="#">4-28</a>
<b>Chapter 5 – Assess Applicants .....</b>	<b><a href="#">5-1</a></b>
Section A – Requirements for Competitive Employment .....	<a href="#">5-1</a>
Section B – Rating the Applicants.....	<a href="#">5-3</a>
Section C – Examining Processes.....	<a href="#">5-26</a>
Section D – References .....	<a href="#">5-32</a>
<b>Chapter 6 – Certify Eligibles .....</b>	<b><a href="#">6-1</a></b>
Section A – Criteria Outlined in the Job Opportunity Announcement .....	<a href="#">6-1</a>
Section B – Creating a Certificate of Eligibles .....	<a href="#">6-11</a>
Section C – Auditing a Certificate .....	<a href="#">6-25</a>
Section D – Objections and Pass-Overs .....	<a href="#">6-34</a>
Section E – Illegal Selection and Priority Consideration.....	<a href="#">6-45</a>
Section F – Shared Certificates .....	<a href="#">6-51</a>
Section G – References .....	<a href="#">6-54</a>
<b>Chapter 7 – Reporting and Accountability.....</b>	<b><a href="#">7-1</a></b>
Section A – Safeguarding the Examining Process.....	<a href="#">7-1</a>
Section B – Freedom of Information and Privacy Acts.....	<a href="#">7-4</a>
Section C – Annual internal Self-Audits.....	<a href="#">7-7</a>
Section D – OPM Review .....	<a href="#">7-8</a>
Section E – References .....	<a href="#">7-9</a>
<b>Glossary.....</b>	<b><a href="#">Glossary-1</a></b>
<b>Appendix A – Sample Interagency Delegated Examining Agreement .....</b>	<b><a href="#">A-1</a></b>
<b>Appendix B – Vendor Criteria List.....</b>	<b><a href="#">B-1</a></b>

<b>Appendix C – Records Retention and Disposition Schedule .....</b>	<b><a href="#">C-1</a></b>
<b>Appendix D – OPM’s Job Analysis Methodology .....</b>	<b><a href="#">D-1</a></b>
Job Analysis Worksheet for Tasks.....	<a href="#">D-6</a>
Job Analysis Worksheet for Competencies .....	<a href="#">D-7</a>
Job Analysis Worksheet for Task and Competency Linkage.....	<a href="#">D-8</a>
Accomplishments Worksheet.....	<a href="#">D-9</a>
Multiple Choice/Yes-No Rating Schedule Worksheet .....	<a href="#">D-10</a>
Rating Schedule Benchmark Worksheet.....	<a href="#">D-11</a>
<b>Appendix E – Handbook for Agency Test Administrators and Test Control Officers ...</b>	<b><a href="#">E-1</a></b>
<b>Appendix F – Administrative Careers With America Positions.....</b>	<b><a href="#">F-1</a></b>
<b>Appendix G – Evaluating Delegated Examining Programs .....</b>	<b><a href="#">G-1</a></b>
<b>Appendix H – CTAP/ICTAP Charts .....</b>	<b><a href="#">H-1</a></b>
<b>Appendix I – Transmutation Procedures for General Schedule Positions.....</b>	<b><a href="#">I-1</a></b>
<b>Appendix J – Competitor Inventory .....</b>	<b><a href="#">J-1</a></b>
<b>Appendix K – Professional and Scientific Positions .....</b>	<b><a href="#">K-1</a></b>
<b>Appendix L – Rule of Three Certification and Selection Procedures .....</b>	<b><a href="#">L-1</a></b>
<b>Appendix M – Random Referral (Tie-Breaking) Instructions .....</b>	<b><a href="#">M-1</a></b>
<b>Appendix N – Assessing Applicants with Disabilities .....</b>	<b><a href="#">N-1</a></b>

# Introduction

## **Purpose of the *Delegated Examining Operations Handbook (DEOH)***

The *Delegated Examining Operations Handbook (DEOH)* is designed to provide assistance to agencies with delegated examining authority granted under section 1104 of title 5, United States Code (U.S.C.).

This *DEOH* applies to competitive examining only. It does not apply to merit promotion, the excepted service, or the Senior Executive Service (see 5 U.S.C. § 1104). It provides agencies with guidance, options, and, where necessary, specific operational procedures that are designed to ensure that examining programs comply with merit system laws and regulations.

## **Audience**

Although the Office of Personnel Management (OPM) delegates examining authority at the agency headquarters level, agencies may assign examining responsibilities to subordinate offices, which serve as “delegated examining units” (DEUs).

This *DEOH* is designed primarily for:

- Delegated examining staff;
- Test Administrators;
- Test Control Officers; and
- Human resources offices.

Hiring managers and appointing officials are encouraged to read this *DEOH* to better inform themselves about the delegated examining process.

## **Materials Needed**

Use this *DEOH* in conjunction with:

- Specific authorities cited in the agency’s delegation agreement;
- Applicable laws in title 5, U.S.C.; and
- Regulations published in the Code of Federal Regulations (CFR).

While the information in this *DEOH* is current as of the date of issue, it is not uncommon for there to be changes to law or regulation or new precedents that affect how they should be interpreted. When that occurs, any change to applicable law will supersede the information in

this *DEOH*. To receive automatic electronic updates to the *DEOH*, register at [http://apps.opm.gov/listserv\\_apps/list-sub.cfm?targetlist+=DEOHInfo](http://apps.opm.gov/listserv_apps/list-sub.cfm?targetlist+=DEOHInfo).

The Chief Human Capital Officers (CHCO) Council advises and coordinates activities of members' agencies on such matters as legislation affecting human resources operations and organizations, modernization of human resources systems, and improved quality of human resources information. You can access transmittals issued by OPM to the CHCOs/Human Resources (HR) Directors at <http://www.chcoc.gov/Transmittals/Index.aspx>.

The Office of Management and Budget (OMB) has made available a web site for Federal agencies to share information and collaborate with one another. To access the MAX Federal Community, register at <https://max.omb.gov/maxportal/>.

## **How the *DEOH* is Organized**

We have organized this *DEOH* in a manner that corresponds to the examining process, starting with recruitment planning and finishing with issuing and auditing certificates.

To help you understand the examining process and the organization of this *DEOH*, we have provided a flow chart outlining the major steps of the process (see page iv). The main headings of the flow chart (outlined in red) reflect the major steps of the examining process. These major steps are:

- Identify the job and its assessments ([Chapter 2](#));
- Recruit and announce the job ([Chapter 3](#));
- Accept and review applications ([Chapter 4](#));
- Assess applicants ([Chapter 5](#)); and
- Certify eligibles ([Chapter 6](#)).

## **Importance of Delegated Examining**

Delegated examining procedures outlined in this *Handbook* are designed to assist an agency in complying with civil service laws and regulations, providing a fair and open competition, recruiting from all segments of society, and making a selection on the basis of the applicants' competencies or knowledge, skills, and abilities (KSAs), in accordance with applicable rules of selection.

Recognizing the need for additional education and resources, OPM, OMB, and the Presidential Personnel Office (PPO) launched the Hiring Excellence Campaign (HEC), "Connecting with Top Talent," in 2016. The HEC was designed to assist the Federal Government in attracting diverse, talented applicants and hiring highly-qualified candidates through engaged and empowered hiring managers supported by highly-skilled human resources staff. For additional

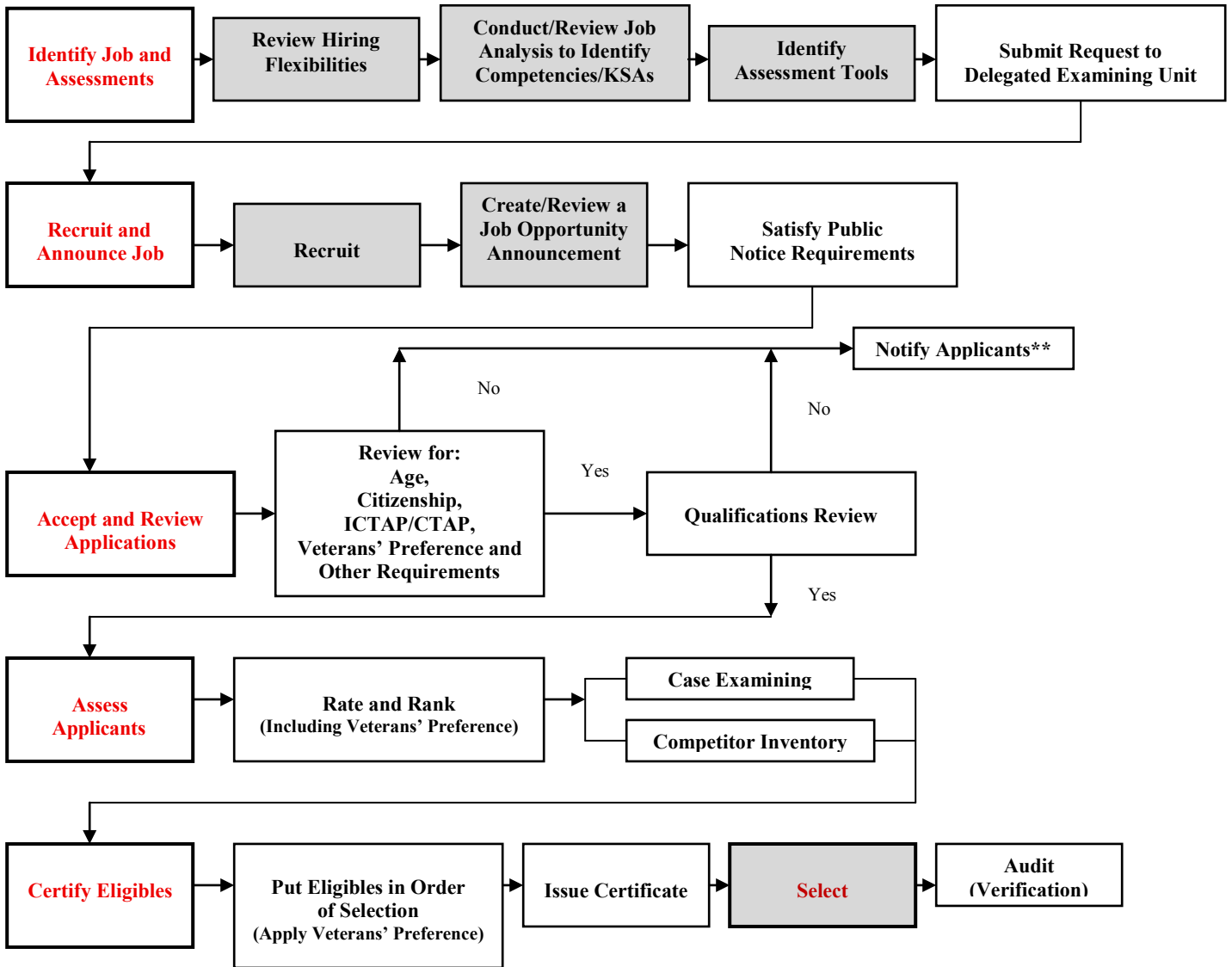
resources and practical solutions to overcoming the most common barriers to the hiring process, see the joint OPM and OMB memorandum, M 17-03, *Institutionalizing Hiring Excellence to Achieve Mission Outcomes*, at <https://www.chcoc.gov/content/institutionalizing-hiring-excellence-achieve-mission-outcomes>.

As a human resources professional engaged in delegated examining, you have an opportunity to continue the Campaign by engaging hiring managers throughout the hiring process. Fostering collaborative relationships with your hiring managers will improve outreach, recruitment, and hiring outcomes. As depicted on the Competitive Examining Process Flow Chart (see next page), there are many opportunities throughout the process to engage with your hiring managers. A fully engaged hiring manager is the key to recruitment and hiring success.

Additionally, OPM has undertaken many hiring reform efforts over the past several years, and you will see references to them throughout this *Handbook*. One such area is the “Pledge to Applicants.” OPM recognizes that a Government’s most important asset is its people. To attract talented people to the service of the Nation, we believe the application process should enable rather than deter job seekers. To that end, we will work to provide a hiring process that reflects these principles.

1. A user-friendly application process that is not unduly burdensome or time consuming.
2. Clear, understandable job announcements and instructions for applying.
3. Timely and informed responses to questions about the requirements and the process.
4. Prompt acknowledgement to applicants that their applications have been received.
5. Regular updates on the status of their applications as significant decisions are reached.
6. A timely decision-making process.

## Competitive Examining Process Flow Chart\*



Shaded boxes involve hiring manager's participation

\*Major steps in the competitive examining process are identified in red.

\*\*Applicants are notified at four touch-points during the examining process (see Chapter 4).



## Chapter 1 – OPM and Agency Responsibilities

This chapter describes the responsibilities that are typically outlined in Interagency Delegated Examining Agreements between OPM and agencies. This chapter contains the following sections:

Section A	What is Delegated Examining Authority?
Section B	OPM Responsibilities
Section C	Agency Responsibilities
Section D	Delegated Examining Certification Program
Section E	References

### Section A - What is Delegated Examining Authority?

#### What is Delegated Examining Authority?

Delegated examining authority is an authority OPM delegates to agencies to fill competitive civil service jobs through a competitive process open to all U.S. citizens, including current Federal employees.

Appointments made by agencies through delegated examining authority are subject to civil service laws and regulations. This is to preserve and protect fair and open competition, foster recruitment from all segments of society, and selection on the basis of the applicants' competencies or knowledge, skills, and abilities (KSAs) (see 5 U.S.C. § 2301(b)(1)).

#### What Does Delegated Examining Cover?

Under 5 U.S.C. § 1104, OPM has delegated to agency heads the authority delegated to OPM by the President to conduct competitive examinations for positions in the competitive service, except for administrative law judge positions. Note: Executive Order (E.O.) 13843, signed July 10, 2018, established Schedule E in the excepted service for the appointment of administrative law judges. As of the signing of the E.O., no new appointments of administrative law judges to the competitive service may be made.

#### How to Obtain Delegated Examining Authority.

To obtain the authority to conduct delegated examining for competitive service positions, your agency must enter into a signed delegated examining agreement with OPM. This agreement permits OPM to establish appropriate standards and exercise appropriate oversight, as required by 5 U.S.C. § 1104. The four steps to obtaining delegated examining authority are:

- Step 1: The agency headquarters contacts OPM's Employee Services, Hiring Policy Office and requests delegated examining authority.

- Step 2: OPM drafts a delegated examining agreement for both parties to sign.
- Step 3: OPM and the agency HR Director sign the agreement.
- Step 4: OPM trains and certifies the agency personnel who will operate the delegated examining unit(s).

**How Delegated Examining Authority is Terminated, Suspended, or Revoked.**

Your agency's delegated examining agreement may be terminated by either OPM or your agency with 90 days advance notice. OPM may suspend or revoke certification of an agency's delegated examining unit at any time, with or without advance notice.

For a sample of the standard Interagency Delegated Examining Agreement, see [Appendix A](#).

## **Section B - OPM Responsibilities**

### **Training, Guidance, and Technical Assistance**

OPM is responsible for providing you with:

- Training, guidance, and oversight in the conduct of delegated examining activities;
- Certification for the individuals you have identified to conduct examining operations;
- Periodic recertification; and
- Operating guidelines and basic technical assistance.

### **Medical and Qualifications Objections**

Notwithstanding any delegation of authority to your agency, OPM retains exclusive authority to:

- Make medical qualifications determinations pertaining to preference eligibles (5 CFR § 339.306); and
- Grant or deny an agency's request to pass over a preference eligible with a compensable service-connected disability of 30% or more (5 U.S.C. § 3318). See Chapter 6, Section D for more information on objections and pass-overs.

### **Job Information**

OPM provides job seekers with up-to-date information about job opportunities and application procedures through USAJOBS (see [www.usajobs.gov](http://www.usajobs.gov)).

### **Oversight**

OPM maintains an oversight program to ensure that delegated examining activities, including any supporting work performed by contractors, are conducted in accordance with applicable law, merit system principles, and the standards established under 5 U.S.C. § 1104 (b)(1).

If OPM determines that an activity is contrary to any law, rule, or regulation, or is contrary to any standard that OPM establishes for delegated authority, your agency must take any corrective action that OPM may require (see 5 U.S.C. § 1104 (c)).

## **Section C - Agency Responsibilities**

### **Fundamental Responsibilities**

A delegated examining unit has two fundamental responsibilities:

1. To ensure to the maximum extent possible that the agency's vacant positions are filled with the best-qualified persons from a sufficient pool of well-qualified eligibles, and taking into account veterans' preference requirements; and
2. To uphold the laws, regulations, and policies governing competitive examination and selection (see 5 U.S.C. §§ 3304-3319, merit system principles (id. at § 2301), and prohibited personnel practices (id. at § 2302).

### **Assessment Instruments**

Agencies must develop assessment instruments in accordance with 5 CFR part 300 (see Chapter 2, Section C).

### **Recruitment and Public Notice**

Hiring under the merit system requires you to give members of the public an opportunity to compete for most vacant positions. Therefore, when you are filling a job through delegated examining, you must:

- Recruit enough well-qualified applicants to ensure adequate competition for competitive service positions;
- Provide public notice of the opportunity to compete by listing all job opportunity announcements on USAJOBS (see 5 U.S.C. §§ 3327 and 3330);
- Provide a suitable job opportunity announcement and an appropriate open period for receipt of applications, considering:
  - The nature of the position(s) to be covered by the job opportunity announcement,
  - The promotion potential associated with the position(s), and
  - The characteristics of the relevant labor market;
- Specify filing instructions and conditions clearly in the job opportunity announcement; and
- Justify an open period of less than five calendar days by documenting your rationale in the examination file.

For more information about recruitment and public notice, see Chapter 3.

### **Establishing an Agency Policy on Accepting and Processing Applications**

Your agency headquarters is responsible for establishing agency-wide policies and procedures for accepting and processing applications from all applicants, including status applicants, and clearly specifying filing instructions and conditions in the job opportunity announcement (see Chapter 4, Section A).

## **Forms**

You are responsible for acquiring and maintaining adequate supplies of the forms necessary for conducting examining operations. You may order standard and optional forms through your normal procurement process. They are also available on OPM's web site at [www.opm.gov/forms](http://www.opm.gov/forms).

You may also use automated documentation methods in lieu of written documentation, or design and print your own forms. However, you must seek approval from the Office of Management and Budget (OMB) before using any form that collects information directly from the public (see 5 CFR part 1320 and OMB 83-I, *Paperwork Reduction Act Submission*).

## **Establishing an Agency Category Rating Policy**

Your agency headquarters is responsible for establishing a category rating policy that identifies the requirements for implementing category rating in the agency, including such considerations as the type of assessment tool(s) to be used to evaluate candidates, how "well-qualified" career transition assistance eligibles will be identified, under what circumstance the agency would refer only veterans in the highest quality category, and procedures on how to decide whether or not to merge categories (see Chapter 5, Section B and Chapter 6, Section B).

## **Rating and Ranking Applications**

You are responsible for:

- Screening for minimum qualifications;
- Rating applications and determining whether a passing score has been met, if established;
- Ranking eligibles based on their ratings/category assignments;
- Adjudicating and applying veterans' preference; and
- Notifying the applicants of the status of their applications at four different points in the hiring process.

## **Administering and Scoring Written Tests and Other Assessments**

You are responsible for administering and scoring written tests. Individuals who administer OPM tests must be trained and certified by OPM. You may enter into an agreement with OPM or a certified contractor to administer and score assessments on a reimbursable basis.

If you decide to use a certified contractor, we suggest you look at the "Vendor Criteria List" (see [Appendix B](#)). This list provides the types of information you should request from the contractor before entering into a contractual agreement. The Vendor Criteria List in Appendix B is by no means an exhaustive list of questions; it is simply a starting point for you to consider when choosing a contractor.

## **Adjudicating and Applying Veterans' Preference**

You must adjudicate and apply the veterans' preference provisions of title 5, U.S.C., including:

- 5 U.S.C. § 2108 (veteran; disabled veteran; preference eligible);
- 5 U.S.C. § 2108a (treatment of certain individuals as veterans, disabled veterans, and preference eligibles);
- 5 U.S.C. § 3305 (competitive service; examinations; when held);
- 5 U.S.C. § 3309 (preference eligibles; examinations; additional points for);
- 5 U.S.C. § 3310 (preference eligibles; examinations; guards; elevator operators; messengers and custodians);
- 5 U.S.C. § 3311 (preference eligibles; examinations; crediting experience);
- 5 U.S.C. § 3312 (preference eligibles; physical qualifications; waivers);
- 5 U.S.C. § 3313 (competitive service; registers of eligibles);
- 5 U.S.C. § 3314 (registers; preference eligibles who resigned);
- 5 U.S.C. § 3315 (registers; preference eligibles furloughed or separated);
- 5 U.S.C. § 3316 (preference eligibles; reinstatement);
- 5 U.S.C. § 3317 (competitive service; certification using numerical ratings);
- 5 U.S.C. § 3318 (competitive service; selection using numerical ratings);
- 5 U.S.C. § 3319 (competitive service; selection using category rating);
- 5 U.S.C. § 3330 (government-wide list of vacant positions);
- 5 U.S.C. § 3330a (preference eligibles; administrative redress);
- 5 U.S.C. § 3330b (preference eligibles; judicial redress); and
- 5 U.S.C. § 3330c (preference eligibles; remedy).

For more information, see OPM's *Federal Employment Policy Handbook: Veterans and the Civil Service (VetGuide)* at <https://www.opm.gov/policy-data-oversight/veterans-services/vet-guide-for-hr-professionals/>.

## **Other Determinations**

You are also responsible for making the following determinations:

- Conversion to career or career-conditional employment (see 5 CFR 315 subpart G);
- Exceptions to the time-in-grade restriction (see 5 CFR 300 subpart F); and
- Exceptions to the time-after-competitive-appointment restriction (see 5 CFR 330 subpart E).

## **Career Transition Assistance**

You are responsible for recruiting, examining, and referring eligibles in a manner that complies with your agency's Career Transition Assistance Plan and the Interagency Career Transition Assistance Plan (see Chapter 4, Section B).

## **Requests for Reconsideration (Appeal of Rating)**

You must establish a procedure through which applicants may request reconsideration (appeal) of their ratings (see 5 CFR part 300). You may want to consider incorporating this procedure into your agency's administrative grievance or alternative dispute resolution system.

For more detailed information, see Chapter 5, Section C.

## **Issuing Certificates**

You are responsible for issuing Certificates of Eligibles, auditing certificates, and establishing objection/pass-over procedures.

OPM, however, retains exclusive authority to:

- Make medical determinations pertaining to preference eligibles (5 CFR part 339); and
- Grant or deny an agency's pass-over request of a preference eligible with a compensable service-connected disability of 30% or more (5 U.S.C. § 3318).

See Chapter 6, Section D for more information on objections and pass-overs.

## **Suitability Determinations and Actions**

Under 5 CFR part 731, OPM has delegated to agencies the authority to make suitability determinations and take suitability actions (including limited, agency-specific debarments under § 731.205) with regard to applicants for, and appointees to, competitive service positions, except where the following issues have arisen, in which instance such determinations and actions must be referred to OPM:

- Material, intentional false statement in examination or appointment,
- Deception or fraud in examination or appointment, or
- Refusal to furnish testimony as required by 5 CFR section 5.4.

**Note:** A hiring agency may not make specific inquiries concerning an applicant's criminal or credit background of the sort asked on the OF-306 or other forms used to conduct suitability investigations for Federal employment until the hiring agency has made a conditional offer of employment to the applicant (unless the agency has requested and received an exception from OPM). Agencies may make inquiries into an applicant's Selective Service registration, military service, citizenship status, or previous work history, prior to making a conditional offer of employment to an applicant. An agency has the latitude to determine what office within the agency will be responsible for adjudicating suitability. This function may be done in the examining office, but there is no requirement that it be done there. For further information concerning suitability determinations refer to 5 CFR part 731.

## **Training and Certification**

In accordance with its oversight responsibility (5 U.S.C. § 1104), OPM requires agencies to ensure that individuals responsible for conducting delegated examining activities, including those conducting the annual audits, have completed certification requirements and are currently certified to perform these activities (see Chapter 1, Section D).

## **Accountability**

In accordance with OPM's general responsibility to ensure compliance with civil service laws (5 U.S.C. § 1103(a)(5)) and its oversight responsibility to ensure that your delegated examining activities are in compliance with OPM standards and with merit system principles (see 5 U.S.C. §§ 1104(b)(1) and (2) and 2301), you must:

- Establish an internal accountability system. This internal accountability system is subject to periodic review by OPM.
- Conduct annual internal self-audits of your delegated examining activities. Such self-audits must be performed by non-delegated examining staff who have been trained and certified by OPM in delegated examining procedures. In satisfying this requirement, you must:
  - Maintain documentation that the required annual self-audit has been completed. Such documentation will be requested in advance of an OPM or agency-led review. (see Chapter 7); and
  - Maintain a list of all discrepancies and corrective actions for a period of three years after each audit.
- Take any corrective action that OPM may require as a result of periodic review of delegated examining activities, which is conducted by OPM's Merit System Accountability and Compliance Division.

## **Reporting and Recordkeeping**

You are responsible for notifying OPM of any changes in your delegated examining program, including the addition or termination of delegated examining units.

You are responsible for certain recordkeeping requirements including:

- Retaining records in accordance with the *DEOH* Records Retention and Disposition Schedule (see [Appendix C](#)). Appendix C provides specific instructions for disposing of documents associated with delegated examining activities. Appendix C supersedes any previous record-keeping schedule that may have been furnished to a delegated examining unit, including any schedule that may have been attached to a delegated examining agreement;



- Ensuring that the records used to implement the delegation of authority are maintained in a manner that is consistent with OPM's Governmentwide system of records (OPM-GOVT-5) and the Privacy Act. Submit requests for changes to the OPM system notices or regulations to:

Deputy Associate Director  
Talent Acquisition and Workforce Shaping  
U. S. Office of Personnel Management  
1900 E Street, NW, Room 6500 AJ  
Washington, DC 20415

## **Section D - Delegated Examining Certification Program**

### **Introduction**

Together, your agency and OPM have a vested interest in training employees who perform examining functions to be fully knowledgeable about competitive examining procedures. Toward that end, and in connection with its obligation to establish standards for delegated functions (5 U.S.C. § 1104 (b)(1)), OPM requires all HR practitioners who are involved in delegated examining activities to pass a comprehensive Certification Assessment. The requirement for certification applies to both Federal employees and employees of contractors. With respect to contractors, certification is available only to those individuals who are employed by firms that have contracts with Federal agencies for the delivery of delegated examining services or to those who are employed on the basis of personal service contracts with an agency. The Federal agency must sponsor the contractor and document the contractual relationship at the time of registration.

The new Delegated Examining Certification Program, which will be implemented effective in Fiscal Year 2019, involves three main phases:

- Phase 1: Delegated Examining Training
- Phase 2: Delegated Examining Certification Assessment (proctored, in-person exam)
- Phase 3: Delegated Examining Recertification Assessment (proctored, in-person exam)

The Delegated Examining Certification Program Guide provides registration information and describes each phase in detail including prerequisites, requirements, outcomes, and costs. The Guide is located at [www.opm.gov/deu](http://www.opm.gov/deu).

### **How to Register for the Delegated Examining Certification Program**

Registration instructions for the Delegated Examining Certification Program may be found in the Delegated Examining Certification Program Guide (see [www.opm.gov/deu](http://www.opm.gov/deu)). If you are currently certified, then you may register for the Recertification Assessment when your Certification is within 6 months of expiring. If you are not currently certified, you may register for the Certification Assessment to start the certification process.

### **Agency Responsibility**

Agencies must ensure their delegated examining staffs maintain current Certification by monitoring Certification expiration dates through the Delegated Examining Certification Information System (DECIS) and arranging for the timely registration and completion of the required Recertification Assessment.

## Employee Movement

When a Federal employee or contractor transfers from one agency to another, Delegated Examining Certification transfers with the individual as long as Certification is still current. When such a transfer occurs, the employee and receiving agency or delegated examining unit must notify OPM through the DECIS and provide the employee's (or contractor's) new email address and Delegated Examining Unit Identification Number.

Once an employee separates from Federal service, Delegated Examining Certification terminates. There are exceptions, however, in the case of a former employee who returns to Federal service, or becomes a contract employee, **prior** to what would have been the expiration date of the last Delegated Examining Certification had the employee never left Federal employment (i.e., within the 3-year window). In such a case, Delegated Examining Certification requirements are as follows:

- If the former employee returns to Federal service within 1 year of separation, **and** the most recent Certification is still within the 3-year window, no additional requirements are needed. Use the date of the last Delegated Examining Certification to determine when Certification expires (3 years).
- If more than 1 year have elapsed between separation from and return to Federal service, **and** the most recent Certification is still within the three-year window, the employee must complete the Recertification Assessment to reestablish Delegated Examining Certification **before** being assigned delegated examining work.

Should a former Federal employee return to Federal service after Delegated Examining Certification would have expired (i.e., outside the 3-year window), the former employee must pass the Certification assessment to reestablish Delegated Examining Certification **before** being assigned delegated examining work. (See the Delegated Examining Certification Program Guide at [www.opm.gov/deu](http://www.opm.gov/deu)).

## Section E - References

The following table provides a list of sources pertaining to the topics covered by this section:

Topic	Reference
Privacy Act	5 U.S.C. § 552a; 5 CFR part 297
Delegation of authority for personnel management	5 U.S.C. § 1104
Veteran; disabled veteran; preference eligible	5 U.S.C. § 2108
Treatment of certain individuals as veterans, disabled veterans, and preference eligibles	5 U.S.C. § 2108a
Merit system principles	5 U.S.C. § 2301
Prohibited personnel practices	5 U.S.C. § 2302
Competitive service; examinations; when held	5 U.S.C. § 3305
Preference eligibles; examinations; additional points for	5 U.S.C. § 3309
Preference eligibles; examinations; crediting experience	5 U.S.C. § 3311
Preference eligibles; physical qualifications; waivers	5 U.S.C. § 3312
Competitive service; registers of eligibles	5 U.S.C. § 3313
Registers; preference eligibles who resigned	5 U.S.C. § 3314
Registers; preference eligibles furloughed or separated	5 U.S.C. § 3315
Preference eligibles; reinstatement	5 U.S.C. § 3316
Competitive service; certification using numerical ratings	5 U.S.C. § 3317
Competitive service; selection using numerical ratings	5 U.S.C. § 3318
Competitive service; selection using category rating	5 U.S.C. § 3319
Civil service; employment service	5 U.S.C. § 3327
Governmentwide list of vacant positions	5 U.S.C. § 3330
Employment (General)	5 CFR part 300
Career and career conditional appointment	5 CFR part 315
Recruitment, selection, and placement (General)	5 CFR part 330
Examining system	5 CFR part 337
Medical qualification determinations	5 CFR part 339
Suitability	5 CFR part 731
Controlling paperwork burdens on the public	5 CFR part 1320
OPM delegated examining web page	<a href="https://www.opm.gov/deu">https://www.opm.gov/deu</a>
<i>Federal Employment Policy Handbook: Veterans and the Civil Service (VetGuide)</i>	<a href="https://www.opm.gov/policy-data-oversight/veterans-services/vet-guide-for-hr-professionals/">https://www.opm.gov/policy-data-oversight/veterans-services/vet-guide-for-hr-professionals/</a>
Interagency Delegated Examining Agreement	<a href="#">Appendix A</a>
Vendor Criteria List	<a href="#">Appendix B</a>
Records Retention and Disposition Schedule	<a href="#">Appendix C</a>

## **Chapter 2 - Identify the Job and its Assessments**

Identifying the job and its assessments is very important in the examining process. This chapter describes the various steps you should take prior to filling your job. This chapter contains the following sections:

Section A	Review Hiring Flexibilities
Section B	Conduct a Job Analysis
Section C	Identify Assessment Tools
Section D	Submit Request to the Delegated Examining Officer
Section E	References

### **Collaboration with the Hiring Manager**

An important first step is to discuss the job with the hiring manager. It's important for you to understand the position the hiring manager is trying to fill and the competencies an appointee would need to possess in order to perform the position effectively. It's equally important for the hiring manager to understand all of the options available in filling the job and his or her role in developing the job analysis, assessment tool, and job opportunity announcement. Throughout the next steps in the process, it's critical that you and the hiring manager discuss:

- Hiring flexibilities available (what authorities can be used to fill the job)
- Details about the job requirements
- The importance of determining the qualities any candidate must possess beyond minimum qualifications in order to be considered an acceptable prospect for successful performance of the duties of the position;
- The best way to assess relative competency levels for the position; and
- The best way to market (recruit) the vacancy

The hiring manager serves as an important resource to help you understand the critical aspects of the job, define minimum qualifications that must be established in order to be considered for assessment and what will constitute a passing grade in your process, and determine appropriate assessment methods. Involving the hiring manager throughout the process will help to build a highly qualified applicant pool for consideration.

## **Section A - Review Hiring Flexibilities**

As you are creating a job opportunity announcement, you may want to consider a wide range of hiring flexibilities available to your agency. Taking full advantage of these flexibilities may help you attract the applicants who are best prepared to perform the work that needs to be done. This section will discuss some of the hiring flexibilities you may consider. For a comprehensive list of appointing authorities, please visit our web site at <https://www.opm.gov/policy-data-oversight/hiring-information/hiring-authorities/>.

### **Temporary Limited Employment**

#### **Definition of a Temporary Appointment**

A temporary limited appointment is a non-status appointment to a competitive service position for a specific period not to exceed one year.

#### **Initial Appointment**

You may make a temporary limited appointment:

1. To fill a job that is not expected to last longer than one (1) year;
2. To meet an employment need that is time limited for reasons such as:
  - Scheduled abolishment of the position,
  - Reorganization,
  - Anticipated contracting out of the function,
  - Anticipated reduction in funding, or
  - Need to complete a specific project or meet a peak workload; or
  - To temporarily fill positions that may be needed for the placement of permanent employees who would otherwise be displaced.

#### **Extension of Temporary Appointment**

You may extend a temporary limited appointment for a period of up to one additional year, for a total of 24 months (see 5 CFR part 316).

When extensions beyond the 24 month limit are needed, you must submit a written request to OPM's Employee Services, Talent Acquisition and Workforce Shaping office identifying the reasons for the extension and the additional amount of time required to complete the work. OPM will grant such requests only in cases of a major reorganization, base closing, or other unusual circumstances.

## **Exceptions to the Time Limits**

You may make a temporary limited appointment without regard to the time limits if the position involves intermittent or seasonal work, provided that:

- Appointments and extensions are made in increments of one year or less, and
- Employment in the position is less than six months (1,040 hours), excluding overtime, in a service year.

You must submit a written request to OPM's Employee Services, Talent Acquisition and Workforce Shaping office for exceptions due to a major reorganization, base closing, or other unusual circumstances (see 5 CFR part 316).

## **How to Make Temporary Appointments**

You may be able to use either competitive or non-competitive examining procedures to fill temporary limited positions, depending on the circumstances and applicable law.

For competitive examining procedures, you may use either:

- 5 CFR part 332 competitive procedures ("rule of three"); or
- 5 CFR part 337 examining system (category rating).

Non-competitive temporary appointments may be made for individuals who are qualified for the position and eligible for (see 5 CFR 316.402):

- Reinstatement under 5 CFR part 315;
- Veterans Recruitment Appointment (VRA) under 5 CFR part 307;
- Career-conditional appointment under 5 CFR part 315;
- Appointment of veterans with compensable service-connected disability of 30% or more under 5 U.S.C. § 3112;
- Appointment of current and former employees of the General Accounting Office under 31 U.S.C. § 732(g);
- Appointment of current and former employees of the Administrative Office of the U.S. Courts under 28 U.S.C. § 602;
- Reappointment on the basis of being a former temporary employee of the agency who was originally appointed either from a Certificate of Eligibles or under the provisions of 5 CFR part 337, subject to the time limits in 5 CFR 316.401; or
- Reappointment on the basis of being a former temporary employee of the agency who was originally appointed either from a Certificate of Eligibles or under the provisions of 5 CFR part 337 and who sustained a compensable injury while serving on a temporary appointment.

**How to Announce for a Temporary Job**

You must state in the job opportunity announcement the time limits for the position, e.g., “not to exceed (NTE) one year.” You may wish to include a statement saying that the job may be extended for an additional year if the nature of the duties would warrant such a statement. Jobs lasting a total of 121 days or more must be cleared for Career Transition Assistance Plan (CTAP)/Interagency Career Transition Assistance Plan (ICTAP) (Chapter 4, Section B).

**Where to Find Information on this Topic**

For additional information on Temporary Limited Employment, see 5 CFR part 316.



## Term Employment

### Definition of Term Appointment

A term appointment is a no status appointment to a position in the competitive service for a specific period of more than one year but not more than four years.

### Initial Appointment

You may make a term appointment (5 CFR part 316):

1. To fill a job that will last for more than one year, but not more than four years, where the need for an employee's services is not permanent; and
2. To meet an employment need that is time limited for reasons, such as:
  - Need to complete a particular project,
  - Extraordinary workload,
  - Scheduled abolishment,
  - Reorganization,
  - Anticipated contracting out of the function,
  - Uncertainty of future funding, or
  - Need to maintain permanent positions for placement of employees who would otherwise be displaced from other parts of the organization.

### Extension of Term Appointment

You may make an initial term appointment for a period of more than one year but less than four years. If additional time is necessary, you may extend the appointment up to the four-year limit.

For extensions beyond the four-year time limit, you must submit a written request to OPM's Employee Services, Talent Acquisition and Workforce Shaping office identifying the reasons for an additional extension, and the additional time needed (5 CFR part 316).

### Term v. Permanent Appointment

Term appointments **do not** confer competitive status (5 CFR part 316). Therefore, you may not select term employees for permanent appointments through merit promotion procedures unless they are eligible for non-competitive appointments using authorities listed in "How to Make Term Appointments." Absent such eligibility for non-competitive appointment, term employees, like any other eligibles, are given permanent appointments only when they are selected from a competitive Certificate of Eligibles.

## **How to Make Term Appointments**

You may use either competitive or non-competitive examining procedures to fill term positions, depending on the circumstances and applicable law.

For competitive examining procedures, you may use:

- 5 CFR part 332 competitive procedures (“rule of three”) or
- 5 CFR part 337 examining system (category rating).

Non-competitive term appointments may be made for individuals who are qualified for the position and eligible for (see 5 CFR 316.302):

- Reinstatement under 5 CFR part 315;
- VRA under 5 CFR part 307;
- Career-conditional appointment under 5 CFR part 315;
- Appointment of veterans with compensable service-connected disability of 30% or more under 5 U.S.C. § 3112;
- Appointment of current and former employees of the General Accounting Office under 31 U.S.C. § 732(g);
- Appointment of current and former employees of the Administrative Office of the U.S. Courts under 28 U.S.C. § 602;
- Reappointment on the basis of having left a term appointment prior to serving the four year maximum amount of time allowed under the appointment under 5 CFR part 316; or
- Conversion in the same agency from a current temporary appointment when the employee is or was within reach on a Certificate of Eligibles for the term appointment at any time during service in the temporary job under 5 CFR part 316.

## **How to Announce for a Term Job**

The job opportunity announcement for a term position of more than one year but less than four years should clearly state that the agency has the option of extending the appointment up to the four-year limit.

## **Where to Find Information on this Topic**

For additional information on Term Employment, see 5 CFR part 316.

## **Direct-Hire Authority**

### **Introduction**

The Chief Human Capital Officer Act of 2002 (Title XIII of the Homeland Security Act and codified at 5 U.S.C. § 3304) provides you with the authority to appoint qualified candidates directly to jobs for which public notice has been given and OPM determines there is:

1. A severe shortage of candidates, or
2. A critical hiring need.

### **How Direct-Hire Authority is Initiated**

Direct-hire authority may be initiated pursuant to either of the following procedures:

- OPM may decide, independently, that a severe shortage of candidates or a critical hiring need exists, either Governmentwide or in specific agencies, for one or more occupational series, grades (or equivalent), or geographic locations; **or**
- A written request may be submitted by the head of the agency or the Chief Human Capital Officer (or equivalent) at the agency headquarters level to OPM identifying the position(s) for which the agency believes a severe shortage or a critical hiring need exists. The agency must include relevant evidence to support its request in accordance with OPM regulations and guidance.

### **Direct-Hire Authority Coverage**

Direct-hire authority is issued for a permanent or nonpermanent position or group of positions in the competitive service at GS-15 (or equivalent) and below. This authority may be issued for one or more of the following:

- Occupational series;
- Grades (or equivalent); and
- Geographical location.

### **Impact on Competitive Requirements**

Direct-hire authority permits hiring without regard to sections 3309 through 3318 of title 5, including the following competitive requirements:

- Veterans' preference;
- Use of prescribed assessment and rating procedures (i.e., the type of process required for a "rule of three" selection process or a "category rating" selection process).

## **Legal Compliance**

When using a direct-hire authority an agency must:

- Follow public notice requirements under 5 U.S.C. §§ 3327 and 3330;
- Comply with career transition requirements (CTAP/ICTAP) under 5 CFR part 330; and
- Determine qualification requirements for the position (5 CFR part 338).

To satisfy public notice requirements, you must list your direct-hire positions on the USAJOBS database (see 5 U.S.C. §§ 3327 and 3330). Applicants may be considered for direct-hire positions only during an open job opportunity announcement period. Recruitment for direct-hire positions may be ongoing due to the severe shortage of candidates or the critical hiring need of the position; however, applications from recruited applicants may only be considered and selected as part of a recruitment case including an open job opportunity announcement. The recruitment case must also include documentation of meeting career transition requirements (see Chapter 4).

The agency must ascertain applicable eligibility requirements have been met (including citizenship, or any age or medical or physical requirements), and the appointing official must ensure that there has been compliance with anti-nepotism provisions, and a determination that the individual selected meets all additional requirements to hold the position, including suitability to hold a Federal position, eligibility to hold a position that is national security sensitive, etc.

### **Definition of Severe Shortage of Candidates**

A severe shortage of candidates for a particular position or group of positions means that an agency is having difficulty identifying enough candidates possessing the competencies or the knowledge, skills, and abilities (KSAs) required to perform the job requirements despite extensive recruitment, extended announcement periods, and the use, as applicable, of hiring flexibilities such as recruitment or relocation incentives or special rates.

### **Justification for Severe Shortage of Candidates**

You must provide justification that demonstrates a severe shortage of candidates for a job or group of jobs exists. The information must show candidates with the required competencies for the job cannot be found despite:

- Extensive recruitment efforts;
- Extended announcement periods; and
- Use of other hiring flexibilities (see Chapter 3, Recruitment, for more information concerning recruitment tools such as recruitment and retention incentives, if applicable).

## **Evidence of a Severe Shortage**

The information you can use to support the justification for severe shortage of candidates can be from sources such as:

- Demonstrated recruitment efforts;
- Strategic human resources management plans that forecast workforce needs;
- Relevant analyses made in connection with workforce planning efforts;
- Labor market data; and
- Employment trends.

## **OPM Issued Direct-Hire Authority**

In an effort to establish that conditions exist for direct-hire authority, OPM will also consider:

- Whether a nationwide or geographical skills shortage exists;
- Extent to which positions are located in an undesirable geographic location;
- Requirement of the incumbent to perform onerous or undesirable duties; and
- Requirement of the incumbent to work under extraordinary or extreme conditions.

## **Definition of Critical Hiring Need**

A critical hiring need for a particular position or group of positions means that, in order to meet mission requirements, an agency has a need to fill the position(s) with a qualified candidate quickly, necessitating that the agency forego the time required for a process that would make distinctions in relative levels of KSAs, and permit a ranked list of candidates, after the application of veterans' preference.

## **Critical Hiring Need**

A critical hiring need to fill the job is brought about by exigent circumstances such as, but not limited to:

- A national emergency;
- Threat or potential threat;
- Environmental disaster;
- Other unanticipated or unusual events or mission requirements; or
- Compliance with the requirements of a new law, Presidential directive, or administration initiative.

## **Evidence of a Critical Hiring Need**

When requesting approval for direct-hire authority, agencies must:

- Identify the position(s) that must be filled;
- Describe the events or circumstances that have created the need to fill the position;

- Describe why filling the job is critical to the agency's mission and how the authority would promote that mission;
- Specify the duration for which the critical hiring need is expected to exist; and
- Explain why using other hiring authorities is impracticable or ineffective.

### **Where to Submit a Request for Direct-Hire Authority**

You must submit your request and supporting documentation to the Associate Director for Employee Services. You should mail, email, or fax your request to:

Associate Director  
Employee Services  
Office of Personnel Management  
1900 E Street, NW, Room 6500  
Washington, DC 20415  
Fax: 202-606-2329  
Email: [ESEmployment@opm.gov](mailto:ESEmployment@opm.gov)

### **Documenting Personnel Actions**

When documenting direct-hire authority appointments on the SF-50/52, *Notification of Personnel Action or Request for Personnel Action*, you must use two Nature of Action authority codes:

For agency-specific direct-hire authority use:

- **AYM** as the 1<sup>st</sup> authority, identifying the appointment as one made under 5 CFR part 337; and
- **BYO** as the 2<sup>nd</sup> authority, identifying the agency-specific direct-hire authority.

For Governmentwide direct-hire authority use:

- **AYM** as the 1<sup>st</sup> authority, identifying the appointment as one made under 5 CFR part 337; and
- A 2<sup>nd</sup> authority, unique to each new Governmentwide direct-hire authority, which will be issued by OPM. These authority codes are located in OPM's *Guide to Processing Personnel Actions* on OPM's web site at <http://www.opm.gov/feddata/gppa/gppa.asp>.

**Both** authority codes must be used when making direct-hire appointments to enable OPM to evaluate the use of this authority without requiring additional agency reports.

Note: For more information on direct-hire authority and to view a list of Governmentwide direct-hire authorities, visit OPM's web site at <https://www.opm.gov/policy-data-oversight/hiring-information/hiring-authorities/>.

## **Excepted Service Positions, Senior Executive Positions, and Appointments Authorized by Statute**

### **Introduction**

In general, individuals are not eligible for competitive service positions based solely on their past or current employment in the excepted service or certain Senior Executive Service (SES) appointments, or on appointments authorized by statutes that diverge from normal competitive processes. In such cases, these candidates must participate in the competitive examining process (5 CFR part 332).

### **Categories of Service Not Granted Noncompetitive Employment Conversion**

The following categories of service do not grant noncompetitive employment/conversion eligibility:

- Most Schedule A and B appointments (*refer to the specific Schedule A or B authorities to verify whether they confer noncompetitive employment/ conversion eligibility*) under 5 CFR part 213;
- Schedule C appointments (5 CFR part 213);
- Non-career SES appointments;
- Appointments authorized by public law or specific statute excepting such appointments from normal title 5 competitive procedures;
- Appointments of experts and consultants;
- Limited appointments, such as SES limited term appointments, Foreign Service Limited or Reserve appointments, or Intergovernmental Personnel Assignments (IPA); and
- Overseas limited appointments, or un-appropriated or non-appropriated fund appointments.

Candidates with these backgrounds must apply for new positions in the competitive service, through the normal competitive process (5 CFR part 332).

### **WARNING!**

You and your human resources officials should pay particular attention to cases involving consideration of excepted service employees for competitive service vacancies. These employees are often appointed to their excepted service positions without competition. While serving in these positions they gain specialized experience that may give them a definite advantage when competing with other individuals. Although you have flexibilities in filling your vacancies, you should ensure that your hiring decisions are made solely on the basis of merit and fitness without regard to political or religious affiliations, marital status, race or any other non-merit-based factor.

**Note:** OPM has for some years reviewed the appointment of Schedule C and non-career SES employees to new competitive service positions pursuant to its general oversight authorities. Beginning in 2016, Congress enacted a statutory requirement for OPM to report to Congress concerning such appointments. Accordingly, agencies must seek prior approval from OPM for:

- The appointment of a current or former political appointee as described under 5 U.S.C. sections 5312 through 5316 (relating to the Executive Schedule) to a permanent competitive service, non-political excepted service, or career SES position;
- The appointment of a current or former political Schedule A, Schedule C, or appointee who served in a political capacity under agency-specific authority in the Executive Branch to a permanent competitive service, non-political excepted service, or career SES position;
- The appointment of a current or former noncareer SES, Limited Term SES, or Limited Emergency SES in the Executive Branch to a permanent competitive, non-political excepted service, or career SES position; and
- The appointment of a current or former political appointee in the Executive Branch (as described in the subsections above) to a covered position in an agency having established an interchange agreement with OPM, under Civil Service Rule 6.7, allowing movement from the agency's system to the competitive civil service.

OPM will review these proposed appointments to verify that the appointment process was carried out in accordance with merit system principles and applicable civil service laws, including the prohibition against political consideration, either favorable or unfavorable. For more information, see OPM's CHCO Memo titled, *Political Appointees and Career Civil Service Positions*, dated February 23, 2018, at <https://chcoc.gov/content/political-appointees-and-career-civil-service-positions-3>.

Note: Agencies are not free to *refuse* to consider former political appointees who are eligible to apply for a position in the competitive service merely because accepting the application may require the agency to take this additional step at the end of the process.

### **Interchange Agreements**

Under Civil Service Rule 6.7, OPM and an agency with an established merit system (in the excepted service) may enter into an agreement prescribing conditions under which employees are eligible to move from the excepted service to the competitive service. A current list of interchange agreements is found on OPM's web site at <https://www.opm.gov/policy-data-oversight/hiring-information/competitive-hiring/#url=InterchangeAgreementsWithOtherMeritSystems>.



## Section B - Conduct a Job Analysis

### Introduction

A job analysis is the foundation of human resources management. A valid job analysis provides data that should be used to develop effective recruitment, qualification and assessment, selection, performance management, and career development methodologies.

This section provides an understanding of job analysis and its function as an essential part of the selection process.

### What is Job Analysis?

A job analysis identifies the competencies /KSAs directly related to performance on the job. It is a systematic procedure for gathering, documenting, and analyzing information about the content, context, and requirements of the job. It demonstrates that there is a clear relationship between the tasks performed on the job and the competencies/KSAs required to perform the tasks.

A competency is a measurable pattern of knowledge, skills, abilities, behaviors and other characteristics that an individual needs in order to perform work roles or occupational functions successfully. Examples of competencies include:

- Oral communication,
- Flexibility,
- Customer service, and
- Leadership.

**Note:** To avoid confusion, we refer to both competencies and KSAs as "competencies/KSAs." While most agencies have moved to using competencies instead of KSAs, these terms are sometimes used interchangeably at agencies. Although they are not synonymous, competencies and KSAs serve the same function in the job analysis process.

### MOSAIC Competencies

OPM has been conducting Governmentwide occupational studies using its *Multipurpose Occupational Systems Analysis Inventory - Close-Ended* (MOSAIC) methodology for more than 20 years. MOSAIC, a multipurpose, survey-based occupational analysis approach, is used to collect information from incumbents and supervisors on many occupations for a wide range of human resource management functions.

A key component of the MOSAIC approach is an extensive literature review of relevant organizational and psychological literature and occupational information (for example, job analyses, position descriptions, classification standards, training plans, crediting plans, competency models) from public and private sector organizations.

Through these studies, we have identified the critical competencies and tasks employees need to perform successfully in nearly 200 Federal occupations, as well as for leadership positions.

The foundation of the MOSAIC approach is the common language, (that is, common tasks and competencies) used to describe all occupations included in the study. This approach allows for comparisons both within and across occupations, which is particularly important for restructuring, broadbanding and career transitioning. Furthermore, it provides agencies with a basis for building integrated human resource management systems that use a common set of tasks and competencies to structure job design, recruitment, qualification and assessment, selection, performance management, training, and career development so that employees receive a consistent message about the factors on which they are selected, trained, and evaluated.

The MOSAIC competencies can be found on OPM's assessment and selection website competencies page available at <https://www.opm.gov/policy-data-oversight/assessment-and-selection/competencies/>.

MOSAIC studies have been completed for following areas of interest. Please reference the OPM website for the most up-to-date listing of studies.

- Cybersecurity
- Grants Management
- IT Program Management
- Financial Management
- Human Resources Management
- Law Enforcement, Compliance, Security, and Intelligence Related Occupations
- Executive Core Qualifications
- Government Performance and Results Act Modernization Act

## **Legal Requirements**

Federal regulations provide that each employment practice of the Federal Government generally, and of individual agencies, shall be based on a job analysis to identify:

- The basic duties and responsibilities;
- The KSAs required to perform the duties and responsibilities; and
- The factors important in evaluating candidates (5 CFR part 300).

In addition, the *Uniform Guidelines on Employment Selection Procedures* (1978), (29 CFR part 1607, <https://www.gpo.gov/fdsys/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml>), provides a set of generally accepted principles on employee selection procedures, including when and how to conduct a job analysis that will meet the standard of the *Guidelines*. The basic principle of the *Uniform Guidelines* is that it is unlawful to use a test or selection procedure that creates adverse impact, unless justified. Consequently, the *Uniform Guidelines* do not require validity studies of a selection procedure where there is no adverse

impact. However, the job analysis procedures presented in the *Uniform Guidelines* are good practices to follow in developing selection procedures, even when the selection procedures produce no adverse impact.

### **Why is Job Analysis Important for Selection?**

A job analysis identifies the competencies/KSAs directly related to performance on the job. Therefore, a job analysis is the key to any rational approach to qualifying, assessing, and selecting employees. To identify individuals who could successfully carry out the tasks required by the position and their relative levels of the relevant competencies/KSAs, you should fully understand the nature of the job. Job analysis provides a means of developing such an understanding (see OPM's Job Analysis Methodology, [Appendix D](#)).

By systematically examining what the job entails, you can identify the competencies/KSAs that are necessary for success on the job. Once these competencies/KSAs are identified, valid and effective selection tools can be developed.

### **When to Conduct Job Analysis**

You do not need to conduct a new job analysis every time you seek to fill a job. Where job openings in the same occupation recur frequently, you can often rely on selection instruments that were developed from recent job analyses of that occupation. Whether a new job analysis should be conducted for a particular position depends on the novelty of the position and the currency of the most recent job analysis for that occupation.

For example, if the position you seek to fill is unlike any other position in your agency, then you should conduct a job analysis. Similarly, if the nature of the position is such that its requirements are likely to change with relative frequency (e.g., information technology positions), then you should review the position at least annually to ensure that your selection tools are still valid. However, if the requirements of the position are relatively static, then the position may only need to be reviewed as needed.

### **Results of Job Analysis**

At a minimum, the results of a job analysis should include a list of tasks and competencies/KSAs associated with that job, as well as information regarding their importance and an indication of the frequency with which these duties are performed.

### **Document Your Findings**

Document thoroughly any job analysis that you conduct. Date the results and keep them in a file that is maintained exclusively for the position(s) in question. This practice will help you to ensure your selection methodologies are current and valid.

## **The Role of Job Analysis in Valid Assessment**

An assessment tool is valid if it measures characteristics or competencies that are important for job performance. Job analysis is a systematic approach to determining which competencies are important for the job. The data (i.e., critical tasks and competencies) from a job analysis are used as the foundation for deciding which assessment tools to use in selection.

For example, assume that a job analysis shows that “flexibility” is important for successful job performance and also shows that flexibility is needed upon entry into the job. This result would indicate that it is appropriate to assess applicants on “flexibility.” The next step is to determine the best assessment tool to use to measure flexibility, not only for purposes of determining relative levels of this competency among candidates for ranking purposes, but to also determine a passing score, the point at which candidates should be deemed to have “passed” the assessment process for purposes of determining an entitlement to be placed on the resulting list of eligible candidates.

## Section C - Identify Assessment Tools

### Introduction

Once you complete your job analysis, the next important step is to determine your assessment strategy. In competitive examining, you may use a broad range of assessment tools or methods. The appropriate assessment strategy depends on a number of factors related to both the positions to be filled and operational issues. These considerations include:

- Competencies/KSAs identified in the job analysis,
- Consequences of making a bad hire,
- Grade level of positions to be filled,
- Validity of assessments,
- Expected number of applicants,
- Resources such as raters and automated systems,
- Time to develop, and
- Costs.

The competencies/KSAs identified in the job analysis are the foundation for your assessment strategy. You should consider those competencies/KSAs that have been identified as critical (i.e., important, required at entry to the position, *and* linked to important job tasks) both in order to be considered at all and for your subsequent selection process. Choose a manageable set of competencies/KSAs that measure different aspects of job performance. In addition, you should consider the consequences of hiring an applicant who lacks a particular competency/KSA - some competencies can be developed through training. Depending on the level of the position, the consequences of making a bad hire can vary. Making a poor decision when hiring can be very expensive; therefore, you may want to spend more time in the beginning performing a thorough assessment of the needed competencies/KSAs. It is important to use assessments that are valid measures of the competencies/KSAs so that you have useful, appropriate assessments that permit not only distinctions in relative levels of competencies/KSAs but also to establish what score or quality indicators should be considered to constitute a passing grade, thereby permitting the agency to screen-out any applicants who could not successfully perform the duties of the position prior to developing the final list of eligible candidates.

In addition, consider any operational issues that will impact the implementation of your assessment strategy. Think about the expected number of applicants, based on previous experience and the current labor market. If the number is very high, consider using a multiple hurdles approach in which the first assessment reduces the number of applicants who will continue in the selection process. In addition, think about the resources you will need to administer an assessment to a large number of applicants. For example, structured interviews require several trained experts to serve as interviewers and, therefore, are usually used when there are smaller numbers of applicants or towards the end of the selection process. Automated assessments may be a better choice to efficiently handle large numbers of applicants, but only if they permit an effective screening-out of candidates who lack the competencies/KSAs to effectively perform the duties of the position. Of course, time and costs will also affect your

choice of an assessment strategy. Be sure to consider the time and costs for both development and implementation of the assessment.

This section discusses the following topics:

Assessment Tools  
Indicators of Proficiency

## Assessment Tools

Examples of assessment tools are:

- Structured Interview
- Test
- Assessment Center
- Work Sample
- Occupational Questionnaire (Crediting Plan/Rating Schedule)

You may choose one or more assessment options to measure a person's competencies/KSAs for a particular job. This section provides information on the advantages and disadvantages of each of several methods to help you determine which method will be most effective in meeting your agency hiring needs. The types of assessment tools presented, however, are just a sample of the most common methods used in the Federal Government. To learn more about these and other types of assessment tools, please visit OPM's Assessment and Selection website at <https://www.opm.gov/policy-data-oversight/assessment-and-selection/>. This website provides additional information on assessment methods, as well as tools and resources (for example, training slides, tip sheets) for agencies to use.

## Sources of Guidance

The *Uniform Guidelines on Employee Selection Procedures* provide a set of principles for determining proper test use and selection procedures, covering topics such as test fairness and adverse impact. You can find the *Guidelines* at <https://www.gpo.gov/fdsys/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml>.

Another source of guidance is the Department of Labor's *Testing and Assessment: An Employer's Guide to Good Practices*. This publication is available at [www.doleta.gov/programs/onet/news.asp](http://www.doleta.gov/programs/onet/news.asp) or in hard copy from the Government Printing Office (GPO Order Desk 202/512-1800, Stock Number 029-014-00259-3).

In addition, there are several psychological and educational organizations that publish guidance on the subject of testing standards.

## Understanding Reliability and Validity

Two important technical characteristics of assessments are *reliability* and *validity*. The quality of an assessment tool can be determined by looking at these two characteristics. The following is a basic explanation of *reliability* and *validity*.

*Reliability* is the degree of consistency or stability of an assessment tool over time, in different situations, or across applicants, and/or raters. For example, a test score that remains the same for a person taking the test several times is an indication that the test is reliably measuring a competency.

*Validity* is the degree to which an assessment tool measures a job-related characteristic *and* how well it is measuring that characteristic. Validity shows the relationship between performance on an assessment tool and performance on the job. For example, an interview that assesses competencies documented as important for job performance is considered valid. Validity is also an indicator of how well the assessment tool is measuring the job-related competencies. For example, two different work sample assessment tools may measure the same job-related competency, but the tool that best measures the competency is considered more valid.

## Structured Interview

The structured interview is an evaluation of an applicant's job-related competencies/KSAs using standard questions that are scored systematically using predetermined criteria or benchmarks for all interviews for a particular job. The benchmarks typically provide behaviorally specific examples of what constitutes high, medium, and low levels of proficiency. The interview may include questions concerning job knowledge, work sample assessments and work requirements.

<b>Strengths</b>	<b>Considerations</b>	<b>Example of Interview Questions</b>
<ul style="list-style-type: none"><li>• High validity and reliability</li><li>• Low adverse impact</li><li>• Viewed as fair by the applicant</li><li>• Comprehensive competency measurement</li><li>• Short administration time (1 hour)</li><li>• Difficult for applicants to "fake" responses</li></ul>	<ul style="list-style-type: none"><li>• Usually requires involvement of management and subject matter experts for panel participation.</li><li>• Preparing and scheduling participants in advance will significantly reduce the resources required to conduct a structured interview.</li><li>• Reducing the size of the applicant pool through recruitment and/or additional assessments will help decrease the number of interviews needed.</li></ul>	"Describe a situation in which you identified a problem and evaluated the alternatives to make a recommendation or decision."

Human resource specialists may develop a structured interview. OPM has developed a Structured Interview Guide, available at <https://www.opm.gov/policy-data-oversight/assessment-and-selection/structured-interviews/guide.pdf>. In addition, OPM provides training on how to develop and administer a structured interview. For more information about the training, contact OPM's HR Solutions at [Selection\\_Assessment@opm.gov](mailto:Selection_Assessment@opm.gov).



## Test

A test is an evaluation of an applicant’s job-related competencies/KSAs using a series of questions (e.g. true-false, fill-in-the-blank, matching, and multiple choice) or exercises that are administered in a paper-and-pencil or computer format. There are a number of different types of tests that may be used, each designed to target different competencies or abilities. Some examples of these types of tests include job knowledge tests, situational judgment tests, and cognitive ability tests.

<b>Strengths</b>	<b>Considerations</b>	<b>Example</b>
<ul style="list-style-type: none"> <li>• Tests tend to have higher validity than most self-report measures (e.g., occupational questionnaires)</li> <li>• Time and cost effective for multiple administrations</li> <li>• Typically administered in a secure environment</li> <li>• Sets consistent standards for all applicants</li> </ul>	<ul style="list-style-type: none"> <li>• Assessing both cognitive and social/interpersonal competencies as part of the same test will help with potential adverse impact issues.</li> <li>• Initial development costs can be higher than other assessment tools, but low administration costs and re-usability provide long term benefits.</li> <li>• Applicants are increasingly expecting to be assessed through the Internet.</li> </ul>	<p><b>Armed Services Vocational Aptitude Battery (ASVAB)</b>            –The military’s aptitude measure enables appropriate placement of soldiers with reference to cognitive, psychomotor, and reasoning skills, as well as career interest paths.</p>

Note: Most assessment methods require considerable test development and measurement expertise to develop in-house. Measurement specialists can assist in selecting or developing valid, fair, and effective assessment tools to meet specific hiring needs. Many vendors offer professionally-developed assessments. Each agency is responsible for ensuring assessments meet all regulatory and legal criteria and for developing and maintaining the necessary documentation to support their selection processes.

### Using OPM Tests

OPM delegated to agencies the authority to administer OPM’s written tests. Agency test administrators must receive training from OPM before administering these tests. Please see [Appendix E](#), Handbook for Agency Test Administrators and Test Control Officers, for more information. Additionally, at the request of an agency examining office, OPM will develop and administer tests on a reimbursable basis.

You must obtain OPM approval to use an OPM-developed written test to determine basic eligibility or as the sole basis for ranking applicants for in-service placement (5 CFR parts 300 and 338). You must submit a written request to:

U.S. Office of Personnel Management  
Employee Services  
Talent Acquisition and Workforce Shaping  
1900 E Street, NW, Room 6500  
Washington, DC 20415

### **Specific Information about Using Non-OPM Developed Tests**

You may develop applicant assessment procedures without assistance from OPM. The development and implementation of the assessments must be consistent with the following:

- The technical standards in the *Uniform Guidelines on Employee Selection Procedures* (see 29 CFR part 1607), with respect to the development of any applicant assessment procedure; and
- The [\*Operating Handbook, Qualifications Standards for General Schedule Positions\*](#). (You may use any written tests that are specifically mentioned in the qualifications standard.) Certain occupations require written tests for in-service placement. If written tests are used, you must follow the guidelines found in the [\*Operating Handbook, Qualifications Standards for General Schedule Positions\*](#).

## Assessment Center

An assessment center evaluates an applicant’s job-related competencies/KSAs, using multiple raters and exercises to evaluate each competency. The exercises are scored systematically using predetermined criteria or benchmarks. Assessment centers utilize a variety of competency-related assessment simulations including group exercises, in-basket exercises, questionnaires, fact-finding exercises, interviews, and role-playing.

<b>Strengths</b>	<b>Considerations</b>	<b>Example</b>
<ul style="list-style-type: none"> <li>• Good predictors of job performance, managerial potential, and leadership ability</li> <li>• Participants view assessment centers as a very fair process</li> <li>• Low adverse impact</li> <li>• Provides a comprehensive and in-depth assessment of competencies</li> </ul>	<ul style="list-style-type: none"> <li>• Usually require multiple human raters</li> <li>• While assessment centers can be expensive and time consuming to develop and administer, and to train raters, streamlining the process by using technology can reduce the costs significantly.</li> <li>• Assessment centers are usually used in helping make management or executive hiring decisions and for selecting eligibles into a management development program.</li> </ul>	<p>A role-playing exercise that involves the applicant assuming the role of the employee who must deal with another person in a job-related situation. A trained administrator acts as the client and responds "in character" to the actions of the applicant. Raters assess the applicant’s performance. If the competency being assessed is “Customer Service,” the administrator may act as an angry and upset client and the applicant will be rated on how the applicant deals with the client.</p>

Professional test development/measurement assistance is required when developing assessment centers.

## Work Sample

A work sample evaluates an applicant's job-related competencies/KSAs based on a work specific activity or simulation of a work activity.

<b>Strengths</b>	<b>Considerations</b>	<b>Example</b>
<ul style="list-style-type: none"><li>• High content and face validity</li><li>• High reliability</li><li>• Low adverse impact</li><li>• Viewed as fair by the applicant</li><li>• Good for tasks that can be completed in a short period of time</li><li>• Difficult to "fake" a response</li></ul>	<ul style="list-style-type: none"><li>• Technology can help reduce the resources needed to develop and administer a work sample.</li><li>• Work samples vary in complexity and detail. Simple work samples, such as a typing performance test, are low cost and easy to administer.</li><li>• Work samples are best used when hiring experienced workers and when there are a small number of applicants.</li></ul>	<p>A work sample assessment for a clerical position might require applicants to complete an in-basket exercise during which they are seated at a computer and asked to type a memo, create a spreadsheet, and correspond with a customer using email.</p>

A human resource specialist may develop a work sample assessment. Subject matter experts and measurement specialists should assist in the development.

## Occupational Questionnaire

A crediting plan/rating schedule is a systematic method used to assess previous experience, education, and training information provided by job applicants. These assessment factors are based on critical job requirements and competencies identified through a job analysis. In the Federal government, the most commonly used form of a crediting plan/rating schedule is the occupational questionnaire.

Occupational questionnaires (also known as online or assessment questionnaires, training & experience evaluations, or crediting plans/rating schedules) are one of many assessment tools used to assess applicants' qualifications and experience. Occupational questionnaires generally ask candidates to self-report their level of training and experience in carrying out critical tasks and demonstrating critical competencies identified through job analysis.

An occupational questionnaire is best used when the number of applicants is high. Because occupational questionnaires lack the ability to distinguish a top performer from an average performer, and an average performer from a poor performer, we recommend that an occupational questionnaire be combined with another assessment tool such as a structured interview.

<b>Strengths</b>	<b>Considerations</b>	<b>Example</b>
<ul style="list-style-type: none"> <li>• Can be developed quickly</li> <li>• Relatively inexpensive to develop &amp; implement</li> <li>• Low burden for applicants</li> <li>• Viewed as fair by applicants</li> <li>• Assess a wide variety of competencies</li> <li>• Test security is not an issue</li> <li>• Small learning curve (less assessment experience needed when using generic rating scales)</li> </ul>	<ul style="list-style-type: none"> <li>• Possible response distortion/applicant inflation</li> <li>• Verifying applicants' responses will help reduce the possibility of inflated self-ratings</li> <li>• Lower validity than other assessment tools</li> <li>• May not meaningfully distinguish among candidates</li> <li>• May not be ideal for entry-level positions</li> <li>• Requires up-front time to develop</li> </ul>	<p>Indicate which of the following computer systems or applications you have used to analyze data. (Select all that apply.)</p> <ul style="list-style-type: none"> <li>• Excel</li> <li>• SAS</li> <li>• SPSS</li> <li>• STRATA</li> <li>• Other (e.g., R Project, GNU)</li> <li>• None of the above</li> </ul>

For more resources on questionnaire development, visit: <https://www.opm.gov/policy-data-oversight/assessment-and-selection/occupational-questionnaires/>.

Human resource specialists and subject matter experts may develop an occupational questionnaire. It may be useful to use measurement specialists to provide assistance in developing occupational questionnaires with customized and/or weighted response scales.

## Behavioral Consistency Method

Most Federal crediting plans/rating schedules use what is known as the behavioral consistency method. Under the behavioral consistency method of evaluating training and experience, you ask applicants to describe their major achievements in several job-related areas identified for the position, called job dimensions (i.e., competencies/KSAs). The job analysis identifies the competencies/KSAs to be included on the rating schedule. For each competency, benchmarks describe the type and level of achievements that represent each level of competence. Each benchmark has an assigned point value. To determine a rating (score), you compare the information provided by the applicants about their achievements to the benchmarks.

Selection methods that assess training and experience attempt to predict future job performance from past related accomplishments or achievements. You assign a rating (score) through systematic, judgment-based evaluations of information provided by applicants on résumés, applications, or other documents. Examples of accomplishments can be used either to develop rating schedule items (e.g., yes/no or multiple choice formats) or to develop benchmarks to rate applicants' responses (e.g., to open-ended questions). You can gather examples of accomplishments from:

- Job information (e.g., position descriptions),
- Past applications, or
- Subject matter experts.

You should also use subject matter experts to assign point values to the items or benchmark examples.

The following steps describe the behavioral consistency method:

- Step 1 Identify the competencies/KSAs to be included on the rating schedule through job analysis.
- Step 2 For each competency/KSA, develop benchmarks that describe the type and level of accomplishments or achievements that represent each level of proficiency.
- Step 3 Assign each benchmark a point value.
- Step 4 (Optional) For each competency/KSA, determine the minimum proficiency level that constitutes a passing grade, i.e., the minimum level an applicant must demonstrate in order to successfully perform the duties of the position. (For more information, see Chapter 4, Section B.)
- Step 5 Compare the information provided by the applicants about their achievements to these benchmarks to determine a rating (score), which, together with any veterans' preference due, determines final score and rank or quality category placement. Those applicants who do not achieved a passing grade, if used, are not eligible to receive a final eligible rating or to be placed in a quality category.

## **The Validity of Rating Schedules**

The validity of rating schedules that assess training and experience is usually established using a content validity model. Research has shown that a content validity strategy is applicable to the development and validation of an examination using the behavioral consistency method. The behaviors sampled in the accomplishments are content valid because they sample the kinds of achievements required to perform in the occupation. The purpose of developing competencies/KSAs is to point out the areas in the background of the applicants where the most relevant accomplishments are likely to be found.

## **The Validity of Accomplishment Records**

The Society for Industrial-Organizational Psychology's *Principles for the Validation and Use of Personnel Selection Procedures* (1987) supports the use of content validity for accomplishments. The use of accomplishments can be justified by a similarity between the content of the personal history experience and the content of the occupation. As indicated in the *Uniform Guidelines on Employee Selection Procedures*, this relationship may be based on the similarity between the competencies or behaviors documented in the accomplishments and those of the occupation, rather than between the exact content of the accomplishments of the job. For instance, a person with program analysis experience need not demonstrate experience writing analytical reports for a specific program or management function. The person provides accomplishments (e.g., analytical reports he or she has written) that demonstrate the competencies required by the job.

## **Special note**

Although the rating schedule is currently the most commonly used assessment tool in the Federal Government, agencies are learning and using new assessment tools. For example, the structured interview has been well received by many agencies and is frequently used. The highest return on investment occurs when you match the most valid assessment strategy to both the recruitment strategy and the competencies needed at entry into the position.

## Administrative Careers With America (ACWA) Positions

### Background

On November 19, 1981, the United States District Court for the District of Columbia resolved a class-action suit that was filed in 1979. The suit alleged that the Professional and Administrative Career Exam (PACE), which the government used to fill approximately 110 occupations at the GS-5 and GS-7 grade levels, had an adverse impact on the selection of African Americans and Hispanics. The suit was resolved when the parties entered into a consent decree, approved by the court (*Luevano Consent Decree*). Under that decree, the Government was required to cease using the PACE examination and OPM was required to develop a new assessment tool to be available to agencies to fill positions covered by the decree. OPM developed the Administrative Careers with America (ACWA) assessment instruments to fulfill this requirement. The injunction against using the former PACE exam remains, but the other aspects of the decree terminated in 2007.

### ACWA Assessments

The ACWA assessment instruments remain available to agencies to fill positions that were covered by the decree. The ACWA written tests and ACWA rating schedules are two separate assessment tools that are validated for use with the professional and administrative positions previously covered by PACE. The instruments were intended only for those occupations that were once subject to the PACE exam (see [Appendix F](#)) that were being filled at the entry level, either GS-5 or GS-7; were classified at a 2-grade interval; and had a promotion potential to a GS-9, or higher.

Agencies are not required to use the ACWA assessment tools and may use any other validated (i.e., job-related) assessment tool(s) when examining applicants for competitive service positions. Assessment tools must comply with the requirements in 5 CFR part 300, Chapter 2, Section C, of this handbook, and be consistent with the technical standards in the *Uniform Guidelines on Employee Selection Procedures* (see 29 CFR part 1607).

For additional guidance on the use of the ACWA, you may reference OPM's CHCO memo entitled, *Use of Validated Assessment Tools When Filling Positions in the Competitive Service*, dated March 6, 2009, found at <https://www.chcoc.gov/content/use-validated-assessment-tools-when-filling-positions-competitive-service-0>.

### How to Request ACWA Assessment Instruments

As noted above, OPM has developed ACWA Rating Schedules (occupational questionnaires) that you may use for filling positions covered in [Appendix F](#) through competitive examining. To request ACWA assessment instruments, your agency headquarters' Test Security and Control Officer (TSCO) must send the following information to Employee Services, Talent Acquisition and Workforce Shaping at 1900 E Street, NW, Room 6500, Washington, DC 20415:

- Name, address, and telephone number of the agency headquarters' TSCO;



- The names, addresses, and telephone numbers of the TSCOs at all components or field offices where the ACWA assessment instruments will be maintained and administered; and
- A list of the occupational series for which you plan to administer ACWA assessment instruments.

### **Who can administer ACWA assessment instruments?**

Only trained test administrators may access the ACWA Rating Schedules scoring information. Until test administrators and control officers have been trained in test security procedures, OPM will not release the ACWA Rating Schedule. If an ACWA rating schedule scoring is compromised, you must notify the OPM's Employee Services, Talent Acquisition and Workforce Shaping, within 24 hours, at [ESEmployment@opm.gov](mailto:ESEmployment@opm.gov).

### **Modifying ACWA Rating Schedules**

When using the ACWA Rating Schedules, you may modify the specialized qualification questions, but you may not change the rating questions. The following restrictions apply:

- You must use the instruments intact; You **MAY NOT** modify the contents of the instruments or values used in the scoring process;
- You **MAY NOT** edit, delete, renumber, or change the responses or values of the scoring keys;
- You **MAY NOT** edit, delete, renumber, or otherwise change the rating questions; and
- You must limit access to computerized examining records through the use of secure passwords by employees of the examining office.

## Indicators of Proficiency

A high quality assessment process will provide information about a person's proficiency level on the assessed competencies/KSAs and should predict the person's ability to successfully perform the job. An indicator of proficiency is not an assessment of an applicant; it is a source of evidence that the applicant possesses job-related competencies/KSAs. You should incorporate these indicators into your assessment tool. Examples of indicators of proficiency include:

- Agency certification program;
- Education;
- Experience;
- Professional activity; and
- Professional certification.

The advantages and disadvantages of each are discussed below.

### Agency Certification Program

An agency certification program is developed by an agency, group of agencies, or other group and demonstrates a person's proficiency in job-related competencies/KSAs. An agency certification program does not have to be recognized by a professional community. Agencies should ensure that the certification program does not unfairly exclude applicants who do not work for the agency, and therefore do not possess the certification, but are otherwise capable of performing the work of the position.

Advantages	Disadvantages	Example
<ul style="list-style-type: none"> <li>• Provides comprehensive competency assessment</li> <li>• Ensures a basic level of proficiency</li> </ul>	<ul style="list-style-type: none"> <li>• Agencies requiring a certificate as a condition of employment must demonstrate that people without the certification cannot perform the job.</li> <li>• Only provides information as to whether someone is certified or not certified; does <i>not</i> differentiate among those who are certified.</li> </ul>	<p>An agency's Human Resource Department may develop its own certification program to ensure that the job incumbent/applicant is competent to perform the job.</p>

## Education

Education is an indicator of proficiency that relies on course work completed by the applicant that is related to the competencies/KSAs needed to perform in the job. Educational accomplishments are one way to indicate the proficiency of a competency. However, you should include educational accomplishments in an assessment process that assesses other indicators, such as experience.

<b>Advantages</b>	<b>Disadvantages</b>	<b>Example</b>
Beneficial when used along with other assessment methods (e.g. in a structured interview a candidate may speak of educational experiences in answering interview questions)	<ul style="list-style-type: none"><li>• Low validity when used as the only screening factor. (If used alone as an assessment method or requirement, qualified applicants may be eliminated.)</li><li>• In some cases, it is difficult to demonstrate job relatedness and business necessity of education and experience requirements.</li></ul>	Applicants are asked to list and describe academic programs or courses they have taken that are related to the competencies being evaluated.

## Experience

Experience is an indicator of proficiency relating to the school, home, community, voluntary or work experiences of the applicant that demonstrate the competencies/KSAs needed to perform in the job.

Experience is only one way to indicate the proficiency of a competency. You should include experience in an assessment process that assesses other indicators, such as education, as well. You may use experience to assess both general and technical competencies.

<b>Advantages</b>	<b>Disadvantages</b>	<b>Example</b>
Beneficial when used along with other assessment methods (e.g., in a structured interview an applicant may speak of their experiences in answering interview questions)	<ul style="list-style-type: none"><li>• Low validity when used as the only screening factor. (If used alone as an assessment method or requirement, qualified applicants may be eliminated.)</li><li>• In some cases, it is difficult to demonstrate job relatedness and business necessity of education and experience requirements.</li></ul>	Applicants are asked to list and describe experience(s) they have had that are related to the competencies being evaluated.

## Professional Activity

A professional activity is evidence of substantial contributions to a profession that is related to the competencies/KSAs needed to perform the job.

<b>Advantages</b>	<b>Disadvantages</b>	<b>Example</b>
<ul style="list-style-type: none"><li>• If the hiring official is familiar with professional standards, individuals with substantial professional experience will be identifiable</li><li>• Time effective</li><li>• Beneficial when used along with other assessment methods (e.g., in a structured interview an applicant may speak of professional experiences in answering interview questions)</li></ul>	<ul style="list-style-type: none"><li>• It is sometimes difficult to assign credit to just one person (for example, in the case of joint authorship).</li><li>• Professional standards vary, but are often perceived to have the same credibility.</li></ul>	Publications in professional journals, patents, prizes/awards, etc.

## Professional Certification

A professional certification is an indicator of proficiency recognized by a specific professional community or industry.

Certification programs are generally required when there is a need to ensure a basic level of a competency. Many jobs involving public safety and public health require certification.

Advantages	Disadvantages	Example
<ul style="list-style-type: none"> <li>• Provides comprehensive competency assessment</li> <li>• Ensures a basic level of proficiency.</li> </ul>	<ul style="list-style-type: none"> <li>• Agencies requiring certification as a condition of employment must demonstrate that people without the certification cannot perform the job</li> <li>• Only provides information as to whether someone is certified or not certified; does <i>not</i> differentiate among those who are certified</li> </ul>	<p>Certified Public Accountant (CPA) Certificate – This certificate serves as a permit to practice public accounting. To obtain a CPA Certificate a person must:</p> <ul style="list-style-type: none"> <li>• Complete a program of study (usually 150 credit hours) in accounting at a college/university;</li> <li>• Pass the Uniform CPA Examination, which is developed and graded by the <a href="#">American Institute of Certified Public Accountants (AICPA)</a>;</li> <li>and</li> <li>• Have a certain amount of professional work experience in public accounting</li> </ul>

## **Section D - Submit Request to the Delegated Examining Officer**

### **Introduction**

As an HR Specialist you have conducted your job analysis and chosen your assessment tool(s) and are now ready to submit your request to your delegated examining officer (DEO).

### **Recommended Form**

When using the delegated examining process, you should provide information documenting the significant facts about the job that you want filled. For this purpose, we recommend using the Standard Form (SF) 39, *Request for Referral of Eligibles*, because it is a comprehensive document that identifies all required information. You may download a copy of the SF 39 from OPM's web site, [www.opm.gov/forms](http://www.opm.gov/forms). However, its use is not mandatory.

### **Submitting Your Request**

If you choose to use an SF 39, you may use one SF 39 for multiple vacancies for the same position (e.g., GS-05/07/09), type of appointment, and work schedule.

We recommend that you annotate the request for Certification of Eligibles (or SF 39 if it is used) with the receipt date to help you track the timeliness of the certification process. You should then review the request document or the SF 39, to ensure that it contains all the information necessary to issue a certificate. The SF 39 or request document should be accompanied by the appropriate position description(s).

## Section E – References

The following table provides a list of sources pertaining to the topics covered by this section:

Topic	Reference
Personnel actions to conform with civil service rules	5 U.S.C. 2301 and 2302 38 U.S.C. 4214 5 CFR part 302
Experts and consultants	5 U.S.C. 3109
Appointment of veterans with compensable service-connected disability of 30% or more	5 U.S.C. 3112 5 CFR part 316
Laws requiring agencies to report to OPM and DOL vacancies in the competitive service and Senior Executive Service	5 U.S.C. 3327 5 CFR part 330
Appointment for current and former employees of the Administrative Office of the U.S. Courts	28 U.S.C. 602
Appointments for current and former employees of the General Accounting Office	31 U.S.C. 732(g)
Interchange agreements	Civil Service Rule 6.7
Schedule A and B appointments	5 CFR part 213
Job analysis regulations	5 CFR part 300
Veterans Recruitment Appointment	5 CFR part 307
Career-conditional appointment	5 CFR part 315
Reinstatement	5 CFR part 315 subpart D
Term employment	5 CFR part 316 subpart C
Temporary limited appointment	5 CFR part 316 subpart D
Reappointment on the basis of being a former temporary employee of the agency who was originally appointed from a Certificate of Eligibles;	5 CFR 316.402(b)(8)
Reappointment on the basis of being a former temporary employee of the agency who was originally appointed from a Certificate of Eligibles and who sustained a compensable injury while serving on a temporary appointment	
Recruitment, selection, placement (general)	5 CFR part 330
Competitive examining procedures	5 CFR part 332
Promotion and internal placement	5 CFR part 335
Direct-hire authority	5 CFR part 337
Qualification requirements (general)	5 CFR part 338
<i>Uniform Guidelines on Employee Selection Procedures</i>	29 CFR part 1607 <a href="https://www.gpo.gov/fdsys/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml">https://www.gpo.gov/fdsys/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml</a>



<b>Topic</b>	<b>Reference</b>
<i>OPM Operating Handbook, Qualifications Standards for General Schedule Positions</i>	<a href="https://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-policies/">https://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-policies/</a>
<i>The Standards for Educational and Psychological Testing</i>	<a href="http://www.apa.org/books/standard.html">www.apa.org/books/standard.html</a>
OPM web page for forms	<a href="http://www.opm.gov/forms/index.asp">http://www.opm.gov/forms/index.asp</a>
OPM contact for providing training on how to develop and administer the structured interview	<a href="mailto:Selection_Assessment@opm.gov">Selection_Assessment@opm.gov</a>
OPM's job analysis methodology	<a href="#">Appendix D</a>
<i>Handbook for Test Administrators and Test Control Officers</i>	<a href="#">Appendix E</a>
Administrative Careers With America Positions	<a href="#">Appendix F</a>

## **Chapter 3 - Recruit and Announce the Job**

A request to fill a job comes into the delegated examining unit. You have consulted with the hiring manager on what hiring authorities may be used to bring someone into your agency. You have conducted the job analysis and, together with the hiring manager, identified and clearly stated the basic job requirements for the position being announced. You also have identified how you will determine who meets those basic job requirements and assess the degree to which applicants are qualified. You are now ready to recruit people with the right educational background, experience, and skill sets to apply for the job. This chapter contains the following sections:

Section A - Recruitment

Section B - What is Public Notice?

Section C - Create a Job Opportunity Announcement

Section D - References

### **Section A - Recruitment**

#### **Introduction**

Effective recruitment in high-performing organizations occurs when hiring managers own the process and human capital efforts are tied to the agency's mission and program goals. The agency's recruiting and workforce planning efforts must be based on an understanding of talent challenges, hiring needs, required competencies/KSAs, and a comprehensive strategic human capital plan. Hiring priorities and organizational recruitment strategies will be outlined and approved in the workforce planning process.

Recruiting is an on-going process that requires attention and resources even when you are not "actively" seeking to fill jobs. Posting a job opportunity announcement meets the legal requirement for public notice but is not an example of active recruiting. You should engage in focused recruiting so that good prospects from a variety of sources are encouraged to apply, and you can more effectively fill your positions, preferably with highly qualified applicants who are well-matched to your jobs. Agencies with a proactive recruitment model focused on building talent pipelines, cultivating and maintaining partnerships, monitoring the effectiveness of recruitment activities, and sharing accountability will be more successful in securing qualified talent.

When recruiting for the Federal service, you should focus on attracting, recruiting, and retaining diverse talent drawn from all segments of society (including, e.g., minority groups, women, and people with disabilities).

As career opportunities and the public's interests throughout the job market in America and abroad evolve, approaches to recruitment must change and adapt. Before developing any recruitment strategy, we recommend you review the following:

- OPM’s Hiring Toolkit and other resources located on OPM’s web site at <https://www.opm.gov/policy-data-oversight/human-capital-management/hiring-reform>
- OPM’s *Building and Maintaining a Diverse, High Quality Workforce, A Guide for Federal Agencies* - <http://www.opm.gov/diversity/guide.htm>

## Recruitment Roadmap

Begin first by identifying, validating, and prioritizing workforce requirements to develop a solid, efficient recruitment plan to determine your critical talent needs and sources of qualified talent. Develop employment branding and identify strategic recruitment activities during the workforce planning process so your agency will be better positioned to achieve results during the implementation of recruitment strategies. Hiring managers must be involved in the recruiting and hiring process, including development of strategic recruitment plans and participation in the hiring process.

The eight (8) elements of the recruitment process are:

1. **Create or Refine Agency Brand for Recruiting**—A focused branding campaign will reduce the amount of unqualified applicants and increase the number of qualified applicants.
2. **Select and Train Recruitment Team**—Training your recruitment and hiring team to know what to say and do will give the applicant a meaningful experience.
3. **Create Recruitment and Staffing Plans**—Planning to hire will enable you to identify key sources of talent and address process bottlenecks early.
4. **Develop Marketing Strategies**—Identifying your marketing targets will further your efforts to reach diverse pools of qualified applicants.
5. **Cultivate Relationships and Build Networks**—Building and maintaining relationships are key to creating an effective and scalable recruitment plan.
6. **Identify Agency-specific Recruitment Cycles**—You may have some specific cycles for recruitment (e.g., seasonal, academic calendars) which will need to be planned for in advance.
7. **Evaluate and Measure Recruitment, Staffing plans, and Marketing Strategies**—Look at metrics as a source for data to solve problems and to make a business case for changes to processes.
8. **Adjust Plans (as needed)**

Agencies should use the End-to-End Hiring Roadmap (also referred to as E2E) to inform their strategies for competitive hiring of external applicants. For more information on the E2E Roadmap, contact the Recruitment Policy and Outreach (RPO) office at OPM at [outreach@opm.gov](mailto:outreach@opm.gov).

## Developing a Recruitment Strategy

Recruiting and retaining high-quality talent is critical for the success of the Federal Government. To become more competitive and attract people with the right skills, agencies must be active in their recruiting efforts. Posting accurate, concise, understandable job

opportunity announcements is an important step toward promoting the broadest possible access to potential applicants and effectively providing important job, agency, and application information, but it is not considered active recruiting. It is important for agencies to have a presence in colleges and universities even during times of shrinking budgets and limited hiring. Recruiters and hiring managers should build and strengthen relationships with deans, faculty, alumni, and especially with career placement officers, educating them on the agency's mission-critical jobs, the Federal hiring process, special hiring programs, and any incentives the Federal government can offer to attract the best talent. In addition, if authorized agencies should consider investing resources in colleges and universities offering curricula in their mission-critical occupations.

Recruiters should start their outreach and recruitment efforts with middle school and high school students to introduce individuals who will become the next generation to join the civilian workforce to Federal service and educate them on potential career and educational options related to Federal occupations. Student employment programs are effective in helping managers identify talented students who could become future employees. Internships provide students with an opportunity to try a career in the Federal sector. Agencies may want to consider introducing students to Federal service through internships using the Pathways Programs (see OPM's *Pathways for Students and Recent Graduates to Federal Careers, Transition and Implementation Guidance* at <https://www.opm.gov/policy-data-oversight/hiring-information/students-recent-graduates/reference-materials/pathways-transition-and-implementation-guidance.pdf>).

You should integrate succession planning with recruitment and development of employees at all career levels. You must take proactive steps to develop recruiting and outreach strategies for specific job categories (e.g., hard-to-fill jobs, hard-to-find skills). You should consider collaborating with other agencies with similar occupations to leverage outreach and recruiting efforts.

Some effective recruitment strategies include:

- Establishing relationships with a broad variety of colleges and universities to develop diverse talent pipelines and increase interest in careers with the Federal Government.
- Establishing collaborative relationships with organizations and offices that serve specific communities such as, individuals with disabilities, career services centers, workforce centers, and veterans' service organizations.
- Reaching out to qualified individuals from appropriate sources in an endeavor to achieve a workforce from all segments of society based solely on fair and open competition and merit which assures that all receive equal opportunity.
- Utilizing technology, including social media, to seek diverse pools of qualified applicants.
- Displaying job opportunity announcements at locations (e.g., America's Job Centers) accessible to various applicant pools and/or providing supplies of agency recruiting literature at selected locations.
- Working with faculty from universities and community colleges to conduct curriculum reviews and identify necessary coursework for mission-critical occupations.

- Designating an individual and/or committee to work with deans and career placement offices in planning and implementing recruitment strategies.
- Educating applicants on how to apply for Federal jobs.
- Developing strategies to encourage highly-qualified candidates to relocate to regions where agencies have vacancies (e.g., using internship programs and career development programs to give employees an opportunity to try another location).
- Using special appointing authorities such as the Pathways Internship and Recent Graduates Programs, 30-Percent disabled veterans authority, and Schedule A authority for individuals with certain disabilities, to recruit talented individuals and address future workforce needs.
- Sponsoring recruiters' and hiring managers' participation in professional associations and conferences where they are likely to meet qualified applicants or people who know qualified applicants who could be encouraged to apply.
- Using professional association websites, commercial websites, journals and other publications reaching a diverse audience to advertise agency opportunities.
- Marketing very competitive Federal employee benefits and programs to attract new people to Federal employment.
- Using recruitment flexibilities (e.g., "The Three R's," see "Monetary Incentives" below) to attract high-quality candidates.

In order for a recruiting strategy to be successful, agencies must determine what resource needs will be required for implementation. Having the right staff and technology with the capabilities to implement the strategy is a critical step.

- **Budget**—The strategic recruitment plan will need to be examined against current and future budgeting requirements. A proactive recruitment strategy will require more funding than a traditional, passive recruitment strategy, although it should also reap significant future benefit to the agency.
- **Staff**—Staff capability to accomplish recruitment sourcing will need to be assessed. While collaboration between HR and hiring managers is critical, it may be necessary for agencies to seek out other qualified talent acquisition professionals such as recruiters, sources, or vendors to gain access to groups of qualified individuals or to otherwise assist in the strategic recruitment process.
- **Technology**—Access and the ability to utilize recruitment technology and tools are critical for reaching qualified job seekers and maintaining an agency's competitive advantage.

## Recruitment Tools

There are a variety of recruitment tools available. They include:

### Outreach

- Social media/networks (e.g., Facebook, LinkedIn)
- Military transition centers (information about Transitional Assistance Programs can be found at [www.militaryinstallations.dod.mil](http://www.militaryinstallations.dod.mil) under "Select a program or service")

- Job fairs at colleges, universities, vocational and high schools, vocational rehabilitation facilities, and community events
- Internet-based recruiting web sites
- Paid advertising
- Contracted recruiting support from other Federal agencies or commercial firms (5 CFR part 300)

**Monetary Incentives** - You should discuss the potential for using these incentives with the hiring managers during the initial consultation, especially considering the lengthy approval process agencies must adhere to for compliance. Additionally, agencies should discuss the required budget for utilizing monetary incentives during the annual budget planning cycle.

- Recruitment incentives (5 CFR part 575 subpart A)
- Referral bonuses (5 CFR part 451, awards generally)
- Relocation incentives (5 CFR part 575 subpart B)
- Retention incentives (5 CFR part 575 subpart C)
- Advance payment for new hires (5 CFR part 550 subpart B)
- Pay-setting for current or former Federal employees (5 CFR part 531 subpart B)
- Special salary rates (5 CFR part 530 subpart C)
- Student loan repayment (5 CFR part 537)
- Superior qualifications appointment (5 CFR § 531.212)

## **Section B - What is Public Notice?**

### **Introduction**

Public notice (i.e., the job opportunity announcement) explains to job seekers when, where, and how to apply for a Federal job. Public notice is required whenever you are considering hiring applicants from outside the Federal workforce for competitive service positions lasting more than 120 days.

### **Basic Requirement for Public Notice**

Under 5 U.S.C. §§ 3327 and 3330, you must notify OPM of job opportunities in the competitive service. This legal requirement supports the first of the nine merit system principles (5 U.S.C. § 2301):

“Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity.”

Although the public notice requirement is an essential component of a merit-based recruiting and examining program, meeting this requirement is not itself sufficient to satisfy the merit system principles. For a summary of the merit system principles that relate to various aspects of delegated examining, see [Appendix G](#), Evaluating Delegated Examining Programs.

### **Recruitment v. Public Notice**

Recruitment should not be confused with public notice. Public notice is one part of the overall recruitment process. Public notice, or simply posting a job opportunity announcement, is not a substitute for the more focused recruiting you may need to undertake to fill positions effectively, preferably with highly qualified applicants. You should not rely solely on the job opportunity announcement as the cornerstone of your recruitment strategy. Rather, you should use all of the tools at your disposal to produce a high quality, diverse applicant pool.

### **Required Notice via USAJOBS**

You must list your jobs on the USAJOBS database (see 5 U.S.C. §§ 3327 and 3330). Once this information is on the USAJOBS database, OPM makes it available electronically to State employment service offices nationwide.

### **Adequate Public Notice**

Agencies must provide adequate public notice of every competitive service vacancy expected to last for more than 120 days. Adequate public notice means any U.S. citizen or national who

wants to apply for a position will have access to all of the information necessary to apply and will be given an open and fair opportunity to receive employment consideration. Depending on your need for applicants, additional recruitment activities may or may not be necessary.

### **Determining an Open Period for Receiving Applications**

You are responsible for determining an open period for receiving applications that is of sufficient duration to provide the public with adequate notice of the job opportunity announcement. What constitutes an adequate open period may vary depending on your recruitment plan, the nature of the position(s), promotion potential, available labor market, and other considerations. Once you have determined the open period, you must clearly state it in the job opportunity announcement.

### **Recommended Open Period**

We recommend you prescribe an open period of at least five calendar days to provide those individuals who want to apply for the position with an adequate opportunity to do so. If you prescribe an open period of fewer than five calendar days, you should clearly document your reasons for doing so in the examination case file (for reconstruction purposes and to respond to third party challenges). Your reasons should be based on objective factors, such as the number and type(s) of jobs you plan to fill, labor market conditions, and recent experience filling similar positions.

### **Factors in Determining Length of Open Period**

You may establish a short notice period when you have only a few jobs to fill and expect a large number of well-qualified applicants. Conversely, you could establish an open continuous notice period when it is difficult to find qualified individuals or when you have many positions to fill.

### **Defining the Open Period**

You may define an open period that is based on either a specific date or a specific number of applications to be received (either in general or those determined to be at least minimally qualified, and clearly stated in the job opportunity announcement).

<b>IF...</b>	<b>THEN...</b>
a closing date is used to define the open period	the job opportunity announcement must clearly state the date the application (résumé) must be received in the examining office. In an automated environment, it is customary to include a time, most generally 11:59 pm Eastern Time on the closing date.



IF...	THEN...
the open period is defined in terms of a specific number of applications received	the job opportunity announcement should clearly state the number of applications received that will trigger the closing of the open period. You should accept and process all of the applications received by close of business on the day the specified number is reached or by 11:59 pm Eastern time if filed electronically.

### Closing Dates and Cut-Off Dates

A ***closing date*** is the date beyond which you will no longer accept applications for the advertised position(s). When applicable, you should ensure the job opportunity announcement clearly informs the applicants of the closing date (for conditions in which a closing date is used, see *Defining the open period*). If a job opportunity announcement is publicized as being open on a continuous basis and no closing date is indicated, when you do decide to close it, you must first amend the original USAJOBS posting, so as to alert potential applicants of the establishment of a closing date.

In addition to the closing date, you may also establish a ***cut-off date***. A cut-off date establishes an early consideration period. The job opportunity announcement should clearly state the cut-off date and explain the process that will take place. If a cut-off date is established, you must rate, rank, and refer to the hiring manager all applications **received** by the cut-off date of applicants who were determined eligible for the job (i.e., who met minimum qualifications and attained a passing grade, if used, on the assessment). You may consider applications received after the cut-off date only when the initial group is exhausted and/or there are additional vacancies to fill. However, you must consider any application received from a 10-point preference eligible who applies after the cut-off date **but** before the date the certificate is issued (see 5 CFR part 332). When filling additional vacancies, anyone remaining on the original certificate must be considered before, or included on, the supplemental certification. If a cut-off date is not identified, you should consider all the applications received by the closing date.

### When to Use a Cut-off Date

You can use cut-off dates to manage the receipt of large numbers of applications over an extended period of time or if you have an open continuous job opportunity announcement for hard-to-fill positions and an urgent need to fill a position immediately. Cut-off dates may be used in both case examining (when you fill immediate vacancies) and competitor inventories (when you establish a list of qualified applicants for future vacancies) (see Chapter 5, Section C). However, you should generally not use them in case examining, except where the job opportunity announcement is intended to remain open for an extended period of time and multiple jobs are to be filled.

If you use a cut-off date, you should clearly identify the date in the job opportunity announcement. The job opportunity announcement should also explain the process that will take place as a result of the cut-off date. For example, you may want to indicate in the job opportunity announcement that an initial cut-off date will be used to begin applicant consideration and that applications received after the cut-off date will be considered if needed. Under these circumstances, you can identify multiple cut-offs so your agency can issue a certificate as vacancies arise or as qualified applicants are identified without having to wait for the closing date.

### **Application Receipt Procedures**

Your agency headquarters is responsible for establishing policies and procedures for accepting and processing applications from all applicants, including status applicants (a current Federal employee who has competitive status). In developing these policies and procedures, your headquarters must comply with all applicable laws and regulations, including the following:

- Merit system principles of public notice and open competition (5 U.S.C. § 2301(b)(1) and (2); see [Appendix G](#));
- Merit system principles of efficiency and effectiveness (5 U.S.C. § 2301(b)(5); see [Appendix G](#));
- Rights of preference eligibles (5 U.S.C. §§ 2108 and 2108a);
- Rights of surplus or displaced employees (5 CFR part 330); and
- Eligibility for non-competitive appointments (5 CFR part 315).

Frequently, agencies solicit applications from both the public and merit promotion applicants simultaneously. Sometimes one job opportunity announcement is used to solicit applications for both external and internal competitions. These are often referred to as “all sources” announcements. In such a case, the job opportunity announcement must clearly specify the filing instructions and conditions for each type of applicant.

### **Application Notification Procedures**

The purpose of notification is to communicate with applicants to make them aware of the status of their application. You must ensure job opportunity announcements include contact information for applicants who may need additional information about the job. You are required to communicate with applicants in a timely manner on at least four touch-points. However, it is acceptable if touch-points are combined into two communications. The four touch-points are:

1. When the application is received. OPM suggests notifying applicants no later than 5 business days after the application was received.
2. When the application is assessed for basic eligibility and minimum qualifications for the job after all applications have been assessed.
3. When applications are referred or certified (or not) to the hiring manager.

4. When a selection is made (or not) for the position or the job is canceled. OPM suggests non-selected candidates be notified no later than 10 business days after the date on which the selected candidate has accepted the job offer or the job was canceled.

When sending out notices, they must be written in plain language. The notices should explain their purpose, i.e., receipt of application, eligibility/ineligibility, referral to the hiring manager, or selection. Be mindful of the number of notices sent out and what is sent to candidates. Allowing applicants access to their application status through USAJOBS or agency-specific applicant tracking systems is helpful in maintaining communication with applicants. However, this does not replace the agencies' obligation to provide written notice at the touch-points described above.

## **Section C - Create a Job Opportunity Announcement**

The job opportunity announcement is one of the most powerful tools in the recruitment process. It provides applicants with their first impression of your agency and may strongly influence their decision whether to apply for your job. Involve your hiring manager in the development of the job opportunity announcement.

### **Plain Language Requirement**

Agencies are required to write job opportunity announcements for competitive service positions in plain language. Plain language means writing that is understandable, clear, concise, free of Federal jargon or terminology, well-organized, and easily understood. It is the opposite of using long, convoluted sentences, and complicated language. The job opportunity announcement (excluding the online questionnaire/assessment) should not exceed 5 pages in length when printed on an 8 ½ inch by 11 inch paper with no less than a 10 point font size (exception is made for the accessibility requirements under section 508 of the Rehabilitation Act of 1973, as amended, for individuals with disabilities).

You can achieve plain language by following these tips:

- Be clear and concise
- Use active voice
- Do not use Federal jargon or terminology
- Avoid acronyms
- Use bulleted lists and short paragraphs (no more than 3 sentences). Shorter paragraphs are easier to understand.

### **What to Include in a Job Opportunity Announcement**

You must include the following required items in each job opportunity announcement (see 5 U.S.C. §§ 3327 and 3330 and 5 CFR part 330 subpart A):

#### **Required Items for Each Job Opportunity Announcement**

- Name of Issuing Agency
- Announcement Number
- Position Title, Series, Pay Plan, Grade (or Pay Rate) and Starting Salary
- Job Type (i.e., permanent or time-limited including the expected duration of the time-limited job)
- Duty Location of the Position(s)
- Number of Job Openings (see “How to create an effective job opportunity announcement” for more information)
- Opening and Closing Dates, including cut-off dates

- Qualification Requirements, including competencies/KSAs or job elements required for successful performance (see “How to create an effective job opportunity announcement” for more information)
- Brief Description of Duties (see “How to create an effective job opportunity announcement” for more information)
- Basis of Rating – How You Will Be Evaluated (see “How to create an effective job opportunity announcement” for more information)
- What to file
- How to Apply (see “How to create an effective job opportunity announcement” for more information)
- Information on how to claim veterans’ preference
- Definition of “well-qualified” for Interagency Career Transition Assistance (ICTAP) and Career Transition Assistance Plan (CTAP) eligibles
- Contact Person or contact point with a telephone number or email address

### **Additional Public Notice Required Items**

Standard language for the following required items that apply to all Federal job opportunity announcements in the competitive service can be found on USAJOBS. These items are:

- Citizenship requirement
- Selective Service requirement
- Information on veterans’ preference
- Interagency Career Transition Assistance Plan (ICTAP) and Career Transition Assistance Plan (CTAP), including proof of eligibility
- Equal employment opportunity statement
- Reasonable accommodation statement

Additionally, you must provide information on any other items that will affect eligibility or consideration for the position. For example, conditions of employment such as licensure requirements, drug testing, and security clearance, must be clearly identified with an explanation of how eligibility or consideration may be affected. Conditions of employment should be supported in the position description and/or by job analysis.

You may also want to provide a link in your job opportunity announcements to your agency’s web site to provide other pertinent information designed to attract job-seekers. For example:

- Agency mission and programs
- Recruitment/Relocation incentive opportunities
- Employee benefits
- Alternative work schedules
- Telework options
- Work/Life programs (e.g., on-site day care, child care subsidy, fitness center)
- Career development and training opportunities

## **How to Create an Effective Job Opportunity Announcement**

### **Number of Job Openings**

You must give applicants an accurate representation of your agency's intention with respect to the number of job openings. You have the flexibility to do this by indicating a specific number on your job opportunity announcement; by indicating a specific number with a caveat explaining on the job opportunity announcement that additional jobs may be filled; or by using the term "multiple" when posting the number of jobs on the job opportunity announcement. The following examples are instructive, but you are not restricted or limited to using only the methods in these examples.

- Example A: The hiring manager wants to fill 10 jobs and indicates that specific number in the job opportunity announcement. By indicating a specific number, the hiring manager may fill 10 jobs. If the hiring manager wishes to fill additional jobs, he or she must post another job opportunity announcement to clear the ICTAP.
- Example B: The hiring manager thinks there are 10 jobs to fill, but he or she is not certain. In this case, a caveat is added to the job opportunity announcement, in a prominent location, which explains that additional jobs may be filled at a later date. As fate would have it, between the time the announcement was posted and the hiring manager received the list of qualified candidates, the hiring manager is given authorization to fill two additional jobs. Under this scenario, the hiring manager may select two additional candidates and is not required to post an additional job announcement for the purpose of clearing the ICTAP.
- Example C: The hiring manager decides to use the term "many" when posting the number of jobs on the job opportunity announcement. By indicating "many" on the job opportunity announcement, the hiring manager has the flexibility of selecting as many individuals from the list of qualified candidates as he or she needs and is not required to post a job announcement for the additional selections in order to clear the ICTAP.

As described above, there are instances where you can, with certainty, identify the number of jobs you intend to fill. In contrast, there are circumstances where the hiring manager wants to have the ability to fill more or fewer jobs than initially anticipated and adjust accordingly. Using the appropriate language in your job announcement, as offered in the examples above, allows you the flexibility to accommodate these different scenarios.

### **Brief Description of Duties**

- Start with a 1-2 sentence summary of the job;
- Bullet a list of the top 3-5 major duties and responsibilities;
- Avoid use of acronyms and Federal jargon; and
- Use active voice.

## **Qualifications Requirements**

- Provide minimum qualifications for the job in a manner that applicants can understand.
- Explain in plain language what constitutes specialized experience at each grade level equivalent to the next lower grade level by providing specific examples of specialized experience. Use of the phrase “equivalent to the next lower grade level” alone is unacceptable. Here is an example of specialized experience for a Clerk, GS-5 position:
  - To qualify at the GS-05 grade level, you must have one year of specialized experience, which must include performing duties such as:
    - Receiving and filing correspondence, records, and reports;
    - Maintaining files for proper disposition;
    - Maintaining employee information;
    - Ordering and distributing office supplies;
    - Receiving incoming correspondence and screening material prior to distribution; and
    - Providing information on office procedures.
- Providing a link to OPM’s *Qualification Standards for General Schedule Positions Operating Manual* or to the *Job Qualification System for Trades and Labor Occupations Manual* (formerly Handbook X-118C) web site alone is unacceptable and should only be used as an additional reference, not in place of your agency’s explanation of the qualification requirements. Applicants should be able to determine basic qualifications, including selective factors, by looking at the text of the job opportunity announcement. In order to streamline announcements, it may be necessary to provide a link to explain qualification requirements in greater detail (e.g., substitution of education for experience, where applicable). Providing only a link to OPM’s qualification standards is not acceptable for this purpose.
- List the competencies/KSAs required to perform the major duties of the job and how you will determine who will be deemed to have a passing grade, if used.
- Written essays or narratives of the KSAs as part of the initial stage of the application process are unacceptable, though they may be used later in the process to establish a passing grade or as a part of the subsequent rating and ranking process.

## **Basis of Rating – How Applicants Will Be Evaluated**

- Must include a list of competencies/KSAs required for successful performance on the job.
- Identify the type of assessment(s), (for example, an occupational questionnaire, structured interview, written test, etc.) and indicate how long it will take to complete the assessment(s), if applicable. If interviews are used, explain whether the interview is a pass/fail or scored assessment.
- Must describe the ranking method to be used (i.e., category rating); identify the category levels such as, Best Qualified and Highly Qualified.

## How to Apply

- Must provide clear and concise step-by-step instructions on your application process; if you are using a web-based online process, reference to the web location is acceptable.
- Must **not** require applicants to provide written essays or narratives to address competencies/KSAs or completing questionnaires with essay-style questions as part of the initial stage of the application process.
- Must identify all required documents and relevant information for successfully applying for the job such as application deadlines, receipt procedures, how to submit résumé and optional cover letter online by fax, or mail, and required documents. The format of the cover letter and résumé is the applicant's choice and must be accepted.
- Must accept copies of official documents such as college transcript(s), proof of service-connected disability, and veterans' preference documentation; however, official documents are required at the time of appointment for verification of eligibility and qualifications.
- Must provide agency contact information for applicants such as contact person or contact point with a telephone number or email address. In light of regulations promulgated by the Equal Employment Opportunity Commission, at 29 C.F.R. part 1614, Affirmative Action for Individuals With Disabilities in Federal Employment, agencies should include contact information for applicants seeking to request reasonable accommodations. See 29 C.F.R. § 1614.203(d)(3)(F) (requiring, as an aspect of an appropriate agency affirmative action plan under part 1614, that an agency "provide contact information for the individual or program office from which [reasonable accommodation] requesters will receive a final decision").
- Provide information to applicants on what to expect next in the process and how long it will take before the applicant may expect to hear from the agency on the status of the application.

## Veterans Employment Opportunities Act (VEOA) Consideration

The Veterans Employment Opportunities Act (VEOA) of 1998, as amended, allows preference eligibles, including those with derived preference, or certain eligible veterans to compete for vacancies under merit promotion procedures when the agency is accepting applications from individuals outside its own workforce (5 U.S.C. § 3304(f)). ("Agency," in this context, means the parent agency, e.g., Treasury, not the Internal Revenue Service, or the Department of Defense, not Department of the Army.) Veterans, for the purpose of this statute, are preference eligibles and those who have been separated under honorable conditions with three or more years of continuous active service. The VEOA gives preference eligibles and other eligible veterans access and opportunity to apply for jobs that would otherwise be closed to them, e.g., if an agency limits consideration to "status" applicants by using only merit promotion procedures to announce and fill a position. Access and opportunity to compete are not to be interpreted as conveying an entitlement to the job or preference in selection and do not constitute a guarantee of selection. VEOA eligible candidates who are selected are given career or career-conditional appointments. For more information about VEOA, refer to the *VetGuide* on our web site at <https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/vet-guide/>.



Agencies announcing a job to applicants outside their workforce have the following options for posting their job opportunity announcement:

1. **Post a merit promotion job opportunity announcement limited to the Federal workforce.** When posting public notice through a merit promotion announcement for eligible candidates outside its own workforce, the agency must include information concerning consideration under the VEOA. Accordingly, when an agency is seeking Federal workforce candidates outside the agency (or Department if the agency is part of a larger Department), 5 U.S.C. § 3304(f) allows a VEOA eligible the access and opportunity to compete with current and former Federal employees (i.e., those with competitive status).

2. **Post a job opportunity announcement under delegated examining and for “all sources.”** Posting public notice through an announcement designated as “all sources” gives the VEOA eligible the same access and opportunity to compete for the position as everyone else. If the VEOA eligible is qualified and within reach for referral, the veteran must be referred on a competitive Certificate of Eligibles, with preference eligibility applied, as applicable.

With an “all sources” announcement, most agencies consider applicants under a variety of appointing authorities, in addition to competitive examining, such as merit promotion, special appointing authorities such as VRA, the authority for certain former Peace Corps volunteers or employees, the authority for individuals with certain disabilities under Schedule A of the excepted service, etc. In such a case, the job opportunity announcement must clearly specify the filing instructions and conditions for each type of applicant consistent with the agency’s policies and procedures for accepting and processing applications. If the VEOA eligible submits only one application and does not clearly indicate a preference for consideration under competitive examining or merit promotion, you must, at a minimum, consider the VEOA eligible under competitive examining procedures.

3. **Post two separate job opportunity announcements – one under delegated examining and one limited to the Federal workforce.** The VEOA eligible may apply for both announcements because the agency posted the job opportunity announcements separately. The VEOA eligible has two opportunities to be considered for one position and, if eligible under the applicable procedures, must be referred and considered on both lists. The agency cannot remove the VEOA eligible from either list to make a selection. This means the agency may not deny consideration under one referral, such as a competitive examining certificate because the VEOA eligible is being considered under a different referral, such as a merit promotion list.

## Section D – References

The following table provides a list of sources pertaining to the topics covered by this section.

Topic	Section
Rights of preference eligibles	5 U.S.C. § 2108
Merit system principles	5 U.S.C. § 2301
Prohibited personnel practices	5 U.S.C. § 2302
Veterans Employment Opportunities Act of 1998	5 U.S.C. § 3304(f) <a href="https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/vet-guide/">https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/vet-guide/</a>
Civil service employment information	5 U.S.C. § 3327
Governmentwide list of vacant positions	5 U.S.C. § 3330
Contracted recruiting support from other Federal agencies or commercial firms	5 CFR part 300
Career and career-conditional appointments under special authorities, including noncompetitive appointments	5 CFR part 315
Rights of surplus or displaced employees	5 CFR part 330
Filling vacancies in the competitive service	5 CFR part 330 subpart A
Pathways Recent Graduates Program	5 CFR part 362 subpart C
Pathways Internship Program	5 CFR part 362 subpart B
Awards	5 CFR part 451
Special salary rates	5 CFR part 530 subpart C
Superior qualifications appointments	5 CFR § 531.212
Student loan repayment	5 CFR part 537
Advance payment for new hires	5 CFR part 550 subpart B
Recruitment incentives	5 CFR part 575 subpart A
Relocation incentives	5 CFR part 575 subpart B
Retention incentives	5 CFR part 575 subpart C
Affirmative Action for Individuals With Disabilities in Federal Employment	29 CFR part 1614
Reasonable accommodation	Executive Order 13078
OPM USAJOBS web site	<a href="http://www.usajobs.gov">www.usajobs.gov</a>
Plan for employment of people with disabilities	<a href="http://www.opm.gov/disability">www.opm.gov/disability</a>
List of accredited schools	<a href="http://www.ed.gov">http://www.ed.gov</a>
OPM's <i>Building and Maintaining a Diverse, High Quality Workforce, A Guide for Federal Agencies</i>	<a href="http://www.opm.gov/diversity/guide.htm">http://www.opm.gov/diversity/guide.htm</a>
<i>Federal Employment Policy Handbook: Veterans and the Civil Service (VetGuide)</i>	<a href="https://www.opm.gov/policy-data-oversight/veterans-services/vet-guide-for-hr-professionals/">https://www.opm.gov/policy-data-oversight/veterans-services/vet-guide-for-hr-professionals/</a>
Evaluating Delegating Examining Programs	<a href="#">Appendix G</a>

## Chapter 4 - Accept and Review Applications

Once you have announced the job, you are ready to accept applications. This chapter offers some guidance regarding receipt of job applications and how to review and process applications for Federal employment. It contains the following sections:

- Section A - Accepting Applications
- Section B - Reviewing Applications
- Section C - References

### Section A - Accepting Applications

This section provides guidance regarding the receipt of job applications and covers:

- Résumés
- Receiving Applications

#### Résumés

The *Presidential Memorandum on Improving the Federal Recruitment and Hiring Process* requires an application process that is not unduly burdensome or time consuming. To provide a simplified user-friendly process for those seeking Federal employment, applicants are required to submit only a résumé and copies of any required forms (for example, forms documenting veterans' preference eligibility) at the time of the initial application. Résumés from any source in any format *of the applicant's choosing* must be accepted. Applicants may submit a cover letter, but it is not required.

You must not:

- Restrict the types of sources applicants use to create their résumés. In other words, you must accept résumés created from *any* source (e.g., online résumé builder, résumé preparation software, word processing software, or typewriter).
- Require applicants to use agency-specific or other specified application forms or require applicants to submit résumés in a specified format.
- Require applicants to submit a cover letter. Applicants choosing to submit a cover letter may only be required to include the announcement identification number. In other words, a cover letter must not be used as a means of collecting written responses to competencies/KSAs.
- Make specific inquiries concerning an applicant's criminal and/or adverse credit background of the sort asked on the OF 306, *Declaration for Federal Employment*, or other forms used to conduct background investigations for Federal employment. (Such inquiries normally may not be made until you have made a conditional offer of

employment to the applicant or a specific exception has been requested and approved by OPM. See “Timing of Suitability Inquiries in Competitive Hiring” below.)

- Administer assessments (e.g., job knowledge tests, written tests, etc.) either online or via another method at the time of the initial application. Applicants who meet the minimum qualification requirements established for the position<sup>1</sup> should be invited to participate in the assessment phase, following the initial application. *Exception:* You may administer a self-report assessment (e.g., occupational questionnaire) during the initial application phase if it is limited to closed-ended responses, such as multiple choice or yes/no answers.
- Ask applicants to provide written responses to address competencies/KSAs at the time of the initial application. Written responses may not be used to make a qualifications eligibility determination but may be used in the assessment phase of the rating and ranking process.

While the format (including length) of a résumé cannot be restricted, you may place a reasonable limit on the number of pages of a résumé that will be reviewed as part of your initial qualification determination. This limit must be clearly explained in the job opportunity announcement. You may not automatically screen-out applicants who submit résumés of longer lengths. For example, you may state in your job opportunity announcement, “Please limit your résumé to 5 pages. If more than 5 pages are submitted, only the first 5 pages will be reviewed to determine your eligibility/qualifications.”

Also, you do have control over the content of the applicant’s résumé. You may require certain information to be included in the résumé, that is, only information that demonstrates an individual’s eligibility for competitive service employment, such as citizenship and the qualifications for the job. For example, while you may not require applicants to provide narrative or essay-style responses to competency/KSA statements at the time of the initial application, you may ask applicants to answer a set of job-related questions designed to determine eligibility/qualifications. Your agency must have a policy on how to handle applications whose experience claimed in the occupational questionnaire is not substantiated in their résumé, e.g., making ineligible determinations or lowering applicant scores.

In addition, as part of the occupational questionnaire, you may ask applicants to provide brief verifying information such as in which job certain experience was gained or a point of contact to verify experience claimed. Information on certification, licensure, or education may also be collected in a short response.

### **Examples of a Verification Box:**

- Indicate the position(s) and dates you performed this work and ensure your submitted résumé reflects these types of experience. (Maximum length of 250 characters.)

---

<sup>1</sup> Minimum qualifications are not the same as a passing grade, which is the score under an assessment instrument or set of quality indicators the agency establishes as necessary for the particular position at that agency. Those attributes, however, are normally addressed during the assessment process. An individual who does not meet those attributes cannot receive additional points for veterans’ preference, in a rule-of-three competition, and is not placed in a quality category at the end of a category rating process.

- When using a generic rating scale where "E" denotes an expert-level rating:
  - For each response of "E" above, please indicate what position(s) on your résumé supports this response (such as title, organization & date).

**Exception to the résumé-only requirement:** There are certain jobs that consist of basic or routine work such as clerical jobs that require limited experience or education, and applicants for these positions may have little work experience. The résumé-only requirement does not apply to these types of jobs. You may use an agency-developed application or questionnaire *to request basic legal information* such as, but not limited to, name, address, U.S. citizenship, veterans' preference, etc. With this simple application, you may require the applicant to take a short assessment to further determine whether the applicant can perform the duties of the job. Depending on the job, you may require applicants to submit documents as proof they possess the competencies/KSAs to perform the duties of the job. These documents may include, but are not limited to, a license, certificate of proficiency, diploma, etc.

### **Electronic Applications**

While OPM encourages agencies to take full advantage of technology by accepting online résumés, you may not restrict individuals to applying online. Not all individuals have easy access to the internet or even to a computer. It is critical that the Government provide fair and open competition and that we strive to draw applicants from all segments of society. Job opportunity announcements should encourage electronic filing, but you must provide information about alternative application methods (e.g., fax, hand delivery, mail) or an agency contact to obtain this information.

### **Supplemental Documents**

In general, supplemental documents such as official college transcripts, answers to competency/KSA statements, and copies of licenses are not required at the time of the initial application. However, if education is being used for the purpose of meeting minimum qualification requirements, or grade point average is being used to determine superior academic achievement, an unofficial transcript is a sufficient substitute for an official transcript at the time of application. Generally, only education obtained from accredited or preaccredited/candidate for accreditation institutions is qualifying for Federal employment. Be aware of transcripts issued by bogus schools and "diploma mills," which are non-qualifying for Federal employment. Diploma mills is a term used to describe non-traditional schools that are not accredited by accrediting institutions recognized by the Department of Education, and which may award degrees or certificates with little or no course work completed by the student. The term refers to institutions that award degrees based largely on an assessment of the student's life experience or simply sell counterfeit degrees. For more information, see OPM's CHCO Memo, *Strengthening Oversight of the Use of Diploma Mill Credentials in Federal Employment*, dated May 13, 2004, found at <https://www.chcoc.gov/content/strengthening-oversight-use-diploma-mill-credentials-federal-employment>.

Appropriate supplemental documents are required for verification purposes prior to selectees entering on duty. Inquiries regarding a need for reasonable accommodation on the job also can be made after a conditional offer of employment has been issued. (Applicants may also make requests for reasonable accommodation earlier, with respect to the assessment process itself.) While agencies may continue to ask applicants to answer a set of questions designed to determine basic eligibility and assess job-related competencies/KSAs, you must not require applicants to answer lengthy written competency/KSA statements at the time of initial application.

**NOTE:** A selecting official may accept and consider an employment recommendation from a Member of Congress only if it pertains to the “character and residence of the applicant” (see 5 U.S.C. § 3303).

### **Timing of Suitability Inquiries in Competitive Hiring**

A hiring agency may not make specific inquiries concerning an applicant’s criminal and/or adverse credit background of the sort asked on the OF-306, *Declaration for Federal Employment*, or other forms used to conduct background investigations for Federal employment unless the hiring agency has made a conditional offer of employment to the applicant. OPM permits some exceptions to this rule, however, because it recognizes there may be legitimate, job/position-related reasons why a hiring agency may need to determine earlier in the hiring process whether applicants with criminal or financial issues meet the qualification requirements or are suitable for the particular types of positions they are seeking to fill. OPM will grant exceptions only when the agency provides sufficient information for OPM to conclude that there is a business need for the exception.

For example, OPM might grant an exception for certain positions where the ability to testify as a witness is a requirement of the position, and thus a clean criminal history record would be essential to the ability to perform one of the duties of the position effectively. In these cases, the agency will need to demonstrate the validity of its conclusion that the presence of certain background information would be disqualifying. Another example of a possible exception could include positions where the expense of completing the examination makes it appropriate to adjudicate suitability at the outset of the process (*e.g.*, a position that requires that an applicant complete a rigorous training regimen and pass an examination based upon the training before he or she may be selected). (See 5 CFR part 330, subpart M and OPM’s CHCO Memo, *Guidance on Requests for Exceptions to Timing of Suitability Inquiries Rule*, dated February 15, 2017, at <https://www.chcoc.gov/content/guidance-requests-exceptions-timing-suitability-inquiries-rule>.)

### **Online Occupational Questionnaire**

An online questionnaire collects an applicant’s biographic data, employment information, and responses to job-related questions. Examining offices should encourage applicants to file their job-related questionnaire through a link on the USAJOBS.gov web site at the time of application, which provides for a seamless application process. Applicants must follow the instructions provided in the job opportunity announcement for completing the questionnaire.

Generally, applicants who file an occupational questionnaire electronically must do so before 11:59 pm, Eastern Time, of the closing date of the announcement.

## **Receiving Applications**

### **Applications Received after the Closing Date**

As a general rule, you may not consider applications received after the closing date. However, you may grant an extension in some circumstances, and certain applicants are entitled to file after the closing date (see “When to Provide an Extension” and “Accepting Late Applications” below).

### **How to Handle Postmarked Materials**

When a postmark is used as the basis for determining if an application was submitted on time, you should not issue a certificate until at least five business days after the closing date has elapsed (consider adding a few more days if in an area where mail is irradiated for security reasons). This will allow for a reasonable period in which to receive applications postmarked by the closing date.

Any application that bears a timely postmark must be properly annotated with the postmark date to allow for case file reconstruction.

### **When to Provide an Extension**

You may give automatic extensions to persons who request application materials in hard-copy form on or before the closing date. When you grant such extensions, you must specify a response due date and annotate the application packet so that you can identify the forms upon their return.

Please note that if you do grant extensions, you must delay the issuance of the certificate of eligibles (see Chapter 6) until either:

- Applications are received from all of the applicants to whom extensions were granted, or
- The extended due date has passed.

### **Accepting Late Applications**

Applications from persons who are entitled to file late, for reasons other than an extension discussed above, should be accepted and processed up until the time that a certificate is issued. Once a certificate is issued, however, you should not amend it to include late applications unless you are requested to do so by the hiring manager. If you amend the certificate based on the hiring manager’s request, then you must refer all applications received from individuals entitled to file a late application on the same date and earlier if qualified and within reach for referral.

Please see the following chart for how to handle preference eligible applicants.



<b>IF the applicant...</b>	<b>THEN the applicant...</b>
is a 10–point preference eligible	<p>may file an application at any time for any position for which (under 5 CFR 332.311) a:</p> <ul style="list-style-type: none"> <li>• register is about to be established;</li> <li>• non-temporary appointment has been made in the preceding three years; or</li> <li>• list of eligibles (register) currently exists but is closed to new applicants.</li> </ul>
is a preference eligible	<ul style="list-style-type: none"> <li>• is entitled to be entered on an existing register if the applicant was last employed under a career or career-conditional appointment <b>and</b>: <ul style="list-style-type: none"> <li>○ has successfully appealed a furlough or discharge and is otherwise qualified for the position (5 CFR 332.313(a)); <b>and</b></li> <li>○ applies within 90 days after furlough or separation without delinquency or misconduct, provided that he or she is otherwise qualified for the position (5 CFR 332.313(b));</li> </ul> </li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>• is entitled to be re-entered on each existing inventory (or its successor) on which previously listed, provided the applicant applies within 90 days after <i>resignation</i> without delinquency or misconduct from a career or career-conditional appointment (5CFR 332.321).</li> </ul>
was unable to file for an open competitive examination or to appear for a test due to <i>service in the armed forces or hospitalization</i> continuing for up to one year following discharge from the armed services	may file an application after the closing date if the inventory of eligibles still exists or if an inventory is about to be established (5 CFR 332.312(a)).

<b>IF the applicant...</b>	<b>THEN the applicant...</b>
was unable to file an application or to appear for a written test due to <i>overseas service with a Federal agency or international organization</i> in which the U.S. Government participates (e.g., Peace Corps)	may file an application after the closing date if the inventory of eligibles still exists, or if one is about to be established (5 CFR 332.312(c)).
was on an inventory of eligibles but <i>lost eligibility</i> for appointment <i>due to active duty in the Armed Forces</i>	is entitled to be restored to that inventory (or its successor) and to have his/her name entered at the top of the appropriate group on the register if another eligible standing lower on the register on which his/her name formerly appeared was given a career or career-conditional appointment from that register (5 CFR 332.322).
is a <i>Federal employee</i> who was unable to file for an open competitive examination or to appear for a test due to <i>active Reserve duty</i> continuing beyond 15 days	may file an application after the closing date if the inventory of eligibles still exists, or if one is about to be established (5 CFR 332.312(b)).

## **Incomplete Applications**

### **General Rule**

An application is incomplete if an applicant:

- Submits insufficient information concerning education or experience; or
- Fails to respond to questions that require a response before any action can be taken.

If your agency policy allows you to consider as ineligible those applicants who submit incomplete applications, this must be clearly stated in the job opportunity announcement. You may also review incomplete applications for minimum qualification requirements based on the information provided, or you may ask the applicant to provide the missing information. Whichever option you choose, however, *you must so state in the job opportunity announcement and apply it consistently for all applicants* for any specific position or competitor inventory.

### **Applicants who Fail to Provide a College Transcript**

For certain jobs with positive education requirements or in the case of applicants seeking to qualify by substituting education for experience, a college transcript may be critical and necessary for establishing eligibility. For other categories of positions, such as those at the higher grade levels, a college transcript is not normally a significant examining factor. You may not require submission of official college transcripts at the initial application phase of the hiring process. An unofficial transcript is a sufficient substitute for a transcript at the time of the initial application. Once selected, and prior to entering on duty, the applicant must provide an official college transcript for verification purposes.

### **Applicants who are on Active Military Duty**

On November 21, 2011, the VOW (Veterans Opportunity to Work) to Hire Heroes Act of 2011 was signed into law (Public Law 112-56). The VOW Act amends chapter 21 of title 5, U.S.C. by adding section 2108a, "Treatment of certain individuals as veterans, disabled veterans, and preference eligibles." This new section requires Federal agencies to treat certain active duty service members as preference eligibles for purposes of an appointment in the competitive service, even though the service members have not yet been discharged or released from active duty. Applicants who are on active military duty will not have a DD Form 214, *Certificate of Release or Discharge from Active Duty*, at the time of application. An applicant who is currently serving on active duty but will soon be discharged or an applicant who has performed active service but who is on terminal leave status (5 U.S.C. 5534(a)) may submit a "certification" when applying for a Federal job. The "certification" is any written document from the armed forces that certifies the service member is expected to be discharged or released from active duty service in the armed forces under honorable conditions not later than 120 days after the date of the submission of the certification. You must verify:

- The eligible's entitlement to veterans' preference, and
- That the eligible's military service was honorable.

You can find eligibility information later in this Chapter and in the *Federal Employment Policy Handbook: Veterans and the Civil Service (VetGuide)* on OPM's web site at <https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/vet-guide/>, which also includes a list of campaigns and expeditions qualifying for veterans' preference.

### How to Handle Applications from Applicants who are on Active Military Duty

The following chart will help you in adjudicating veterans' preference for applicants who are on active military duty.

<b>IF an applicant is on active duty and claims...</b>	<b>AND IF the veteran submits documentation of ...</b>	<b>THEN...</b>
0-point preference	sole survivorship discharge after August 29, 2008, <b>and</b> service in a war, campaign, or expedition <b>or</b> for specified periods defined in 5 U.S.C. 2108	<ul style="list-style-type: none"> <li>• grant tentative 0-point preference if document is a certification of service indicating the veteran will be released or discharged from active duty by reason of a sole survivorship discharge not later than 120 days after the date of submission of the certification and service supports preference</li> <li>• do not grant 0-point preference, if proof of military discharge and service is not received or is insufficient to support 0-point preference</li> </ul>
5-point preference	service in a war, campaign, or expedition <b>or</b> for specified periods defined in 5 U.S.C. 2108	<ul style="list-style-type: none"> <li>• grant tentative 5-point preference if document is a certification of service indicating the veteran will be released or discharged from active duty under honorable conditions not later than 120 days after the date of submission of the certification and service supports 5-point preference</li> <li>• do not grant 5-point preference if proof of military service is not received or is insufficient to support 5-point preference</li> </ul>

<b>IF an applicant is on active duty and claims...</b>	<b>AND IF the veteran submits documentation of ...</b>	<b>• THEN...</b>
10-point preference	a completed form SF 15, <i>Application for 10-point Veterans' Preference</i> ; <b>AND</b> <ul style="list-style-type: none"> <li>• documentation of disability from the military branch of service; <b>or</b></li> <li>• documentation from the Department of Veterans Affairs (DVA) issued in 1991 or later, certifying that the veteran has a permanent service-connected disability; <b>or</b></li> <li>• a letter from the military branch of service or from the DVA certifying temporary disability;</li> </ul>	<ul style="list-style-type: none"> <li>• grant tentative 5- or 10-point preference if document is a certification of service indicating the veteran will be released or discharged from active duty under honorable conditions not later than 120 days after the date of submission of the certification and service supports 5-point preference or documentation is received to support 10-point preference</li> <li>• do not grant preference, if proof of claim is not received.</li> </ul>
10-point preference on the basis of award of the Purple Heart	an official citation, document or discharge certificate, issued by a military department, showing award of the Purple Heart	<ul style="list-style-type: none"> <li>• grant 10-point veterans' preference</li> </ul>

### **Applicants who Fail to Sign their Résumé or Application**

A signature is not required on a résumé or employment application. The OF 306, *Declaration for Federal Employment*, contains a signature block with all of the necessary certifications. The signature on the OF 306 is required at the time of appointment. You may request that an applicant fill out the OF 306 only *after* you have made a conditional offer of employment to the applicant, unless a specific exception has been requested and approved by OPM (see “Timing of Suitability Inquiries in Competitive Hiring”). (Also, you may not avoid this restriction by asking the applicant to divulge criminal or credit history information covered by the OF 306 orally.)

## **Application Notification Procedures**

You must communicate with applicants concerning the status of their application, and it must be done in a timely manner on at least four communication touch-points. It is acceptable, however, if touch-points are combined into two communications. The four communication touch-points are:

1. When the application is received. OPM suggests notifying applicants no later than 5 business days after the application was received.
2. When the application is assessed for minimum qualifications (eligibility/ineligibility) for the job after all applications have been assessed.
3. When applications are referred or certified (or not) to the hiring official.
4. When a selection is made (or not) for the position or the job is canceled. OPM suggests non-selected candidates be notified no later than 10 business days after the date on which the selected candidate has accepted the job offer or the job was canceled.

## Section B - Reviewing Applications

The application review phase of the hiring process is separate and distinct from the assessment phase. Applications are first reviewed to determine whether eligibility (U.S. citizenship, etc.) and minimum qualification requirements are met. The first step is to sort applicants into two groups: eligible and ineligible. This is called an “in” or “out” decision or a preliminary “screen out.” Only those applicants who get past this first hurdle in the hiring process continue on to the assessment phase.

Here are the basic steps in reviewing applications:

- Step 1:** Determine eligibility. This step involves reviewing applications based on career transition programs, veterans’ preference, and other requirements such as citizenship, conditions of employment, selective service registration, etc.
- Step 2:** Determine minimum qualifications, including any selective factor(s)\* if applicable.
- Step 3:** Refer minimally qualified applicants for assessment to determine (i) whether the applicant achieves a passing grade (i.e., qualified to be considered for this particular position pursuant to a pre-established score under an assessment instrument or set of quality indicators) and (ii) the relative degree to which the applicant possesses the competencies/KSAs required for the position (which, together with any veterans’ preference due, determines final score and rank or the quality category in which the candidate will be placed).

\*There are times when a selective factor may be assessed later in the process. For example, when an online assessment is administered immediately following application receipt, assessment of the selective factor may occur during or after the rating assessment. Another example may be when only some of the vacancies require the selective factor, such as a foreign language proficiency, or positions require different languages. In that instance, it may be useful to delay until the time of certification use of the selective factor for just those certificates that have a foreign language requirement.

### **Step 1: Determine Eligibility**

Applications must be reviewed to determine which applicants, if any, are entitled to selection priority based on the requirements of an agency career transition assistance plan (CTAP), an interagency career transition assistance plan (ICTAP), or Reemployment Priority List (RPL) (see 5 CFR part 330). You should not put these employees on a competitive selection Certificate of Eligibles (or a merit promotion referral list, if considering applicants under multiple procedures), but should instead refer them separately.

## **Career Transition Assistance Program Requirements**

### **Career Transition Assistance Plan (CTAP)**

Under CTAP, you must notify an employee who has been notified that he or she is “surplus” or will be “displaced” from your agency that your agency plans to fill a vacancy in the employee’s local commuting area. With few exceptions, you must select a “CTAP eligible” candidate who applies and who meets your agency’s definition of a “well-qualified” (see 5 CFR § 330.606) applicant before you can appoint any other eligible from within or outside your agency (see 5 CFR part 330, subpart F and [Appendix H](#)).

Although CTAP only applies while the surplus/displaced employee is still on your agency’s rolls, an individual who has been separated may still be eligible for selection priority under other programs, such as RPL and ICTAP (described below).

### **Where to Find Records of All Potential CTAP Eligibles**

Since CTAP eligibility results from an agency-issued notice, your agency should have records of all potential CTAP eligibles at any given time and for any locale. If your agency has no CTAP eligibles in the commuting area in which the job is located, CTAP posting is not required. However, regular merit promotion procedures and other priority programs, such as the RPL and the ICTAP, may still affect how you fill the position (see below).

For more information on CTAP for local surplus and displaced employees, including eligibility requirements, order of selection, and exceptions, see 5 CFR part 330 subpart F.

### **Special Note**

**Department of Defense (DOD):** DOD agencies do not provide agency selection priority through CTAP. Instead, DOD is authorized to use its Priority Placement Program (PPP) to place its surplus employees. DOD also provides career transition services to its employees to the extent possible. Displaced DOD employees may also register for their local RPL, and request selection priority for jobs in non-DOD agencies using the ICTAP.

### **Agency Reemployment Priority List (RPL)**

Your agency is required to maintain an RPL for each commuting area in which your agency has separated employees by reduction in force (RIF). Former employees who separated because of work-related injuries but have since recovered may also be eligible for your agency RPL.

By registering for the RPL, these former employees are informing their former agency that they want to return if vacancies exist for which they are qualified. Before you may select an eligible from outside your agency, you must first check the RPL for the commuting area in which the job is located.



For information on the RPL, including eligibility requirements, required selection order and exceptions, see 5 CFR part 330 subpart B.

### **Interagency Career Transition Assistance Plan (ICTAP)**

The ICTAP provides a process by which employees who have been involuntarily separated may receive selection priority for jobs in agencies other than the one in which they were previously employed (see [Appendix H](#)).

Under ICTAP, an agency must publicize job openings for which it is recruiting from outside its own workforce in the local commuting area. Displaced Federal employees who worked in the local commuting area and who apply for a local job are entitled to selection priority if they are “well-qualified” (see 5 CFR § 330.704) and can provide proof that they were or are about to be displaced by their agency.

ICTAP gives those who meet the agency’s definition of a “well-qualified” eligible selection priority over almost any other applicant from outside the agency. Under ICTAP, for example, a “well-qualified” DOD employee with a RIF notice citing a specific involuntary separation date could apply for a Department of Education competitive service job in the local commuting area. In most cases, Education must select this “well-qualified” priority eligible before choosing another applicant from outside the agency.

For more information on ICTAP for displaced employees, including eligibility requirements, time limits, order of selection, and exceptions see 5 CFR part 330 subpart G. Exceptions to ICTAP selection priority are listed in 5 CFR § 330.707.

### **Special Note**

**Department of Defense (DOD):** DOD agencies must apply ICTAP procedures when filling vacancies from outside its workforce.

### **Other Priority Placement Programs**

There is another category of eligibles that may have selection priority for jobs equal to the priority of “well-qualified” ICTAP eligibles: preference eligibles in restricted positions displaced by A-76 procedures.

Preference eligibles who were displaced from restricted positions (i.e., custodian, elevator operator, guard, and messenger positions, see Chapter 6 for more information on these positions) as a result of the “contracting out” of functions pursuant to OMB Circular A-76 procedures are eligible for ICTAP selection priority for two years (as compared to the standard one-year period of eligibility). Aside from this longer eligibility period, you should treat these individuals in the same manner as other ICTAP eligibles (5 CFR §§ 330.404 and 407).

## **Citizenship, Veterans' Preference, Age, and Other Eligibility Requirements**

In addition to determining which applicants are eligible for selection priority based on career transition plan requirements, you must also review each applicant's eligibility for employment consideration based on citizenship, veterans' preference, age, and other requirements such as conditions of employment and selective service registration.

### **Citizenship Requirement**

No individual may compete for a civil service job in the competitive service unless the individual is a citizen or national of the United States (see Civil Service Rule 7.3, 5 CFR § 338.101, Executive Order 11935, and 8 U.S.C. § 1408). For more information on citizenship requirements visit: <https://www.opm.gov/FAQs/QA.aspx?fid=de14aff4-4f77-4e17-afaa-fa109430fc7b&pid=acfb91ff-c4aa-4b34-b159-7d40c6b45c15&result=1>.

### **What to Do if the Applicant is a Non-citizen**

An individual who is not a citizen or national of the United States may not compete for or be appointed to a position in the competitive service, except when necessary to promote the efficiency of the service, such as when there are no qualified United States citizen (see Civil Service Rule 7.3). A noncitizen may be given an appointment in rare cases under 5 CFR § 316.601, unless the appointment is prohibited by statute. If there is a question about an applicant's citizenship (e.g., the applicant failed to provide information about citizenship), the application *may* be accepted and processed, if that is your agency's policy. If the individual is subsequently referred on a certificate, annotate his/her name with instructions to verify citizenship before appointment. You must verify citizenship before appointment (5 CFR § 338.101).

Note: In addition to the limitation established in Rule 7, many agencies have appropriations restrictions on the hiring of individuals who are not citizens or nationals of the United States. Discuss with your counsel in order to determine how to identify and comply with any such restrictions in your agency.)

### **Veterans' Preference - When is an Applicant Entitled to Veterans' Preference?**

Preference in hiring applies to permanent and temporary positions in the competitive service applied by both OPM and agencies under delegated examining authority. Veterans' preference also applies to most excepted service jobs in the executive branch (5 U.S.C. § 3320; 5 CFR part 302). Additional specific instructions for adjudicating veterans' preference and the use of special hiring authorities (e.g., VRA, VEOA, 30% service compensable disabled veteran, etc.) are contained in OPM's *VetGuide*. The *VetGuide* provides a comprehensive description of the special rights and privileges that veterans enjoy with respect to Federal employment. You can find the *VetGuide* on OPM's web site at: <https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/vet-guide/>.

## **Special Provisions when a New Law Changes the Criteria for Granting Veterans' Preference**

Applicants normally apply for veterans' preference by claiming preference and submitting proof of eligibility at the time of application for a position. There are situations, however, where an amendment changing the terms of eligibility or a statute providing for a new form of preference is enacted and signed into law making a change in preference eligibility. Because some applicants will not be aware of the law or may have applied before the new law was passed, examining offices must take the first step in ensuring that an applicant receives the preference to which he or she is entitled. You can achieve consistency in how applicants receive the appropriate preference to which each may be entitled by applying the following information:

Each delegated examining office is responsible for contacting all current eligibles and reviewing applications in process to ascertain eligibility for veterans' preference under the new law. The review must include eligibles on a Certificate of Eligibles, eligibles on a register/competitor inventory, and applications pending for evaluation.

***Eligibles on Certificates:*** In cases where the certificate was already issued, eligible applicants who requested preference, who should have received preference based on the new law, and who would have been within reach for appointment on the certificate must receive priority consideration for the next position. If an illegal appointment was made such as a non-preference eligible being selected over a preference eligible who, based on the new law, should have been certified, see Chapter 6, Section E – Illegal Selection and Priority Consideration, for corrective actions. If improper certification occurred on a certificate (based on the new law), but no selection was made, or the preference eligible affected was not within reach, the preference eligible is not entitled to priority consideration.

***Eligibles on Registers:*** The entire inventory of eligibles must be notified to determine eligibility for veterans' preference. The notification letter should inform applicants about the change in law and allow them the opportunity to update their application based on the law and to claim eligibility if appropriate.

***For Pending Applications:*** You must send a letter of inquiry to each applicant to determine if he or she is eligible for veterans' preference. You cannot base your decision on the application that you received in-house because the law is new and may be still unknown to some applicants. Individuals may not have claimed preference and/or failed to indicate their military service on the application.

### **Types of Veterans' Preference and Designated Veterans' Preference Codes**

To receive preference, a veteran must have been discharged or released from active duty in the Armed Forces under honorable conditions (i.e., with an honorable or general discharge). As defined in 5 U.S.C. 2101(2), "Armed Forces" means the Army, Navy, Air Force, Marine Corps and Coast Guard. The veteran must also be eligible under one of the preference categories below.

Military retirees at the rank of major, lieutenant commander, or higher are not eligible for preference in appointment unless they are disabled veterans. (This does not apply to Reservists who will not begin drawing military retired pay until age 60.)

For non-disabled veterans, active duty for training in the National Guard or Reserves does not qualify as "active duty" for preference. For disabled veterans, active duty includes training service in the Reserves or National Guard, per the Merit Systems Protection Board decision in *Hesse v. Department of the Army*, 104 M.S.P.R.647 (2007).

When applying for Federal jobs, eligible veterans should claim preference on their application or résumé, and submit a DD Form 214, *Certificate of Release or Discharge from Active Duty*, which shows *character of discharge and dates of military service*. Active duty service members not yet discharged should claim preference on their applications or résumé, and submit certification from the armed forces that the service member is expected to be discharged or released from active duty service in the armed forces under honorable conditions within 120 days. (See this Chapter, Section A, "How to Handle Applications from Applicants who are on Active Military Duty.") (Proof of separation under honorable conditions will be required before the ultimate appointment may occur.)

Applicants claiming 10-point preference complete Standard Form (SF) 15, *Application for 10-Point Veteran Preference*, and submit the requested documentation. If an applicant submits the proof required to claim 10-point preference but is missing the SF 15, you should grant preference based on the documentation provided.

The following preference categories and points are based on 5 U.S.C. §§ 2108 and 3309 as modified by a length of service requirement in 38 U.S.C. § 5303A(d). Use the following codes to designate on rating sheets and certificates the category of veterans' preference to which an applicant is entitled:

**CPS** 10-Point 30 Percent Compensable Disability Preference based on a service-connected disability of 30% or more.

**CP** 10-Point Compensable Disability Preference based on a service-connected disability of 10% or more, but less than 30%.

**XP** 10-Point Disability Preference granted to recipients of the Purple Heart; or veterans with a non-compensable service-connected disability (less than 10%); or veterans receiving compensation, disability retirement benefits, or pension from the military or the Department of Veterans Affairs who do not qualify as a CP or CPS.

**XP** 10-Point Derived Preference granted to widow/widower or parent of a deceased veteran, or spouse or parent of a disabled veteran.

- The spouse of a disabled veteran who is disqualified for a Federal position along the general lines of his or her usual occupation **because of a service-connected disability**. Such a disqualification may be presumed **when the veteran is unemployed and**

- is rated by appropriate military or Department of Veterans Affairs authorities to be 100 percent disabled and/or unemployable; **or**
  - has retired, been separated, or resigned from a civil service position on the basis of a disability that is service-connected in origin; **or**
  - has attempted to obtain a civil service position or other position along the lines of his or her usual occupation and has failed to qualify **because of a service-connected disability**.
- The widow or widower of a veteran who was not divorced from the veteran, has not remarried, or the remarriage was annulled, and the veteran either:
    - served during a war or during the period April 28, 1952, through July 1, 1955, or in a campaign or expedition for which a campaign medal has been authorized; **or**
    - died while on active duty that included service described immediately above under conditions that would not have been the basis for other than an honorable or general discharge.
- The parent of a veteran who died under honorable conditions while on active duty during a war or during the period April 28, 1952 through July 1, 1955, or in a campaign or expedition for which a campaign medal has been authorized; **and**
    - the spouse of that parent is totally and permanently disabled; **or**
    - that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse.
- The parent of a disabled veteran if the veteran was separated with an honorable or general discharge from active duty, including training service in the Reserves or National Guard, performed at any time **and** is permanently and totally disabled from a service-connected injury or illness; **and**:
    - the spouse of that parent is totally and permanently disabled; **or**
    - that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse.

Note: Preference is not given to widows/widowers or parents of deceased veterans who qualify for preference under 5 U.S.C. 2108(1)(B), (C), (D), or (2). Thus, the widow/widower or parent of a deceased disabled veteran who served after 1955, but did not serve in a war, campaign, or expedition, would not be entitled to preference (5 U.S.C. §§ 2108, 3309; 38 U.S.C. § 5303A).

**TP 5-Point Preference based on service:**

- During a war; **or**
- During the period April 28, 1952 through July 1, 1955; **or**
- For more than 180 consecutive days, other than for training, any part of which occurred after January 31, 1955, and before October 15, 1976; **or**
- During the Gulf War from August 2, 1990, through January 2, 1992; **or**

- For more than 180 consecutive days, other than for training, any part of which occurred during the period beginning September 11, 2001, and ending on August 31, 2010, the last day of Operation Iraqi Freedom; **or**
- In a campaign or expedition for which a campaign medal or badge has been authorized. Any Armed Forces Expeditionary Medal or campaign badge, including El Salvador, Lebanon, Grenada, Panama, Southwest Asia, Somalia, and Haiti, qualifies for preference.

To be eligible for 5-point preference, a campaign medal holder or Gulf War veteran who originally enlisted after September 7, 1980, (or began active duty on or after October 14, 1982, and has not previously completed 24 months of continuous active duty) must have served continuously for 24 months or the full period called or ordered to active duty.

**SSP 0-Point Preference** granted to veterans released or discharged from a period of active duty from the armed forces, after August 29, 2008, by reason of a “sole survivorship discharge” who would otherwise have been eligible for 5-point preference if their military service had not been interrupted by the sole survivorship discharge or release.

**NV** designates a non-veteran (this is an optional code that delegated examining units may use; a blank space is also used to designate non-veterans).

### **When is Proof of Veterans' Preference Status Required?**

Proof of veterans' preference status is required:

- When such status is used as a basis for accepting an application after the closing date;
- When positions are restricted to preference eligibles, i.e., custodian, elevator operator, guard, and messenger positions (see 5 U.S.C. § 3310); or
- Prior to final selection if the preference eligible was selected over other eligibles based on his or her entitlement to veterans' preference.

### **Age - When is Age a Factor for Determining Eligibility?**

For most jobs, age is not a factor in determining eligibility for Federal employment. You can obtain an applicant's date of birth when he or she is hired for positions where age is a factor. Age may be a factor for certain law enforcement, firefighter, air traffic controller, and other positions (see 5 U.S.C. § 3307). Where a job has a maximum or minimum age restriction, the job announcement should clearly state that such a restriction is applicable. In such cases, you should screen the applications for date of birth at the time of initial application.

### **Maximum Entry-age Requirements**

In a Merit Systems Protection Board (Board) final decision in *Robert P. Isabella v. Department of State and Office of Personnel Management*, 109 M.S.P.R. 453 2008 M.S.P.B. 146, the Board, construing 5 U.S.C. § 3312 in the context of the maximum age requirements identified under 5 U.S.C. § 3307, held that the State Department was required to waive the age requirement for an

applicant to the position of Diplomatic Security Service Special Agent who was a qualified preference eligible unless the requirement was essential to the performance of the duties of the position. Accordingly, before determining whether a maximum entry-age requirement can be waived under 5 U.S.C. § 3312, the agency must first analyze the affected position to determine whether being at or below that age is essential to the performance of the position. If that requirement **is not essential** to the position, then the **agency must waive** the maximum entry-age requirement for applicants who are veterans' preference eligible. Failure to waive the maximum entry-age requirement in those circumstances would be a violation of a veterans' preference right.

The same principles stated above would apply to appointments to other types of positions with a maximum entry age authorized under 5 U.S.C. § 3307. These types of positions are: (1) firefighters, (2) air traffic controllers, (3) United States Park Police, (4) nuclear materials couriers, and (5) customs and border patrol officers (subject to the Federal Employees Retirement System, 5 U.S.C. § 8401 *et seq.* only).

Agencies are reminded that they are still required to apply occupational qualification standards, suitability, and medical qualification determinations when waiving the maximum entry-age requirements for preference eligible veterans. For more information on this topic, see OPM's CHCO Memo, *Change in Maximum Entry-age Requirements for Veterans' Preference Eligibles*, at <https://www.chcoc.gov/content/change-maximum-entry-age-requirements-veterans%E2%80%99-preference-eligibles>.

### **Selective Service - Verifying Selective Service**

You are required to verify male applicants' Selective Service registration prior to appointment. Generally, male applicants born after December 31, 1959, who have not registered with the Selective Service are barred from employment in the executive branch of the Federal Government (see 5 U.S.C. § 3328; 5 CFR part 300, subpart G). You can verify an applicant's registration status through the Selective Service's online registration verification database at: <https://www.sss.gov/RegVer/wfVerification.aspx>.

### **Other Conditions of Employment**

Other conditions of employment, supported in the position description and/or job analysis and explained in the job opportunity announcement, will be considered in order to determine applicants' eligibility for further consideration. Conditions of employment are those things that an employee must have prior to appointment or must maintain during employment to successfully perform their functions. Examples include:

- obtaining and maintaining professional licensure or certification;
- traveling a certain percentage of time;
- working specific hours or shift work;
- signing a mobility agreement; or
- undergoing drug screening.

These conditions of employment will affect an applicant's ability to perform the work of the position and will affect eligibility. Some of the items are based on an applicant's willingness to agree to the condition of employment and can be asked, or verified, in the initial application.

## **Step 2: Determine minimum qualifications, including any selective factors**

Once you have determined which applicants meet the eligibility requirements described previously, you can then review the applicants' qualifications. Certain minimum requirements must be met before appointing an individual to a job using competitive examining procedures. They are typically expressed in terms of job-related experience or education, (e.g., course credit hours) or a combination of the two. They may also be expressed as proficiency levels on a competency-based assessment.

The purpose of qualifications review is to identify those applicants who are likely to perform successfully on the job and to screen out those who are unlikely to do so. OPM-issued qualification standards are *not* designed to rank applicants, identify the best qualified candidates for particular positions, or otherwise substitute for a comprehensive assessment of job qualifications. At this point, you are *not* determining which applicants are the "most qualified" – this will be done later when you assess and rate the qualified applicants (see Chapter 5).

Minimum qualification requirements always include, but are not limited to, the qualification standards that OPM validates and sets for occupations in the Federal Government. Such qualification standards usually apply Governmentwide, but occasionally some are established as OPM-approved agency-specific standards. In addition, minimum qualification requirements may also include attaining minimum proficiency levels on a competency-based assessment or other quality indicators deemed to constitute a passing grade, for example. You may also include any selective factors your agency establishes for its positions. These general occupational qualification standards and selective factors are discussed further below.

We encourage you to consider establishing a passing grade (a score for an assessment that is numerically rated or indicators in a quality-based assessment) that demonstrate what is needed in the particular position at your agency to perform the position successfully. This could be minimum proficiency levels on a competency-based assessment, for example. If an agency does not establish a passing grade, then, in a category rating setting every applicant who meets minimum qualifications will be deemed to be entitled to be placed in a quality category, which makes the hiring process significantly less efficient for the agency.



## Occupational Qualification Standards

OPM has the responsibility to develop, validate and publish the occupational qualification standards that must be used when examining applicants for appointment to the competitive service, unless agency-specific qualification standards have been approved by OPM. Together with any applicable selective factors, which are discussed below, these occupational qualification standards make up the minimum qualification requirements. As noted above, agencies are encouraged to develop and apply a passing grade with respect to their assessment processes so that only candidates likely to successfully carry out the duties of the position, as it is currently designed at that agency, get a final rating or go into a quality category.

### General Schedule Positions

In performing qualifications reviews for General Schedule (GS) positions, you must apply, at a minimum:

- The requirements set forth in the *Operating Manual: Qualification Standards for General Schedule Positions*;
- The requirements established under a qualifications pilot program; or
- Agency-specific standards that have been approved by OPM.

In any case, the qualification requirements you apply must have been clearly specified in the job opportunity announcement (see 5 CFR part 330 and 5 CFR part 338). Because a published OPM qualification standard may cover hundreds of positions in dozens of organizations, it must be broad enough to cover the range of work classified to the occupational series. Therefore, agencies and examining offices should identify through a job analysis (see 5 CFR 300.103) and clearly describe the specific experience or education required to qualify for the positions covered by a job opportunity announcement or examination. The specific minimum requirements may be demonstrated through passing a competency-based assessment in addition to meeting specific experience (i.e., general or specialized) and/or education requirements identified in the qualification standard. Clearly identifying and describing both the minimum qualification requirements and requirement to meet a passing grade in the job opportunity announcement will better attract applicants with the appropriate level of competencies/KSAs to be successful in the job, thereby greatly improving the effectiveness of the hiring process.

**Reminder:** For positions with minimum education requirements, with limited exceptions, only education from institutions that are accredited or preaccredited/candidate for accreditation may be used to meet those requirements. OPM also recognizes generally accepted professional credentials, such as engineering registration, successful completion of certain actuarial examinations, or a Certified Public Accountant certificate as being equivalent to meeting minimum educational requirements. Examples of such alternate provisions are generally included in the qualification standard for the occupational series. Foreign education must be determined to be equivalent to an accredited U.S. education program. Possession of a valid and current U.S. professional license by a graduate of a foreign professional school or program is sufficient proof that the foreign education has been determined to be equivalent to the requisite

U.S. professional education in that occupational field. For further information on the acceptability of higher education for meeting minimum qualification requirements, please refer to <http://www.opm.gov/qualifications/policy/ApplicationOfStds-04.asp>. For a list of schools that meet these criteria, please refer to <http://www.ed.gov>.

For detailed information regarding the qualifications review process for GS positions, see the *Operating Manual: Qualification Standards for General Schedule Positions*, which may be found on OPM’s web site at <https://www.opm.gov/policy-data-oversight/classification-qualifications/>.

### **Federal Wage System Positions**

In performing qualifications reviews for Federal Wage System (FWS) positions, e.g., Wage Grade (WG), Wage Leader (WL), and Wage Supervisor (WS), you must apply the job elements either:

- Identified in the *Job Qualification System for Trades and Labor Occupations Handbook*, or
- Developed by your agency, provided that you retain the screen-out elements that are required by the *Job Qualification System for Trades and Labor Occupations Handbook* and use the prescribed rating process and transmutation table.

For detailed information regarding the qualifications review process for FWS positions, see <https://www.opm.gov/policy-data-oversight/classification-qualifications/federal-wage-system-qualifications/>.

### **Written Test Screening**

When an applicant must pass a written test, the examining office has the option as to when to screen the applicants. The examining office should consider the volume of applications received, the high cost of administering a written test, the efficiency of the process, etc.

<b>IF the qualifications screening is done...</b>	<b>THEN...</b>
<b>before the written test is administered</b>	only those applicants, who meet the minimum qualification requirements, including any selective factors, need to be tested.
<b>after the written test is administered</b>	only those applicants who pass the written test need to be screened further for minimum qualification requirements.

## **The Role of Minimum Requirements in the Assessment Process**

Minimum requirements are intended to reduce the processing of unqualified applicants by screening out those who are unlikely to succeed in the job. The qualification standards OPM issues are not designed to rank applicants, identify the best qualified candidates for particular positions, or otherwise substitute for a comprehensive assessment of job qualifications or the establishment of a passing grade. Applicants who satisfy minimum qualification requirements are not automatically entitled to a qualifying score of 70 or more points, out of 100, in an assessment process that uses a numerical rating procedure or entitled to placement in a quality category under a category rating process (see “Rating Procedures”). Minimum qualifications screening and subsequent assessment are two separate steps in the examining process. You should be careful not to conflate these steps. Screening for minimum qualifications is usually the first hurdle in the selection process. The first step is to sort applicants into two groups: ineligible and eligible. Applicants who do not meet the minimum qualification requirements are ineligible and thus “screened out.” When the examining process uses numerical rating procedures, applicants meeting minimum requirements are eligible for assessment of their relative qualifications “on a scale of 100” (see 5 CFR 337.101(a) for further details), but must meet a passing score (generally 70) in order to receive a final numerical rating.

When the examining process uses category rating procedures, applicants meeting minimum requirements are eligible for assessment. You should consider establishing what would constitute a passing grade for the subsequent assessment in order to determine who may ultimately be placed in quality categories. Only those who pass both the initial minimum qualifications screen and the assessment phase are eligible for appointment.

### **When the Applicant Does Not Meet the Qualification Requirements**

If you determine that an applicant does not meet the qualification requirements for the position, you must notify the applicant of your determination. An applicant who does not meet the qualification requirements will not receive further consideration for the position. Examining decisions made by your office are subject to applicant appeal upon reasonable demonstration that a review is necessary. Agency responsibility to reconsider applicant ratings will be discussed in Chapter 5.

## **Selective Factors**

In addition to the component of the minimum qualification requirements that are expressed as occupational qualification standards (developed by OPM or agency developed and OPM approved), selective factors identify any qualifications that are essential for the job. These are already required when the person starts the job.

### **Characteristics of a Selective Factor:**

- Requires extensive training or experience to develop that could not be learned readily during the normal period of orientation on the job;
- Is essential for successful performance on the job, (i.e., if individuals do not have the selective factor, they cannot perform the job);
- Is almost always geared toward a specific technical competency or KSA; and
- Is not too restrictive that it would eliminate a potential applicant due to the use of experiences found only in the Federal Government or within the agency.

When using selective factors, you should specify the required proficiency level. Based on their characteristics, selective factors are used as a "screen out" – that is, if an applicant does not possess a selective factor, he or she is ineligible for further consideration.

### **Example of a Selective Factor**

A commonly applied selective factor is a special language requirement. Learning a language involves several years of training, and, for certain positions, a person cannot perform successfully unless he or she can communicate in a special language. In addition, applicants cannot compensate for a lower language proficiency level with higher levels of proficiency on other competencies. In these types of situations, it is appropriate to apply a special language requirement as a selective factor. Because selective factors are used as "screen outs," you should take all of these conditions into consideration when you identify selective factors that appropriately limit applicants from being considered. For more information on establishing a proficiency level, see Chapter 2, Indicators of Proficiency.

Other examples of selective factors may include certifications such as Firefighter I or Hazard Material Incident Commander, and licensure requirements such as commercial driver's license and state pesticide applicator license.

You must be careful not to be too restrictive and you must never use knowledge or experience that could have been gained only while employed by the Federal Government as a selective factor. For example, you may not require applicants to have knowledge of, or experience with, agency-specific systems, processes, or operations.

### **Documenting Selective Factors**

You may establish selective factors for any position without OPM's approval except when using a single gender as a selective factor (see Chapter 6, Section A, Positions Restricted to One

Gender). However, you must establish and document these selective factors through the job analysis process (see [Appendix D](#)) by identifying:

- The competencies/KSAs basic to and essential for satisfactory performance of the job;
- The duties or tasks the incumbent will perform that require the possession of the requested competencies/KSAs; and
- The education, experience, or other qualifications that provide evidence of the possession of the competencies/KSAs.

If you cannot document a selective factor as essential to the candidate's ability to perform the job, you can evaluate its use as a quality ranking factor (see Chapter 5).

### **Step 3: Refer qualified applicants for assessment to determine the degree to which the applicant is qualified**

Agencies are required to use validated (i.e., job-related) assessment procedures when examining applicants for competitive service positions. These assessment procedures must comply with the requirements in 5 CFR part 300; Chapter 2, Section C of this Handbook; and be consistent with the technical standards in the *Uniform Guidelines on Employee Selection Procedures (Uniform Guidelines)* (see 29 CFR part 1607). Examples of assessment procedures include:

- job knowledge tests
- occupational questionnaires
- ability tests
- work samples
- situational judgment tests
- structured interviews

For more information refer to [Appendix D](#) and the *Assessment Decision Guide* at <https://www.opm.gov/policy-data-oversight/assessment-and-selection/reference-materials/>.

Agencies may not replace validated assessments with education requirements because they do not constitute an assessment tool. Rather, they are part of the qualification standard and do not comply with the applicable requirements for a valid assessment tool. If an agency chooses to develop its own assessment tool, we recommend the agency consult with its legal counsel regarding whether the tool complies with all applicable requirements.

## Section C - References

The following table provides a list of sources pertaining to the topics covered by this section:

Topic	Reference
Veteran, disabled veteran; preference eligible	5 U.S.C. § 2018
Treatment of certain individuals as veterans, disabled veterans, and preference eligibles	5 U.S.C. § 2018a
Competitive service; recommendations of Senators or Representatives	5 U.S.C. § 3303
Competitive service; maximum-age entrance requirements; exceptions	5 U.S.C. § 3307
Preference eligibles; examinations; additional points for	5 U.S.C. § 3309
Nationals but not citizens of the United States at birth	8 U.S.C. § 1408
Minimum active duty requirements	38 U.S.C. § 5303A
Citizenship	5 CFR section 7.3
Employment (general)	5 CFR part 300
Reemployment priority lists (RPL)	5 CFR part 330 subpart B
Positions restricted to preference eligibles	5 CFR part 330 subpart D
Agency Career Transition Assistance Plan (CTAP) for local surplus and displaced employees	5 CFR part 330 subpart F
Interagency Career Transition Assistance Plan (ICTAP) for displaced employees	5 CFR part 330 subpart G
Acceptance of applications after closing date of examinations	5 CFR part 332 subpart C
Qualifications requirements; citizenship requirements	5 CFR part 338
Suitability	5 CFR part 731
Controlling paperwork burdens on the public	5 CFR part 1320
<i>Operating Manual: Qualification standards for general schedule positions</i>	<a href="http://www.opm.gov/qualifications/standards/index-Standards.asp">http://www.opm.gov/qualifications/standards/index-Standards.asp</a>
<i>Job Qualification System for Trades and Labor Occupation System</i>	<a href="https://www.opm.gov/policy-data-oversight/classification-qualifications/federal-wage-system-qualifications/">https://www.opm.gov/policy-data-oversight/classification-qualifications/federal-wage-system-qualifications/</a>
<i>Federal Employment Policy Handbook: Veterans and the Civil Service (VetGuide)</i>	<a href="https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/vet-guide">https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/vet-guide</a>
<i>Assessment Decision Guide</i>	<a href="https://www.opm.gov/policy-data-oversight/assessment-and-selection/reference-materials/assessmentdecisionguide.pdf">https://www.opm.gov/policy-data-oversight/assessment-and-selection/reference-materials/assessmentdecisionguide.pdf</a>
Selective Service online registration verification database	<a href="https://www.sss.gov/Home/Verification">https://www.sss.gov/Home/Verification</a>
CTAP/ICTAP Charts	<a href="#">Appendix H</a>

## Chapter 5 - Assess Applicants

The basic principles in the examining process are discussed in this chapter. Additionally, the methods and techniques for rating and ranking applicants, the appropriate examining environment, and the documentation required are presented. This chapter contains the following topics:

Section A	Requirements for Competitive Employment
Section B	Rating the Applicants
Section C	Examining Processes
Section D	References

### Section A - Requirements for Competitive Employment

Before you begin to assess applicants, you need to know the basic policies and requirements for competitive employment practices found in 5 CFR part 300 subpart A.

#### 5 CFR Part 300

Part 300 requires competitive examinations to:

- Be practical in character and as far as possible relate to matters that fairly test the relative capacity and fitness of candidates for the jobs to be filled;
- Result in selection from among the best qualified candidates;
- Be developed and used without discrimination because of race, color, religion, sex (including pregnancy and gender identity), age (as defined by the Age Discrimination in Employment Act, as amended), disability, genetic information (including family history), national origin, marital status, political affiliation, sexual orientation, labor organization affiliation or nonaffiliation, status as a parent, or other non-merit-based factor, or retaliation (where available); and
- Ensure the candidate an opportunity for appeal or administrative review, as appropriate.

Part 300 requires that each employment practice of the Federal Government and of individual agencies be based on a job analysis (see Chapter 2, Section B, Conduct a Job Analysis). The job analysis identifies:

- The basic duties and responsibilities;
- The competencies/KSAs required to perform the duties and responsibilities; and
- The factors that are important in evaluating candidates.

Part 300 also requires that there be a rational relationship between performance in the position and the employment practice used. In addition, the selection procedures must meet the standards established by the *Uniform Guidelines on Employee Selection Procedures* (29 CFR part 1607). See <https://www.gpo.gov/fdsys/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml> to review the complete procedures.



## Section B - Rating the Applicants

Applicants who meet eligibility and minimum qualification requirements move to the assessment phase of the hiring process. Agencies may choose to use one or more assessment methods to evaluate eligible candidates. See Chapter 2 for information on types of assessment tools. As discussed in Chapter 2, all competencies/KSAs used for selection should meet (through job analysis) two basic requirements. They should be:

- Deemed to be important for successful performance in the position, and
- Needed at the time of entry into the position.

Below are the basic steps in the rating and ranking process for those applicants who meet minimum qualification requirements and any valid/approved selective factors. As discussed in the preceding chapter, you should also consider, as an additional preliminary step, establishing a passing grade that an applicant must meet during the assessment process in order to receive a final rating or be placed in a quality category.

**Step 1:** Apply quality ranking factors (if applicable).

**Step 2:** Administer the assessment tool(s) to determine the applicant's numerical score/rating and/or quality category placement. (If you established a passing grade, you must determine whether the applicant met that standard before proceeding to the next step. If the applicant did not meet the passing grade, he or she should not proceed to a final rating or placement in a quality category.)

**Step 3:** Apply veterans' preference.

This section contains the following topics:

- Quality Ranking Factors
- Rating Procedures
- Hiring Process Options
- Documenting the Rating Process

## **Quality Ranking Factors**

Through the job analysis process, several competencies/KSAs will be identified as critical to the position and will be used as selection criteria for applicant rating purposes (and for determining the passing grade, if applicable). Sometimes, one competency/KSA stands out from the others because it is expected to significantly enhance performance in a position. This competency/KSA is referred to as a quality ranking factor. Unlike a selective factor, a quality ranking factor is not required in order to meet minimum qualifications. Applicants who possess such a competency/KSA (the quality ranking factor) may be ranked above those who do not, but no one may be rated ineligible solely for failure to possess such a competency/KSA.

Example: Skill in public speaking may be used as a quality ranking factor for a position in an organization where policy changes are communicated to the public in several ways and conducting open public forums is one of the major ways. For this example, applicants who meet the minimum qualification requirements will be rated on the following competencies:

- Skill in public speaking (quality ranking factor)
- Technical competency
- Written communication
- Oral communication

While all of the above competencies/KSAs are being assessed to generate a rating or quality category placement, applicants who demonstrate skill in public speaking (through prior experience, for example) may be ranked above those who do not possess it.

You must plainly identify quality ranking factors in the job announcement to help applicants clearly understand the basis on which they are being rated. The Basis of Rating section of the job opportunity announcement will identify all competencies/KSAs on which applicants are being rated and identify a quality ranking factor, if used.

### **Identifying Characteristics of a Quality Ranking Factor**

You may rank applicants with higher proficiency levels above those with lower proficiency levels based on a quality ranking factor, but you cannot rate qualified applicants ineligible solely for failure to possess a quality ranking factor. With quality ranking factors, the focus is on the level of proficiency the applicant brings to the job. Applicants with higher proficiency levels should perform better on the job.

### **Assessment Process**

Applicants who meet the minimum qualifications, including any selective factors, are rated on the quality ranking factor(s) and the other competencies/KSAs identified through the job analysis process to produce a rank (score) order or quality category list of eligible candidates.

You may also use a selective factor as a competency/KSA for rating purposes or as a quality ranking factor in situations where a selective factor has been established in terms of a defined minimum expectation of possession of a particular competency/KSA. In this case, it would be expected that applicants would possess varied levels of proficiency of the selective factor. If it is possible to possess the competency/KSA to a greater degree beyond the minimum, such higher level of proficiency could be used for rating purposes or as a quality ranking factor, if appropriate.

### **Documentation**

Like selective factors, your quality ranking factor must be identified and documented through the job analysis process (see [Appendix D](#)).

## Rating Procedures

### Introduction

The *Presidential Memorandum on Improving the Federal Recruitment and Hiring Process*, issued on May 11, 2010, directs agencies with delegated examining authority to use category rating when hiring for competitive service positions, unless they obtain an exception pursuant to the procedure set out in the memo. There are two general types of ranking and selection procedures to create lists of eligible candidates:

- Numerical rating procedures (traditional – rule of three)
- Category rating procedures

You have four numerical rating procedures available for rating applicants. These procedures are used in traditional rule of three examining procedures. However, they may also be useful when using category rating procedures. As explained later in this section, under category rating procedures you must establish and define a minimum of two quality categories. Quality categories should be written to reflect the requirements to perform the job successfully and to distinguish differences in the quality of candidates' job-related competencies/KSAs. Numerical assessment scores may be used to define quality categories. Therefore, the four numerical rating procedures may also be incorporated and used under category rating procedures.

- Rate Using Numerical Test Scores
- Rate Using A-C-E (Quality level Rating)
- Rate Using Education/Training and Experience (including Generic Rating)
- Rate Using Job Element Examining for Wage Grade Positions

### The Role of Minimum Qualification Requirements in the Rating Process

When the examining process uses numerical rating procedures, applicants meeting minimum requirements, including selective factor(s) (if appropriate), are eligible for an assessment of their relative qualifications “on a scale of 100” (see 5 CFR § 337.101(a) for further details). Applicants who satisfy minimum requirements are not automatically entitled to a qualifying score of 70 or more points, out of 100, in an assessment process that uses a numerical rating procedure. Only those who pass both the initial minimum qualifications screen and the assessment phase are eligible for appointment.

When the examining process uses category rating procedures, applicants meeting minimum requirements, including selective factor(s) (if appropriate), are eligible for assessment and placement in quality categories, unless you have established a separate passing grade. In that event, only those who pass both the initial minimum qualifications screen and the assessment phase are eligible for appointment. As will be discussed in more detail later, under category rating procedures, numerical scores may be used to determine a passing grade and quality category placement.

## Examples of Numerical Rating Procedures

### **A-C-E or Quality Level Rating**

The **A-C-E or Quality Level Rating** procedure combines an applicant's total qualifying experience and education/training into a single quality level rating. It also provides for assigning additional points, on the basis of an evaluation of the applicant in terms of specific competencies/KSAs that are important for successful performance of the duties of the position. This procedure uses three quality levels.

### **Definition of Quality Levels**

Each quality level is defined in terms of increasing levels of difficulty or complexity. For example, you may define the quality levels as:

- A = Exceptional experience for the position for which the applicant is being considered.
- C = Good experience for the position for which the applicant is being considered.
- E = Minimally qualifying experience for the position for which the applicant is being considered.

### **Example of Quality Levels**

In this example, applicants are assigned points based on their quality level:

- 90 points = typically assigned to applicants at the "A" quality level
- 80 points = typically assigned to applicants at the "C" quality level
- 70 points = typically equated with minimally qualified, "E" quality level

You should define quality levels broadly, as shown above, because applicants may have a wide variety of job-related experiences and training that you need to consider in determining the appropriate quality level.

### **Additional Points to Augment the Rating**

In cases where you have a large number of applicants with tied scores within a quality level, you should refine the scores by assigning additional points to the quality level score (i.e., A - C - E levels) of each applicant. You can achieve this by using job-related competencies/KSAs, a quality ranking factor or higher proficiency level of the selective factor.

You may use job-related competencies/KSAs to break tied scores by assigning points based on the applicant's proficiency levels on the competencies/KSAs. Under traditional rule of three examining, when there are only a few applicants in the quality level(s) being considered, you may use a tie breaking procedure for selection among applicants within a quality level (see Chapter 6).

## **Maximum Number of Allowable Points per Quality Level**

The A-C-E numeric rating procedure allows additional points to be assigned for each quality level. These points can be added to an applicant's quality level score as long as the additional points, with the exception of veterans' preference, do not raise the applicant's rating to the next rating level.

For quality levels "C" and "E," the maximum number of points a rating could be augmented is 9 points. For quality level "A," a rating can be augmented by 10 points because doing so will not raise the applicant to a higher quality level.

## **Generic Ratings**

Another numerical rating procedure is the **Generic Rating** Procedure. In some cases, based on occupational analyses, you will find that several positions have the same minimum qualification and general competency/KSA requirements, differing primarily with respect to the technical specialty areas. This happens most often with entry-level positions.

## **Example of Generic Ratings**

Entry-level engineering positions have the same basic minimum qualifications and general competency/KSA requirements. However, the specialty or specialized experience required varies by series such as Electronic Engineering or Mechanical Engineering.

In these situations, you may choose to use a **common set of quality level definitions** to assign applicants to a quality level and then use a technical competency/KSA to assess specialized training or experience relevant to the position to assign additional points within a quality level.

## **Applying Veterans' Preference**

After you determine the final earned rating of the applicant, you then add veterans' preference points when using the rule of three for the final numerical ranking, or assign veterans' preference when using category rating. For information on veterans' preference, see Chapter 4. For information on ordering eligibles on a certificate, see Chapter 6, Order of Certification.

## Category Rating and Selection Procedures

Category rating is a ranking and selection procedure authorized under the Chief Human Capital Officers Act of 2002 (Title XIII of the Homeland Security Act of 2002) and codified at 5 U.S.C. § 3319. The *Presidential Memorandum on Improving the Federal Recruitment and Hiring Process* issued on May 11, 2010, mandates the use of category rating for all delegated competitive examining, unless the agency requests and receives an exception under the terms of the Memorandum. Under category rating, applicants who meet minimum qualifications and whose job-related competencies/KSAs have been assessed are ranked by being placed in one of two or more predefined quality categories instead of being ranked in numeric score order. Veterans' preference points are not used in the category ranking process. Preference eligibles are listed ahead of non-preference eligibles within each quality category except that, for other than scientific and professional positions at GS-9 level (equivalent or higher), qualified preference eligibles who have a compensable service-connected disability of 10 percent or more must be listed in the highest quality category. Veterans' preference is absolute within each quality category.

### Job Announcement Requirement

Under 5 CFR part 337 subpart C, you are required to describe each quality category in your job announcements. You must use the "Basis of Rating" section to communicate to applicants that category rating procedures will be used to rank and select eligible candidates. Agencies are not required to disclose crediting plans and/or rating schedules with scoring keys (and should not do so to ensure test security). Quality category descriptions can be as simple as naming the categories such as, "Highly Qualified and Qualified" or "Best-Qualified, Well-Qualified, and Qualified." You may not establish a "not qualified" category. Applicants who are not qualified (or, if you have established a passing grade, have not achieved a passing grade in your assessment process) are not placed into a quality category. Be sure to clearly describe how veterans' preference is applied under category rating procedures.

### Agency Responsibilities

To use category rating procedures, an agency must fulfill certain requirements, both generally and with respect to filling specific positions.

#### 1. Agencies are required to meet the following general requirement:

- Establish a category rating policy that identifies the requirements for implementing category rating in the agency, including such considerations as the type of position(s) for which category rating can be used, the number of positions, and/or the type of assessment tool(s) used to evaluate candidates.

#### 2. Agencies are required to meet the following requirements when filling a position:

- Define each quality category through job analysis (see Chapter 2 and [Appendix D](#)) conducted in accordance with the *Uniform Guidelines on Employee Selection*

*Procedures (Uniform Guidelines)*. Each category must have a clear definition that distinguishes it from other categories;

- Describe each quality category in the job announcement and apply the provisions in 5 CFR 330 subparts B, F, and G (i.e., RPL, CTAP and ICTAP requirements);
- Place applicants into categories based upon their job-related competencies/KSAs, and the application of veterans' preference, with preference eligibles applying with a compensable service-connected disability of ten percent or more being placed in the highest quality category and preference eligibles in each category listed ahead of non-preference eligibles; and
- Establish documentation and recordkeeping procedures for reconstruction purposes.

### **Defining Quality Categories**

In category rating, you must establish and define a minimum of two quality categories. Quality categories should be written to reflect the requirements to perform the job successfully and to distinguish differences in the quality of candidates' job-related competencies/KSAs. Each quality category will have eligible candidates who have demonstrated, through an assessment tool(s), similar levels of proficiency on the critical job-related competencies/KSAs. This is very similar to the approach taken in defining quality levels in the A-C-E examining methodology.

Quality categories must be established and defined by the employing agency prior to announcing the job. Some factors to consider when defining quality categories may include:

- Breadth and scope of competencies/KSAs;
- Increased levels of difficulty or complexity of competencies/KSAs;
- Successful performance on the job; and
- Level of the job.

You may use test scores of the job-related criteria to determine whether an applicant met a passing grade and place eligible candidates into quality categories, as long as the test assesses job-related competencies/KSAs. You have at your disposal a variety of assessment tools to assess job-related competencies/KSAs (see Chapter 2). When defining quality categories using numerical scores, you may establish ranges of scores to define each quality category. For example, scores of 94-100 represent the "Best-Qualified" category, scores of 86-93 are "Well-Qualified," and scores of 70-85 are "Qualified." In addition, at a minimum, you should be consistent with the technical standards in the *Uniform Guidelines* (see [29 CFR part 1607](#), section 14) with respect to the development of any applicant assessment procedure, or should develop and use other professionally acceptable techniques with respect to validation of selection procedures, as appropriate. You must also comply with the laws, regulations, and policies of merit selection (see [5 U.S.C. § 2301](#) and [5 U.S.C. § 2302](#)).

### **Examples of Quality Categories**

Categories are established relative to how qualified an applicant is, based on merit. You may not establish a "not qualified" category in category rating. Only those found qualified and achieving a passing grade (if one is established) will be placed in a category.



<b>Example 1</b>	<b>Example 2</b>	<b>Example 3</b>
Highly-Qualified	Best-Qualified	Best-Qualified
Qualified	Qualified	Well-Qualified
		Qualified

### **Example using Two Quality Categories**

Human Resources (HR) Specialist (Recruitment & Placement), GS-0201-14, position in an agency headquarters policy office:

- **Highly qualified** – Senior HR Specialist in an agency headquarters office with experience writing regulations or agency policy or providing guidance on staffing, downsizing, realignments, classification, or compensation.
- **Qualified** – Senior HR Specialist with operations experience in staffing, downsizing, realignments, classification, or compensation.

### **Example using more than Two Quality Categories**

The following example illustrates one way you can define quality categories. This illustration shows how you can define your quality categories for an Accountant, series 0510 at the 12 grade level.

#### **Step 1: Use the job analysis process to identify job-related competencies/KSAs.**

The following three competencies/KSAs were identified through the job analysis process to be job-related:

1. Oral Communication;
2. Technical Knowledge; and
3. Project Management.

#### **Step 2: Identify the indicators of proficiency for each of the competencies/KSAs identified in Step 1:**

1. Oral Communication
  - Makes presentations
  - Answers technical questions
2. Technical Knowledge
  - Financial analysis
  - Accounting
3. Project Management
  - Reviews budget cycles
  - Uses project management software

**Step 3: Identify level of proficiency required by the level of the position:**

- Based on *demonstrating possession only* of the competencies/KSAs (applicant’s specific level of proficiency does not matter); **or**
- Based on *specific level of proficiency* for each competency/KSA (applicant’s specific level of proficiency in each competency/KSA does matter).

**Example (Possession Only): Accountant, GS-0510-12**

Categories	Required Competencies/KSAs
Best-Qualified	Oral Communication Technical Knowledge Project Management
Well-Qualified	Oral Communication Technical Knowledge
Qualified	Technical Knowledge

**Example (Specific Level): Accountant, GS-0510-12**

Oral Communication	
Proficiency Level	Proficiency Level Definition
5	Communicates or explains <i>complex</i> ideas or information clearly.
3	Communicates or explains <i>moderately complex</i> ideas or information clearly.
1	Communicates or explains <i>basic ideas</i> or information clearly.

You can use this format to develop specific proficiency levels for the remaining two competencies/KSAs (Technical Knowledge and Project Management). This example is only for illustration purposes. The actual crediting plan or assessment procedure will explain/ describe in detail through benchmarks, etc., what is meant by “basic,” “moderately,” and “complex.”

After defining the specific proficiency levels for each of the competencies or KSAs, you can define the quality categories. A possible illustration follows:

<b>Category Definition</b>	
Best Qualified	Eligibles who have demonstrated a proficiency level of “5” in Technical Knowledge; “5” in Project Management; and a minimum of “3” in Oral Communication.
Well-Qualified	Eligibles who have demonstrated a proficiency level of at least “3” in all three competencies/KSAs.
Qualified	Eligibles who have demonstrated a proficiency level of “1” in any competency.

**Example of an Inappropriate Quality Category**

In some instances the job analysis may show that once a basic proficiency level has been met, a higher proficiency level or benchmark is not necessarily better; therefore, it should not be used to define categories.

For example: An agency is seeking to fill a job that requires an employee to lift 40 pounds. Candidate A can lift 70 pounds and Candidate B can lift 45 pounds.

Because both candidates have the necessary strength to meet the lifting requirements of the job, they are indistinguishable with respect to this factor. Candidate A should not be put into a higher category than Candidate B just because Candidate A can lift more weight.

## Hiring Process Options

From the start of this *Handbook*, we presented various topics such as developing assessments, recruiting the right person, receiving applications, and deciding what rating and ranking procedures are best for the specific situation. Now you are ready to put everything together. This section describes five hiring scenarios developed for your use as you prepare to take the next step in the hiring process. Each scenario begins with announcing the job opportunity announcement through the hiring manager's selection of the best qualified person for the job. The differences are based on the volume of applications received, type of job, and the type of assessment.

The five scenarios are:

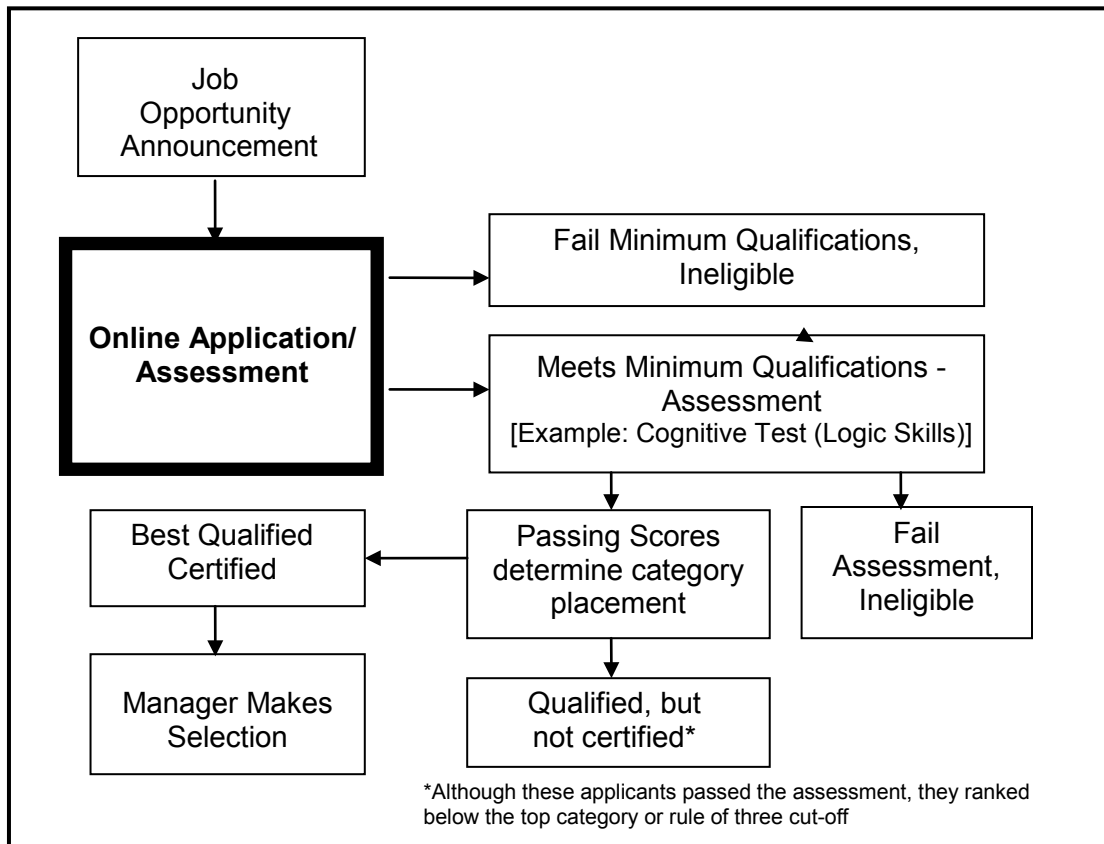
1. One Stop Assessment
2. Must Have Skill (Selective Factor) – Screen Out
3. Progressive Hurdle – Proficiency Levels
4. Progressive Hurdle – Cut Scores
5. Multiple Assessments – Cumulative Score

### **Scenario 1: One Stop Assessment (using a passing score)**

The One Stop Assessment was developed for certain jobs, specifically routine or basic clerical or administrative work. This scenario is an exception to the résumé-only requirement and is to be used only where there is minimal value in reviewing résumés for the job.

In this situation, you may require applicants to complete a simple application and to take a brief assessment (not to include narrative or essay responses to the questions). You may develop a simple application or questionnaire where applicants do not list or describe their work experience(s) and/or education. The agency-developed application should capture basic legal information such as, name, address, U.S. citizenship, veterans' preference, etc. Depending on the type of job, you may require applicants to submit any document(s) that would demonstrate their ability to successfully perform the duties of the job. These documents may consist of, but are not limited to, an occupational license, proficiency certification, a high school diploma, degree or copy of transcript.

This scenario is designed for situations where you need to fill a job involving basic tasks such as filing, scheduling meetings, etc. with individuals who have basic skills. The applicant pool most likely will come from individuals who have little to no specific experience, and submission of a résumé would not be necessary. For this scenario, we anticipate the application intake to be of mid-volume. The anticipated intake volume, whether it is high, medium, or low, is determined by you, the agency, based on past experience in filling the job. The diagram below describes the flow of this process followed by a step-by-step description:



**Scenario 1: One Stop Assessment Created for Mid-Volume and Lower Graded Job**

**Step 1:** Job opportunity announcement is posted on USAJOBS

**Step 2:** In a one-step process, the online application (questionnaire) and assessment is administered (example of an assessment: Cognitive Test (logic skills))

- If the applicant fails to meet minimum qualification requirements, the applicant is not eligible to take the online assessment and is notified that he or she is ineligible for further consideration.
- If the applicant meets minimum qualification requirements, the applicant is invited to take the online assessment.

**Step 3:** Rating and ranking procedures are applied to applicants who receive a passing score on the online assessment:

- Traditional (rule of three) - Applicants are ranked in score order based on assessment rating plus veterans' preference points (5 or 10), as applicable; or
- Category rating - Applicants are ranked and placed into categories based on assessment rating and veterans' preference is then applied (no points added), as applicable

**Step 4:** Best qualified eligibles are considered

- Rule of three: Top 3 names, at a minimum, are certified to the hiring manager
- Category rating: Top quality category is certified to the hiring manager

**Step 5:** Hiring manager makes selection

**Scenario 2: “Must Have Skill” (Selective Factor) – Screen Out (using a passing score)**

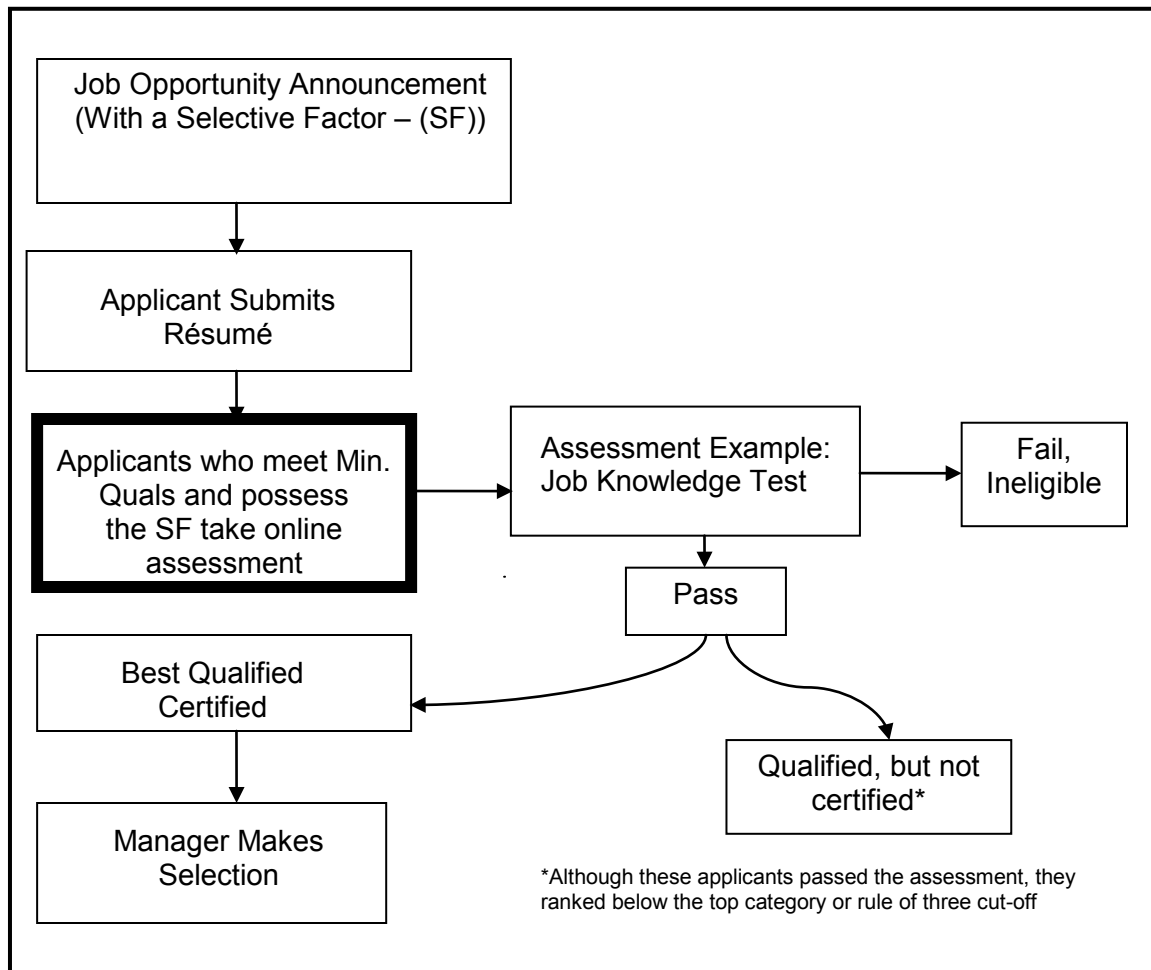
This scenario is designed for situations involving any volume of applications and the grade levels are in the mid to high category. Generally at the mid and high grade levels, applicants must possess specific competencies/KSAs in order to perform successfully on the job. Additionally, in this scenario a selective factor has been identified through job analysis and included in the job opportunity announcement.

In this scenario, applicants will be required to submit a résumé. To ensure applicants are aware of the basis for which they will be evaluated, you must identify in the job opportunity announcement the specific competencies/KSAs needed to perform successfully in the job. However, you may not ask applicants to address any competencies/KSAs at the time of initial application.

You do have some control over the content of the applicant's résumé. You may require certain information to be included in the résumé, that is, only information that affects an individual's eligibility for competitive service employment such as, citizenship and the qualifications for the job. You may require applicants to address the qualifications for the job, but you must not require applicants to address any competencies/KSAs in a written essay-style.

You may require applicants to take an online assessment to determine if they possess the required skill(s), such as a job knowledge test. Those applicants who pass the assessment would be considered qualified.

The diagram below describes the flow of this process followed by a step-by-step description:



**Scenario 2: “Must Have Skill” (Selective Factor) - Screen Out Created for Any Volume and Mid-High Graded Jobs**

**Step 1:** Job opportunity announcement posted on USAJOBS

**Step 2:** Résumé-only with cover letter (cover letter is optional) submitted

**Step 3:** Review for eligibility

- If applicant fails to meet minimum qualification requirements, including the selective factor (i.e., must-have skill), applicant is not eligible to take online assessment and is notified that he or she is ineligible for further consideration.
- If applicant meets minimum qualification requirements, including the selective factor, then applicant is eligible to take the online assessment.

**Step 4:** Online assessment administered (example of assessment: Job Knowledge Test)

- If the applicant fails the online assessment, the applicant is not eligible and is notified that he or she is ineligible for further consideration.
- If the applicant passes the online assessment, the applicant is eligible to continue to the next step.

**Step 5:** Rating and ranking procedures are applied for applicants with passing scores from the online assessment:

- Rule of three: Applicants are ranked in score order based on assessment rating plus veterans' preference points (5 or 10), as applicable; or
- Category rating: Applicants are ranked and placed into categories based on assessment rating and veterans' preference is then applied, as applicable

**Step 6:** Best qualified for consideration

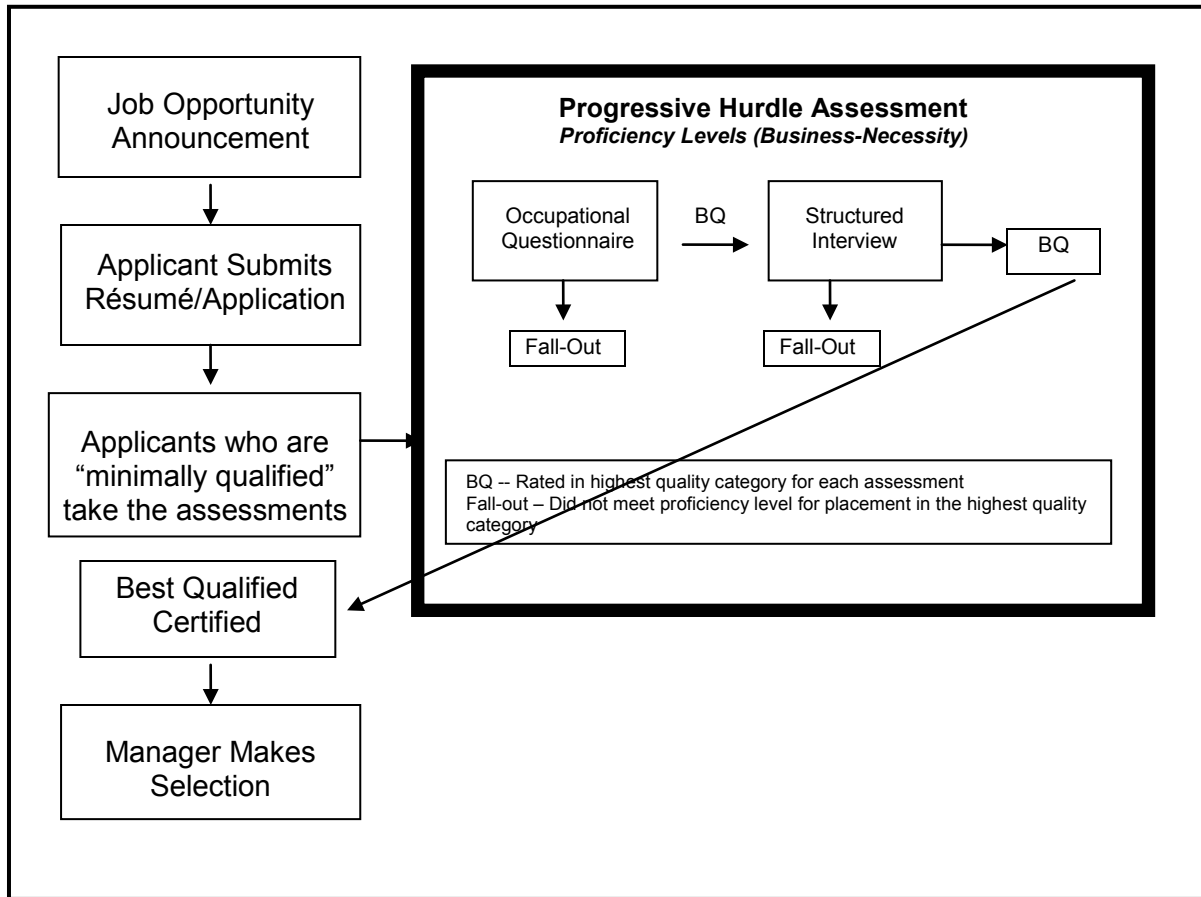
- Rule of three: Top 3 names, at a minimum, are certified to the hiring manager
- Category rating: Top quality category is certified to the hiring manager

**Step 7:** Hiring manager makes selection

### **Scenario 3: Progressive Hurdle -- Proficiency Levels**

The following diagram provides an example of using multiple assessments with a progressive hurdle approach for advancing through the multiple hurdles under category rating procedures. In this scenario, each assessment has pre-determined levels of proficiency based on a scale of 1-5. If an applicant meets or exceeds the proficiency levels, the applicant is placed in the appropriate quality category for that assessment. In order to advance to the next assessment, applicants' scores must meet or exceed the proficiency level for "best qualified" (BQ).





### Scenario 3: Progressive Hurdle – Proficiency Levels

**Step 1:** Job opportunity announcement posted on USAJOBS

**Step 2:** Review of résumé for eligibility

- If applicant fails to meet minimum qualification requirements, including any selective factor (i.e., must-have skill), applicant is not eligible to continue and is notified that he or she is ineligible for further consideration.
- If applicant meets minimum qualification requirements, including any selective factor (i.e., must-have skill), then applicant is eligible to take the first of the two progressive hurdle assessments.

**Step 3:** Rate applicants at each hurdle

- Each assessment has a pre-determined level of proficiency based on a scale of 1-5. If an applicant meets or exceeds the proficiency levels, the applicant is placed in the appropriate quality category for that assessment.

- If an applicant fails to meet the pre-determined level of proficiency for BQ on an assessment, he or she is not eligible to move forward. However, CP/CPS veterans move from the category in which they were otherwise assessed to the highest quality category (except for scientific or professional positions at the GS-9 level or higher) and are eligible to move forward to the next assessment.
  - **Occupational Questionnaire.** If applicant does not meet the pre-determined proficiency level for BQ on assessment #1, he or she is notified of ineligibility for further consideration. If applicant achieves the specific level of proficiency (placed in the highest quality category, BQ, for that hurdle), he or she is invited to complete assessment #2.
  - **Structured Interview.** If applicant does not meet the pre-determined proficiency level for BQ on assessment #2, he or she is notified of ineligibility for further consideration. If applicant achieves the specific level of proficiency, he or she is placed into the highest quality category, BQ, for final selection.

**Step 4:** Rank applicants at each hurdle

- Applicants are ranked within the quality categories at each hurdle. Preference eligibles are ranked above non-preference eligibles.

**Step 5:** Certification of Best Qualified

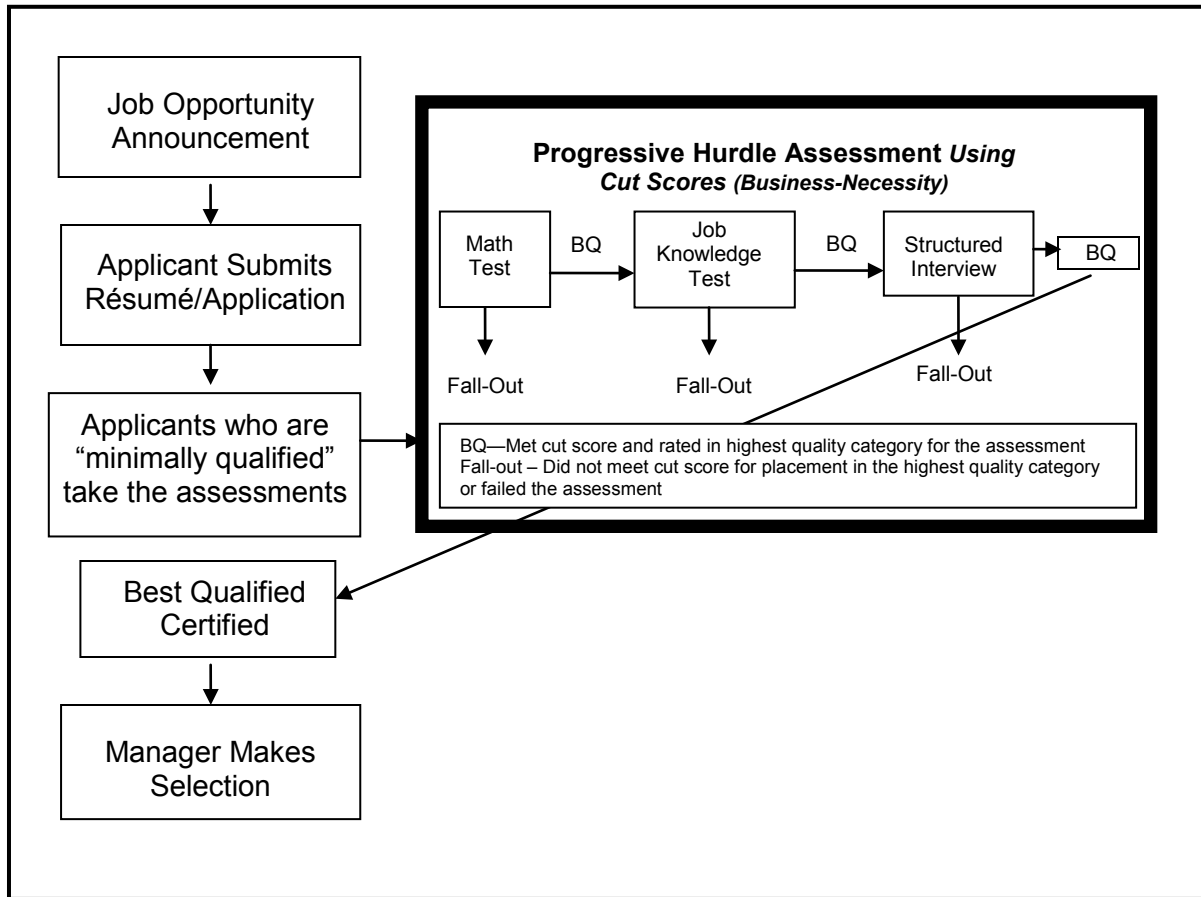
- The final Best Qualified category is certified to the hiring manager.

**Step 6:** Hiring manager makes a selection

- Selection is made from within the final Best Qualified category in accordance with 5 U.S.C. 3319.

**Scenario 4: Progressive Hurdle -- Cut Scores (using passing scores)**

The following diagram provides an example of using multiple assessments with a progressive hurdle approach that uses *cut scores* as the deciding factor for advancing through the hurdles. With this approach, numerical scores are used to define the quality categories and to determine which applicants advance to the next hurdle. For this example, applicants' scores must meet or exceed the cut score for "best qualified" (BQ) in order to advance to the next assessment. At each hurdle, veterans' preference points are added to the earned ratings in determining if the applicants meet the cut score for placement into the BQ category.



#### Scenario 4: Progressive Hurdle -- Cut Scores

**Step 1:** Job opportunity announcement posted on USAJOBS

**Step 2:** Review of résumé for eligibility

- If applicant fails to meet minimum qualification requirements, including any selective factor (i.e., must-have skill), applicant is not eligible to continue and is notified that he or she is ineligible for further consideration.
- If applicant meets minimum qualification requirements, including any selective factor (i.e., must-have skill), then applicant is eligible to take the first of several assessments.

**Step 3:** Rate applicants at each hurdle

General Rules:

- Each assessment has a pre-determined cut score which must be achieved or exceeded to be “best qualified” (BQ) and advance to the next

assessment. Veterans' preference points are added to the scores of those preference eligibles who score at least a 70 (pass the assessment) to determine if he or she can meet the pre-determined cut score for BQ.

- If an applicant fails to meet the BQ cut score on an assessment, he or she is not eligible to move forward. However, CP/CPS veterans who achieve at least a 70 are eligible to move forward to the next assessment even if they do not meet the BQ cut score.
- If an applicant fails the assessment, he or she is screened out and is ineligible for further consideration.
  - **Math Test.** If applicant does not meet the pre-determined cut score for BQ on assessment #1, he or she is notified of ineligibility for further consideration. If applicant achieves the cut score on assessment #1 (placed in the highest quality category, BQ, for that hurdle), he or she is invited to complete assessment #2.
  - **Job Knowledge Test.** If applicant does not meet the pre-determined cut score for BQ on assessment #2, he or she is notified of ineligibility for further consideration. If applicant achieves the cut score on assessment #2 (placed in the highest quality category, BQ, for that hurdle), he or she is invited to complete assessment #3.
  - **Structured Interview Test.** If applicant does not meet the pre-determined cut score for BQ on assessment #3, he or she is notified of ineligibility for further consideration. If applicant achieves the cut score on assessment #3, he or she is placed into the highest quality category, BQ, for final selection.

(NOTE: This application of veterans' preference is not cumulative across hurdles; that is, it is added within each hurdle, but not retained as the applicant moves to the next hurdle.)

**Step 4:** Rank applicants at each hurdle

- Applicants are ranked within the quality categories at each hurdle. Preference eligibles are listed above non-preference eligibles.

**Step 5:** Certification of Best Qualified

- The final Best Qualified category is certified to the hiring manager.

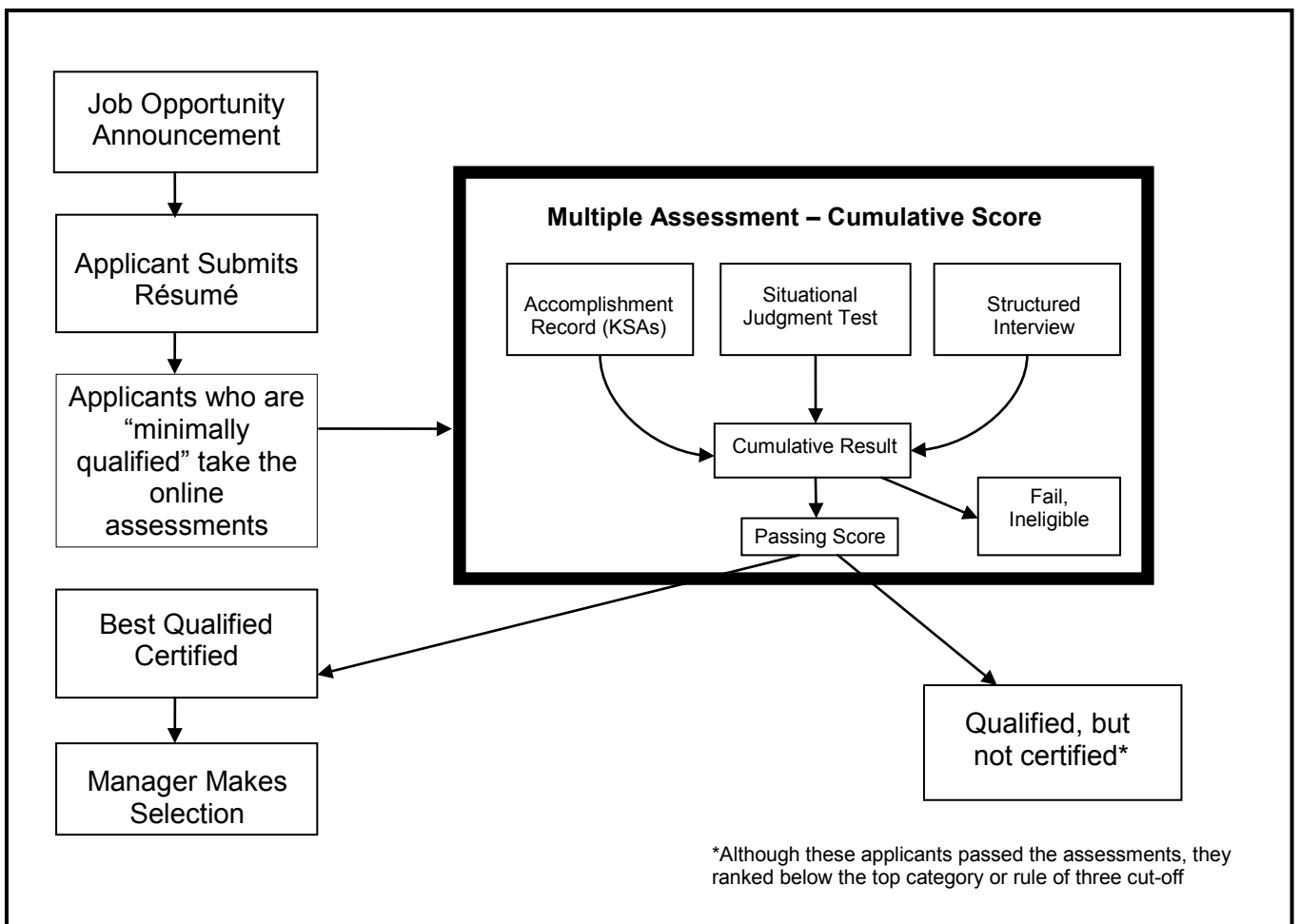
**Step 6:** Hiring manager makes a selection

- Selection is made from within the final Best Qualified category in accordance with 5 U.S.C. 3319.

**Scenario 5: Multiple Assessments – Cumulative Score (using a passing score)**

This scenario applies to any volume of applications but at the higher grade levels. This scenario is similar to scenario 4 except for how the scores on the assessment are calculated. Applicants are notified when each assessment is administered. In some cases, multiple assessments may be taken on the same day or taken at a later date (e.g., a structured interview may be scheduled based on the applicant’s availability). In this scenario the applicant’s score from each assessment is combined to give a total final score. Under category rating, the applicant must meet a pre-determined passing score to be among the qualified. If the applicant fails to meet the passing score, the applicant is determined ineligible.

The diagram below describes the flow of this process followed by a step-by-step description:



**Scenario 5: Multiple Assessments – Cumulative Score Created for Any-Volume, High Grades**

**Step 1:** Job opportunity announcement posted on USAJOBS

**Step 2:** Résumé-only with cover letter (cover letter is optional) submitted

- If the applicant fails to meet minimum qualification requirements, including any selective factor (i.e., must-have skill), the applicant is not eligible to take online assessment and is notified that he or she is ineligible for further consideration.
- If the applicant meets minimum qualification requirements, including any selective factor, then the applicant is eligible to take the assessments.

**Step 3:** Assessments administered

Example of assessment battery used: **Accomplishment Record (KSAs); Situational Judgment Test; and Structured Interview.** The applicant's score on each assessment is combined to give a total score. The applicant must meet a passing total score. An applicant who fails to meet the passing score on the assessment battery is notified of ineligibility for further consideration.

- If the applicant fails the assessment battery, the applicant is not eligible and is notified of ineligibility for further consideration.
- If the applicant passes the assessment battery, the applicant is eligible to continue to the next step.

**Step 4:** Rating and ranking procedures are applied for applicants with passing scores from the assessments:

- Rule of three: Applicants are ranked in score order based on assessment rating plus veterans' preference points (5 or 10), as applicable; or
- Category rating: Applicants are ranked and placed into categories based on assessment rating and veterans' preference is then applied, as applicable (with preference eligibles with a compensable, service-connected disability of ten percent or more moving to the highest quality category)

**Step 5:** Certification of best qualified

- Rule of three: Top 3 names are certified to the hiring manager
- Category rating: Top quality category is certified to the hiring manager

**Step 6:** Hiring manager makes a selection

## Documenting the Rating Process

You must document the entire rating process. Documentation provides the rationale for the rating procedure and sufficient information to enable reconstruction of the process used to arrive at a rating. You must keep the actual documentation record in the examination file (for case examining) or as a separate file identified by the occupation and referencing any inventory (register) for which it was used. You must ensure continued access to hiring records through the full period of required retention (see the Records Retention and Disposition Schedule, [Appendix C](#)). When automated systems change, examining case files must still be available for audit and reconstruction purposes, as necessary.

Most documentation occurs while developing a rating procedure, so you must maintain a file during the process. This eliminates problems that often occur when past events have to be reconstructed from memory or incomplete notes. It can also help you identify subject matter experts who were involved in the rating process. You should prepare summaries indicating who was contacted, when, questions asked, and replies received. This approach helps with both the convenience and comprehensiveness of the rating process and is required by 5 CFR part 300 subpart A.

### Materials for Documenting the File

Your documentation file must include the following information:

- Position descriptions for each grade at which the position is announced or any other material gathered to identify the task and competency/KSA requirements of the position;
- The job analysis results (i.e., tasks, competencies/KSAs, and task-competency linkages), the date the job analysis was conducted, the quality level definitions, any selective or quality ranking factors identified, and other criteria used to distinguish qualifications through the assessment process. If any other rating, ranking, or weighting of competencies/KSAs is made, you should maintain this information and its basis;
- A copy of the actual rating procedure used in accordance with 5 CFR part 300. Also, include transmutation tables used to transmute raw scores to ratings between 70 and 100, if applicable (see [Appendix I](#), Transmutation Procedures for General Schedule Positions);
- Reference to the OPM occupational qualification standard applied or a copy of the OPM-approved agency standard if it is different from the OPM qualification standard;
- Raters' initials and dates of qualification determinations for each applicant and/or rating forms for each applicant, if used;
- A copy of the supplemental application form, if developed. (OMB must approve supplemental forms and the forms must contain Privacy Act Information if the information is being collected from the general public (see 5 CFR part 1320));
- Tie-breaking method developed from job-related criteria, if used; and
- Identification of the subject matter experts and human resources professionals who participated in the development and application of the examining plan (i.e., name, title, series, and grade).

## Section C – Examining Processes

There are two types of examining processes available for use by an agency when filling a job. You may fill a job by announcing the position either through case examining or through a competitor inventory (commonly known as “register” or “standing register”).

The basic concept of case examining is to issue a job announcement for the immediate filling of a specific job(s), and close the case file when the selection process is completed. A competitor inventory, or standing register, provides a list of interested and qualified applicants ready to be certified for current and future vacancies. Before you make a decision as to which process to use, you may want to review and consider the advantages and disadvantages of each.

	<b>Advantages</b>	<b>Disadvantages</b>
<b>Case Examining</b>	<ul style="list-style-type: none"> <li>• Competencies/KSAs are tailored to the specific job</li> <li>• Applicant availability is higher because they applied for the specific job and time between application and referral is generally only a few weeks</li> </ul>	<ul style="list-style-type: none"> <li>• Time delays in issuing a certificate because each job must be announced</li> <li>• Applicants must apply for each position unless otherwise stated in the job announcement</li> </ul>
<b>Competitor Inventory</b>	<ul style="list-style-type: none"> <li>• Speed of referral</li> <li>• Applicant applies only once and is assured of consideration for recurring jobs</li> </ul>	<ul style="list-style-type: none"> <li>• Increasingly higher applicant unavailability rate over an extended period of time</li> <li>• Continual updating/maintenance is required</li> </ul>

This section contains the following topics:

- Case Examining
- Competitor Inventory
- Applicant Notification Procedures
- Reconsideration of Rating



## **Case Examining**

The basic concept of case examining is to conduct targeted recruitment, issue a job announcement for the immediate filling of a specific job(s), and close a case file when the selection process is completed. It is an effective technique for filling a job because the job seeker applies directly for a specific job and is rated and ranked using job-related competencies/KSAs.

### **Special Handling of a Preference Eligible's Application**

Under 5 U.S.C. § 3305, a 10-point preference eligible is entitled to file an application at any time for any position to which a non-temporary appointment was made within the preceding three (3) years.

Conditions for accepting an application from a 10-point preference eligible are identified in 5 CFR 332.311. The 10-point preference eligible's application must be accepted for any position for which a:

1. Non-temporary appointment has been made in the preceding three years;
2. List of eligibles currently exists but is closed to new applicants; or
3. List of eligibles is about to be established.

Under case examining, we recommend that when you receive a 10-point preference eligible's application for a position not currently open to the acceptance of applications from the general public, you:

- Review your records to identify any non-temporary appointments made in the preceding three years; and
- Compare the preference eligible's application against the title, series, grade, and duty location of the position identified in your review. If the records are inconclusive as to the similarity of the positions, you must give the preference eligible the benefit of the doubt, and accept the application.

If no job opportunity announcement is open and you receive a 10-point preference eligible's application, you must establish procedures for handling the application in compliance with 5 U.S.C. § 3305. You must inform the preference eligible of these procedures as well as the status of his or her application.

If the preference eligible applies for a specific position, meets the qualifications of the position, is within reach for referral for the position, and the certificate has not yet been issued, the examining office must ensure that the preference eligible is referred on the certificate as soon as possible. If the certificate has already been issued, the hiring manager has the option of requesting the preference eligible's name to be added to the certificate.

### **Documentation of Checking 10-Point Preference Eligible File**

To ensure a complete audit trail, you should document the case file to show that the 10-point file was checked, and then you should document the names of any preference eligibles whose applications were pulled from the file and to whom additional material was sent.

When the established retention period has expired, you may dispose of applications in accordance with records retention and disposition schedule instructions in [Appendix C](#).

## **Competitor Inventory**

As an alternative to case examining, you may wish to establish a competitor inventory. This type of inventory is also referred to as a "standing inventory," "standing register," or "register." For the purpose of this section, the term "competitor inventory" will be used.

A competitor inventory is usually established when positions in an occupation are frequently filled with non-status candidates and it is not efficient to recruit and examine for each job filled. A competitor inventory provides a list of interested and qualified applicants ready to be certified for current and future vacancies. You may open for receipt of applications, through a job opportunity announcement, as needed to keep the competitor inventory stocked with high quality candidates, or you may post an open continuous announcement when the need for candidates is high, or higher than the number of applicants applying.

[Appendix J](#) contains information on establishing a competitor inventory and the requirements for maintaining and terminating the inventory.

## **Application Notification Procedures**

### **Application Notification Procedures**

You must communicate with applicants concerning the status of their application, and it must be done in a timely manner on at least four communication touch-points. However, it is acceptable if touch-points are combined into two communications. The four communication touch-points are:

1. Notice of receipt of application. OPM suggests notifying applicants no later than 5 business days after the application was received.
2. When the application is assessed for minimum qualifications (eligibility/ineligibility) for the job after all applications have been assessed. See "Information on the Notice of Results" below.
3. When applications are referred or certified (or not) to the hiring official.
4. When a selection is made (or not) for the position or the job is canceled. OPM suggests non-selected candidates be notified no later than 10 business days after the date on which the selected candidate has accepted the job offer or the job was canceled.

### **Information on the Notice of Results**

The information on the notice of results tells applicants whether they are qualified for the position for which they applied. The following information should be included in the notice:

- Title, series, grade of the job, occupational specialty(ies), plus job opportunity announcement number or other job identifier;
- Whether the applicant is eligible or ineligible, including assigned numerical rating or quality category is optional (however, this information should be made available to applicants upon request, if it exists);
- Level of veterans' preference awarded (if eligible);
- Any restrictions on eligibility, such as "subject to meeting education requirements";
- Whether the eligible applicant was referred to the hiring manager for employment consideration;
- Brief explanation of the reason that applicant was not qualified -- for example, "did not pass the written test," "did not meet basic experience or education requirements," "did not meet a mandatory selective factor," or "salary of the job was below the minimum acceptable level stated in your application" (if eligible);
- Length of eligibility and the procedures for extending that eligibility (for competitor inventories only); and
- Point of contact in case the applicant has questions.

## Appeal of Rating

Examining decisions made by your office are subject to applicant reconsideration, or appeal, upon reasonable demonstration that a review is necessary. You must establish a written procedure for the processing of an applicant's request for appeal of his or her rating(s). The same procedure may be incorporated into the agency administrative grievance system or alternative dispute resolution system and used for agency-employed applicants who grieve an assigned rating (5 CFR 300.104).

You must make your appeal procedure available to applicants who wish to challenge an assigned rating.

### Contents

Your procedure should incorporate the following elements:

- Any request that might result in a rating change should be made in writing and should indicate why the applicant believes the original decision was not proper;
- Advise the applicant that the results of the appeal (reconsideration) could lead to a higher, lower, or same score;
- The office that made the original decision should conduct the first level of review;
- A staff member other than the person who made the original decision should conduct the review; and
- The response to the request should contain a full explanation of the reasons for the decision, without compromising the rating schedule.

Upon request, the applicant may submit a second level appeal to a designated official within the agency for review. That decision is final. The applicant **cannot appeal further to OPM**.

### Rating Changes

If an appeal leads to a rating change, the applicant's record should reflect the new rating. In case examining, the certificate should reflect the new rating *if you have not yet issued the certificate*. Once a certificate is issued, you should not amend it unless the:

- New rating is "ineligible";
- Eligible was improperly awarded a higher type of veterans' preference (example: the applicant was awarded 5-point tentative veterans' preference but after reviewing the final documents, the applicant was not entitled to 5-point preference); or
- Rating error was the result of the rater/examining office. Priority consideration may be required if the reconsideration process indicates the error resulted in the applicant's loss of bona fide consideration (see Chapter 6, Section E, Illegal Selection and Priority Consideration).

## Section D - References

The following table provides a list of sources pertaining to the topics covered by this section:

Topic	Reference
Merit system principles	5 U.S.C. § 2301
Competitive service; examinations; when held	5 U.S.C. § 3305
Additional points in examining for preference eligibles	5 U.S.C. § 3309
Competitive service; register of eligibles	5 U.S.C. § 3313
Certification of names for appointment	5 U.S.C. § 3317
Competitive service; selection using numerical ratings	5 U.S.C. § 3318
Competitive service; selection using category rating	5 U.S.C. § 3319
Employment (general)	5 CFR part 300
Appeals, grievances and complaints	5 CFR § 300.104
Temporary and term appointments	5 CFR part 316
Recruitment and selection through competitive examination	5 CFR part 332
Period of competition and eligibility	5 CFR part 332 subpart C
Category rating	5 CFR part 337 subpart C
<i>Uniform Guidelines on Employee Selection Procedures</i>	29 CFR part 1607 <a href="https://www.gpo.gov/fdsys/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml">https://www.gpo.gov/fdsys/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml</a>
OPM delegated examining web page	<a href="https://www.opm.gov/deu">https://www.opm.gov/deu</a>
<i>OPM's Job Qualifications System for Trades &amp; Labor Occupational Handbook</i>	<a href="https://www.opm.gov/policy-data-oversight/classification-qualifications/federal-wage-system-qualifications/">https://www.opm.gov/policy-data-oversight/classification-qualifications/federal-wage-system-qualifications/</a>
<i>Operating Handbook, Qualification Standards for General Schedule Positions</i>	<a href="https://www.opm.gov/policy-data-oversight/classification-qualifications/">https://www.opm.gov/policy-data-oversight/classification-qualifications/</a>
<i>Operating Handbook for General Schedule Qualification Policies</i>	<a href="https://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-policies/">https://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-policies/</a>
Veterans Employment Initiative	<a href="https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/">https://www.opm.gov/policy-data-oversight/veterans-employment-initiative/</a>
Records Retention and Disposition Schedule	<a href="#">Appendix C</a>
Transmutation Procedures for General Schedule Positions	<a href="#">Appendix I</a>
Competitor Inventory	<a href="#">Appendix J</a>

## **Chapter 6 - Certify Eligibles**

After you have rated all the applicants, you are ready to certify the best-qualified eligibles for the position. This chapter describes the various criteria used in ordering the eligibles on the Certificate of Eligibles. This chapter contains the following sections:

Section A	Criteria Outlined in the Job Opportunity Announcement
Section B	Creating a Certificate of Eligibles
Section C	Auditing a Certificate
Section D	Objections and Pass-Overs
Section E	Illegal Selection and Priority Consideration
Section F	Shared Certificates
Section G	References

### **Section A - Criteria Outlined in the Job Opportunity Announcement**

The most important information used in creating a Certificate of Eligibles is generated from the criteria you publicize in the job opportunity announcement. The criteria you identify, such as series, grade, whether the position is temporary or part-time, and duty location(s), inform applicants about the circumstances of employment and are part of the process of identifying who will be on the certificate.

This section contains the following topics

- Geographic Area of Consideration
- Interdisciplinary Positions
- Dual Certification
- Positions Restricted to Preference Eligibles
- Positions Restricted to One Gender

## **Geographic Area of Consideration**

### **Basic Rule**

In the competitive examining process, qualified and available applicants must be considered for employment referral regardless of their place of residence. Generally, residency is a non-merit factor and violates the merit principles of open competition and job relatedness. As a non-merit factor, residency is prohibited as an examination requirement by 5 CFR § 300.103(c).

### **Exception**

The only exception to the basic rule is when a residency requirement is established by statute. For these circumstances, you can certify only eligibles who reside within the area of competition defined by the statute. These cases are very rare. One example is the Department of Labor VETS State Director and Assistant State Director positions, which have a minimum period of state residency required by statute.



## Interdisciplinary Positions

### Definition

An interdisciplinary position is a position involving duties and responsibilities closely related to more than one **professional or scientific** occupation. As a result, you could classify the position into two or more professional occupational series. The nature of the work is such that persons with education and experience in one of two or more professions may be considered equally well-qualified to do the work.

Professional/scientific positions, by definition, are positions that require academic credentials from an accredited college or university or preaccredited/candidate for accreditation institutions. When classifying an interdisciplinary position, the classifier cites **only professional/scientific** occupations. It is inappropriate to use any administrative, technical, or clerical position or any combination as an interdisciplinary position. See [Appendix K](#) for a list of Professional and Scientific Positions.

### Interdisciplinary Categories

Interdisciplinary positions generally fall into one of the following two categories:

- Category 1 – Positions that involve a specific combination of competencies/KSAs characteristic of two or more professional series. Such positions involve the performance of some duties that are characteristic of one profession and other duties that are characteristic of another profession.
- Category 2 – Positions that involve competencies/KSAs that are characteristic of either of two or more occupational series. These positions include work that is substantially identical to work performed in either of the professional occupations or academic disciplines involved.

### Example of Category 1

You have a position overseeing a large site construction project for a nuclear disposal facility. An employee trained in either civil engineering or nuclear engineering could perform the project. Since the work involves some duties from each of the two occupations, the position may be classified in the Civil Engineering Series, GS-810, or the Nuclear Engineering Series, GS-840.

### Example of Category 2

You have a position to be filled performing research work on flood control issues. An employee trained in either civil engineering or hydrology may accomplish the project. Since both occupations include work that is substantially identical to work performed in either series, the position could be classified in the Civil Engineer Series, GS-810, or Hydrology Series, GS-1315.

## **Creating the Certificate for Interdisciplinary Positions**

You must create and issue **only one** Certificate of Eligibles for a single interdisciplinary position. When creating an interdisciplinary certificate you must:

1. Evaluate all applicants based on the appropriate qualification standard for the series for which they are applying;
2. Develop the assessment tool(s) (e.g., crediting plan, occupational questionnaire, structured interview, or other type of tool) using the competencies/KSAs identified for the position;
3. Administer the assessment tool to all eligible applicants regardless of series. Eligible applicants are rated and ranked on the same competencies/KSAs; and
4. Issue the Certificate of Eligibles as an interdisciplinary position with all the eligibles ranked in quality categories with the series for which each eligible qualified noted next to their names.

## **Documentation**

In both categories, the position description must show clearly that the position is interdisciplinary and indicate the various series in which the position could be classified. For interdisciplinary positions, the qualifications of the person selected to fill the position determines the final classification for appointment.

## Dual Certification

### Definition

Dual certification is the concurrent referral of an applicant to more than one position, such as multiple grades, specialties, and/or geographic locations from eligibility established under a particular job announcement or application procedure.

### Two Alternative Methods of Certifying Eligible Candidates

You have the option of using one of the two alternative methods of certifying eligibles for competitive appointments (5 CFR 332.402). In most circumstances, you can use these methods when filling multiple jobs at multiple grade levels and/or geographic locations. (See information below when filling a single job at multiple grade levels and/or locations). The two alternative methods are:

1. You may refer an eligible's name out on only one certificate at a time. This method temporarily removes the eligible from further consideration, including any specialties, grade levels, and duty locations, while he or she is on the certificate. If you choose this option, you must notify candidates that they are being referred for one vacancy at a time; or
2. You may refer an eligible's name simultaneously on all certificates for which the eligible expresses an interest, is eligible, and is within reach. This is called "dual certification." Under this option, there is no limit to the number of certificates on which a candidate can be referred simultaneously.

### Single Job Vacancy Certification at Multiple Grade Levels

OPM's policy on single job vacancy certificates is that you must **dual** certify eligibles to fill a single job vacancy at multiple grade levels or if there is a shortage of well-qualified eligibles.

### Example of Single Job Vacancy Certification at Multiple Grade Levels

A job opportunity announcement is open for one vacancy for an Engineer, GS-801-7/9 grade levels. An applicant submits an application and is qualified for both grade levels. You should dual certify his or her name if within reach for certification for each grade level.

### Exception to Single Job Vacancy Certification at Multiple Grade Levels

There are situations where you may choose not to dual certify. However, the decision not to dual certify must be an exception to the examining procedures, not the normal operation. You should choose single certification only when it is necessary for the efficient operation of your staffing program and document the basis for such a decision in the case file.

For example, single certification might be appropriate when an agency fills similar positions in multiple locations simultaneously, or uses a standing inventory to fill multiple positions simultaneously or throughout the year.

You **must** notify all applicants of your intent to single certify candidates. One way to satisfy this requirement is to include a statement to this effect in your job opportunity announcement.

### **Multiple Grade Levels**

When a position is announced at multiple grade levels, you must certify an eligible for all positions, from the lowest grade or salary he or she is willing to accept to the highest-grade level for which he or she is qualified and within reach for certification.

### **Example of Dual Certification for Positions at Multiple Grades**

A job opportunity announcement is open for two weeks for an Engineering Technician, GS-802-7/8/9/10 position. An applicant is willing to accept a GS-8 salary and is qualified for the GS-9 grade level. You must refer the applicant on the GS-8 and GS-9 grade level certificates if within reach for certification.

### **Multiple Specialties**

When a position is announced for multiple specialties, you may certify eligibles for only the specialties for which the eligible is qualified and within reach. The eligible must be notified of his or her ratings and referral status for each specialty.

### **Example of Dual Certification for Positions with Multiple Specialties**

A job opportunity announcement is posted for clerical positions that include clerks, typists, and receptionists. An applicant submits an application for all the specialties. However, the applicant is qualified only for the clerk and receptionist jobs because he or she lacks the typing skills required for the other job. In this situation, you may refer the applicant to jobs only for which the applicant is qualified (i.e., clerk and receptionist) and within reach for certification.

### **Multiple Geographic Locations**

When a job opportunity announcement is posted for multiple geographic locations, applicants should be allowed to apply for all or given a choice to select a specific number of locations. If you expect a large number of well-qualified applicants to compete for a job, you are permitted to require them to choose a reasonable number of locations for which they will be given referral consideration. After determining the applicant is qualified, you should certify the eligible to each geographic location selected by the applicant if within reach for certification.

### **Example of Dual Certification for Positions at Multiple Geographic Locations**

A job opportunity announcement is open for three geographic locations, i.e., San Francisco, Miami, and New York City. An applicant submits an application for two locations, Miami and

New York City, and is qualified for the position. You must refer the applicant on both the Miami and New York City certificates if within reach for certification.

**Quick Reference**

Below is a quick reference guide on how to handle multiple grade/specialty/geographic location situations.

<b>IF an announcement is announced for multiple...</b>	<b>AND the applicant applies for ...</b>	<b>THEN you must refer the applicant for...</b>
Grades	all grades	the lowest grade he or she will accept to the highest grade qualified, if within reach for certification.
Specialties	all specialties	only the specialties for which he or she is qualified and within reach for certification.
geographic locations	all geographic locations*  *see exception regarding large number of applicants above	all geographic location(s) for which he or she is within reach for certification.

## **Positions Restricted to Preference Eligibles**

There are several jobs in the competitive service for which competition is restricted to preference eligibles as long as there are qualified preference eligibles available (5 U.S.C. § 3310).

### **Types of Jobs**

The types of jobs restricted to preference eligibles are:

- Custodian;
- Elevator operator;
- Messenger; and
- Guard.

### **Definition of Custodian (Various Series, e.g., Housekeeping Aid, WG-3566)**

A custodian is one who:

- Performs cleaning or other ordinary routine maintenance duties in or about a small Government building or a building under Federal control, a park, a monument, or another Federal reservation;
- Acts as a foreman of laborers engaged in cleaning or janitorial duties in or about a large Government building or a building under Federal control, a park, a monument, or another Federal reservation; or
- Fires a heating plant in a Federal building as a part of his or her duties in connection with the cleaning and ordinary maintenance of the building.

**Exception:** This term does not include:

- Skilled or semi-skilled trades positions; or
- Laborer or foreman of laborers when the duties are not custodial in nature.

You may wish to use the general rule that the position is restricted only when 50 percent or more of the duties are custodial services.

### **Definition of Elevator Operator (WG-5438 Series)**

An elevator operator is one who runs freight or passenger elevators. The work includes opening and closing elevator gates and doors, working elevator controls, loading and unloading the elevator, giving information and directions to passengers such as the locations of offices, and reporting problems in running the elevator.

### **Definition of Messenger (GS-302 Series)**

A messenger is one who supervises or performs general messenger work (such as running errands, delivering messages, and answering call bells) or other light and simple manual or mechanical work, and incidentally performs miscellaneous tasks of a simple or routine nature.

### **Definition of Guard (GS-085 Series)**

A guard is one who is:

- Assigned to a station, beat, or patrol area in a Federal building or a building under Federal control to prevent illegal entry of persons or property or the illegal removal of persons or property; or
- Required to stand watch at or to patrol a Federal reservation, industrial area, or other area designated by Federal authority, in order to protect life and property; and make observations for detection of fire, trespass, unauthorized removal of public property or hazards to Federal personnel or property.

### **How to Announce for a Position Restricted to Preference Eligibles**

For positions restricted to preference eligibles, your job opportunity announcement must contain a statement identifying the position as restricted to preference eligibles and explain whether applications will be accepted from non-preference applicants. If you accept applications from non-preference eligibles, you must state in the announcement that they will not be considered if a sufficient number of preference eligibles are available.

### **How to Examine for a Restricted Position**

Our past experience shows that a normal public notice generates an ample supply of qualified preference eligibles for referral. Filling a restricted position is no different than filling a non-restricted position except that only preference eligibles are referred. After you determine the qualifications of the applicants, you must refer only the preference eligibles. However, in the absence of any qualified preference eligibles (or when there are more vacancies than the number of referable preference eligibles), you may refer non-preference eligibles for employment consideration (5 U.S.C. § 3310).

### **Filling a Restricted Position under Authorities other than Delegated Examining**

An agency may use merit promotion procedures (promotion, reassignment, etc.) to move a non-preference eligible into a restricted position only for its **current** workforce. Any hiring or selection action that results in a new competitive service appointment (e.g., conversion of a current employee, reinstatement, transfer, Interchange Agreement, 5 CFR 315 authorities, etc.) of a non-preference eligible into a restricted position requires **prior** OPM approval.

## **Positions Restricted to One Gender**

An appointing officer is generally prohibited from restricting employment consideration to candidates of one gender (5 CFR 332.407). However, OPM may authorize exceptions to this prohibition in unusual circumstances.

### **How to Request an Exception**

To obtain an exception to the general prohibition against gender-based restrictions, you must submit a written explanation, before the job is announced, as to why such a restriction is warranted to the OPM office below:

U.S. Office of Personnel Management  
Employee Services  
1900 E Street, NW, Room 6500  
Washington, DC 20415

In order for OPM to grant an agency's request to fill positions restricted to one gender, the agency's justification must show that the single gender is a bona fide occupational qualification requirement. That is, the agency must show the relationship between the single-gender and the position to be filled and the impact of gender in the performance of the individual's duties in the position.



## Section B - Creating a Certificate of Eligibles

You screened all the applicants based on what you publicized in the job opportunity announcement. Now you are ready to create the Certificate of Eligibles. This section contains information on how to:

- Place the eligibles in order of their entitlement;
- Identify the number of names to certify;
- Issue supplemental or merged certificates; and
- Determine time limits on a certificate.

This section contains the following topics:

Ranking the Eligibles  
Number of Names Certified  
Creating a Certificate of Eligibles  
Supplemental Certification/Merging Categories  
Selection Procedures  
Documenting a Returned Certificate

### Ranking the Eligibles

After completing the rating process, you are now ready to rank order each eligible (or each eligible who met any passing grade established in connection with your assessment instrument) by quality category, and in the order of his or her entitlement. By ranking each eligible, you are establishing what we call the “order of selection.”

As discussed in Chapter 5, the *Presidential Memorandum on Improving the Federal Recruitment and Hiring Process* directs the use of category rating for delegated competitive examining, unless an exception is sought and obtained pursuant to the terms of the Memorandum. Previously, under the “rule of three” procedures, applicants were ranked in score order with veterans’ preference points added to their final score. Hiring managers were then able to select from the top three highest ranked applicants with veterans receiving preference over non-veterans. These rule of three procedures are further explained in [Appendix L](#). (Note that the rule of three procedures may still be used, under part 302 of OPM’s regulations, in excepted service hiring).

Under category rating procedures, the order of eligibles will vary depending upon the nature of the position being filled. This section discusses the rules that apply under category rating, as well as how to order eligibles for professional and scientific positions at GS-9 and above, and for positions restricted to preference eligibles.

For case examining and competitor inventories, applicants who meet the basic minimum qualification requirements established for the position (i.e., OPM-established occupational standards, plus any selective factors) *and* whose job-related competencies/KSAs have been assessed are ranked by being placed in one of the pre-defined quality categories. If the agency establishes a passing grade, the applicant must also meet the specifications for that passing grade in order to be placed in a quality category. Within a quality category, names of eligible candidates may be listed in any order (for example, alphabetical order), subject to the requirement, described below, that preference eligibles must be listed ahead of non-preference eligibles, and that further considerations apply to preference eligibles with a compensable, service-connected disability of ten percent or more.

### **Applying Veterans' Preference**

The qualified candidates assigned to a category are not given numeric ratings (scores) within those categories; therefore, preference eligibles **DO NOT** receive points, as prescribed by 5 U.S.C. § 3309.

You will identify the qualified preference eligibles and then apply veterans' preference by listing preference eligibles ahead of non-preference eligibles within the same quality category in which they were assigned based upon the job-related assessment tool(s). No preference points are assigned under category rating. Qualified preference eligibles with a compensable service-connected disability of 30-percent or more (CPS) and those with a compensable service-connected disability of at least 10-percent but less than 30-percent (CP) move from the category in which they otherwise would be placed (based on the assessment) to the top of the highest quality category (except for scientific or professional positions at the GS-9 level or higher).

As a reminder, an appointing officer may not pass over a preference eligible to select a non-preference eligible unless there are grounds for passing over the preference eligible and the agency has complied with the pass-over procedures at 5 U.S.C. § 3318. Further discussion on passing over preference eligibles is located in Section D, Objections and Pass-Overs.

### **Ranking the Eligibles under Category Rating Procedures**

For most jobs and grade levels under category rating, the Certificate of Eligibles, or equivalent, certifies eligibles in the following order:

<b>Order</b>	<b>Entitlement</b>
1 (5 CFR part 330)	Interagency Career Transition Assistance Program (ICTAP) Eligibles
2 (5 U.S.C. § 2301(b)(1))	Eligibles who lost consideration due to erroneous certification/illegal selection (this refers to awarding priority consideration, see Section E of this chapter)
3 (5 U.S.C. § 3319)	Eligibles in the highest quality category (including minimally qualified CP/CPS veterans) with preference eligibles listed ahead of non-preference eligibles

For most jobs, all 10-point preference eligibles with a service-connected disability of 10 percent or more (i.e., CPS/CP) who meet the minimum qualifications and any passing grade established for the assessment must be listed in the highest quality category and have preference over non-preference eligibles. For professional and scientific positions at the GS-9 level or higher, all preference eligibles remain in their quality category and have absolute preference (unless pass-over procedures apply) within each quality category. A well-qualified ICTAP eligible must be selected if available, unless the hiring manager chooses not to use the certificate or makes a selection from a source excepted from ICTAP requirements, such as a 30% disabled veteran appointment (5 CFR part 330).

All eligibles must be placed in a quality category based on merit.

**Professional and Scientific Positions at GS-09 and Above**

For **Professional and Scientific Positions at the GS-9 grade level and above**, the eligibles are ranked in the following order:

Order	Entitlement
1 (5 CFR part 330)	ICTAP eligibles
2 (5 U.S.C. § 2301(b)(1))	Eligibles who lost consideration due to erroneous certification/illegal selection
3 (5 U.S.C. § 3313)	All other eligibles in the highest quality category with preference eligibles listed ahead of non-preference eligibles

**Order by Entitlement**

Within each entitlement group, eligibles are placed in a quality category with preference eligibles listed ahead of non-preference eligibles. Preference eligibles have absolute preference (unless pass-over procedures apply) within each quality category. A well-qualified ICTAP eligible must be selected if available, unless the hiring manager chooses not to use the certificate or makes a selection from a source excepted from ICTAP requirements, such as a 30% disabled veteran appointment (5 CFR part 330).

**Special Note**

For professional or scientific positions at grades GS-9 and above, compensably disabled preference eligibles (CPS/CP) who meet the minimum qualifications and any passing grade established for the assessment **are not** automatically placed at the top of the Certificate of Eligibles (5 U.S.C. § 3313). This means any eligibles with higher category placement, including non-preference eligibles, would rank above the CPS or CP who has a lower category placement.

## Where to Find More Information on this Topic

Professional and scientific positions are identified in the OPM publication *Handbook of Occupational Groups and Families*. The *Handbook* is essentially a compilation of “series definitions” taken from OPM’s classification standards. Therefore, in the absence of the *Handbook*, you may also refer to the appropriate classification standard. It is very important to verify whether the series is in a professional occupation, since a misidentification could lead to a violation of veterans’ preference law and the invalidation of an appointment. For a list of professional and scientific positions, see [Appendix K](#).

## Positions Restricted to Preference Eligibles

There are several types of jobs that restrict appointments to preference eligibles as long as there are qualified preference eligibles available (5 USC § 3310). For positions restricted to preference eligibles, the eligibles are ranked in the following order:

Order	Entitlement
1 (5 CFR part 330)	ICTAP eligibles entitled to veterans' preference
2 (5 U.S.C. § 2301(b)(1))	Preference eligibles who lost consideration due to erroneous certification/illegal selection
3 (5 U.S.C. § 3313)	All 10-point preference eligibles with a service-connected disability of 10 percent or more AND preference eligibles in the highest quality category
4 (5 U.S.C. § 3313)	All remaining preference eligibles in quality category order
5 (5 CFR part 330)	Non-preference ICTAP eligibles
6 (5 U.S.C. § 2301)	Non-preference eligibles who lost consideration due to erroneous certification/illegal selection
7 (5 U.S.C. § 3313)	All remaining eligibles (if non-veterans were allowed to compete) in category order

## When to Certify Non-Preference Eligibles

You may certify non-preference eligibles only if there is likelihood that the supply of preference eligibles will be exhausted before all vacancies have been filled. When non-preference eligibles are certified, they are listed below the last preference eligible.

## Unrated Eligibles

When there are three or fewer eligibles and they are either all preference eligibles or all non-preference eligibles, you do not need to rate and rank the eligibles. You may simply list the eligibles randomly on the certificate with a notation "Eligible" in lieu of a rating. However, if there are more than three eligibles, or if the group is a mix of preference eligibles and non-

preference eligibles, you must make a category assignment and place the eligibles on the certificate based on category rating procedures.

### **Interdisciplinary Positions**

Remember to issue **one** Certificate of Eligibles for an interdisciplinary position with all the eligibles ranked in quality categories with the series for which each eligible is qualified noted next to his/her name.

## Number of Names Certified

### General Rule

Under category rating, eligibles are ranked by being placed into one of two or more predefined quality categories instead of being ranked in numeric score order. You may list the names of eligible candidates in each category on the Certificate of Eligibles in any order (for example, alphabetical order) as long as preference eligibles are listed ahead of non-preference eligibles. When providing the Certificate of Eligibles to the hiring manager, you must:

- Certify all eligible candidates in the highest quality category; or
- If there are fewer than three eligible candidates in the highest quality category and you decide to merge the highest quality category with the next lower category, certify all eligible candidates in the newly merged category because it becomes the highest quality category. More information on merging categories is provided below in the section on Supplementation Certification.

Note: If allowable under your agency's category rating policy, you may certify only all of the preference eligibles in the highest quality category when there are a sufficient number to consider to fill the vacant position(s).

## **Creating a Certificate of Eligibles**

Once you rate the eligibles, apply veterans' preference and list them in rank order or quality category, you are ready to prepare the Certificate of Eligibles. This list contains the highest-ranked eligibles, after application of veterans' preference, as a result of your public notice, recruitment, and screening and assessment efforts. It is the list from which the hiring manager will make a selection.

### **Required Items on a Certificate of Eligibles**

The following information is required on a Certificate of Eligibles, preferably using the SF-39 or an equivalent form:

- Certificate number
- Title of the position
- Series of the position
- Grade of the position
- Duty location
- Eligibles' names
- Appropriate veterans' preference symbol of each eligible: CPS, CP, XP, TP, SSP, or NV (Use of the NV code is optional)
- Signature of the issuing officer
- Issue date
- Return/due date (this date will help you to decide the course of action if the certificate is returned late, or to identify and follow up on overdue certificates)

### **Numbering System for Certificates**

You should establish a system to help track your certificates. The tracking system assists in identifying the status of the case and in the reconstruction process, if necessary. Each certificate should have its own unique identifying number. When issuing certificates at multiple grade levels, you should have some way of distinguishing between them rather than assigning the same number to each certificate. For example, for a GS-11/12 position, you could assign the number 18-661 to the GS-12 and 18-661A to the GS-11.

You may find it useful to assign a certificate number when initiating an SF 39, *Request for Referral of Eligibles* or other initiating document to track the certificate throughout the examining process (see OPM's website for a copy of this form, [www.opm.gov/forms](http://www.opm.gov/forms)).

### **Eligible's Name on a Certificate**

We also recommend that you include each eligible's address, including email address, and phone number(s) (personal and work) on the certificate. This is necessary whenever the application or résumé is not sent with the certificate, (e.g., when the eligible is referred for a temporary position or referred for multiple jobs with the same agency or multiple agencies).

This is usually not an issue in an automated examining context, when applications/résumés can easily be transmitted electronically.

### **Expiration of the Certificate of Eligibles**

OPM does not dictate a specific period of time for which the Certificate of Eligibles is valid. Generally, the certificate is valid until the stated number of vacancies advertised in the job opportunity announcement has been filled. Care must be taken when the number of vacancies is stated as few or many, or if a statement is added that additional vacancies may be filled from this announcement. In these cases, after a reasonable period of time, such as 9 months or 1 year, re-announcing, as a minimum to clear ICTAP, may be warranted.

The expiration of the Certificate of Eligibles is governed by your internal agency policies and you have the discretion to extend the expiration date consistent with your policies. Most agencies set an initial 30- or 45-day period for the hiring manager to work the certificate. Your internal policies should address expiration of certificates as well as initial timeframes and extensions.

### **Amending a Certificate of Eligibles**

There may be times when you need to amend a Certificate of Eligibles which has already been issued to the hiring manager. It may be necessary to add an eligible's name that was inadvertently left off of the Certificate of Eligibles. In certain circumstance, you also have the option of adding the names of any legitimate late filers after the certificate has been issued (see Chapter 4). In these instances, care must be taken to appropriately document the case file to allow for third party reconstruction. It would be only under extremely rare circumstances that it would be appropriate to remove an applicant from a Certificate of Eligibles without going through the objection/pass-over process (see Section D).



## Supplemental Certification

A certificate is identified as a supplement when there is another certificate outstanding and the following items are the same:

- Appointing Officer;
- Type of Appointment;
- Duty Location;
- Title, Series, Grade;
- Qualification Factors (minimum qualifications including selective factors, the competencies/KSAs used for assessment, and the passing grade established, if used); and
- Employment Conditions (travel, part-time vs. full time, etc.)

Supplemental certificates serve to protect commitments made by the appointing officer to eligibles on the earlier certificate who may happen to stand lower than eligibles on the later certificate, for example, in a case where an application was accepted from a late filer after the Certificate of Eligibles was issued. If appropriate, the late filer can be referred on a supplemental certificate, but he or she does not stand above eligibles (preference or non-preference) on the original certificate.

A supplemental certificate may be issued when the original certificate results in fewer than three eligible and available candidates per vacancy. The need for supplements usually occurs for one of three reasons: (1) the declination and failure to respond rates are higher than anticipated; (2) additional vacancies materialize in the office of the same supervisory official to whom the original certificate was sent; or (3) a supervisor in another office (but still under the same appointing officer) has an identical vacancy.

A supplemental certificate can be issued only when the original certificate is still outstanding (i.e., has not been audited by the examining office). When the original certificate has been returned and audited, a request for more names requires the issuance of a new certificate.

When issuing a supplemental certificate, the examining office prepares a new SF-39 or other requesting document, with all of the position-specific information from the original. We suggest using the original certificate number with a suffix S-# to identify it as a supplement. For example, certificate DF-19-0056, S-1 is the first supplement to DF-19-0056.

Supplemental certification procedures under rule of three (numerical rating) procedures are explained in [Appendix L](#).

Under category rating, a supplemental certificate contains any late filers in the highest category not originally certified and the next highest category group of eligible candidates with preference eligibles listed ahead of non-preference eligibles within that category. To protect those earlier selections, the eligibles listed on a supplement have a lower standing than eligibles on the original certificate, and eligibles on a second supplement have lower standing than

eligibles on the first supplement, etc. Therefore, even a 10-point preference late filer in the highest category certified on a supplemental certificate has a lower standing than those non-preference eligibles on the original certificate.

### **Merging Categories**

Under category rating, if there are fewer than three candidates in the highest quality category, you have the option of combining (merging) the top two quality categories and making selections from the newly merged category. The newly merged category is the new highest quality category. Preference eligibles must be placed ahead of non-preference eligibles in the newly merged category.

If the hiring manager specifically requests to merge categories when fewer than three candidates remain in the top category, the examining office may approve the merger. However, once the certificate is merged, the new order or placement of the eligibles must be maintained.

As long as a preference eligible remains in the merged category, the hiring manager may not select a non-preference eligible unless the hiring manager obtains approval to pass over the preference eligible in accordance with 5 U.S.C. § 3318.

The number of times you can merge categories is restricted by the number of categories you establish. Apart from that restriction, there is no other limit to the number of times you can merge categories.

Merging quality categories is not mandatory; it is an option. You should consult with the hiring manager to decide whether to merge the top two quality categories. The option to merge categories is available at two points in the hiring process:

- **Before Certifying/Issuing a Certificate of Eligibles** – if there are fewer than three eligible candidates in the highest quality category, and before issuing a certificate, the examining office, in consultation with the hiring manager, has the option to merge the highest quality category with the next lower quality category; and/or
- **After Working a Certificate of Eligibles** – a hiring manager, in consultation with the examining office, has the option to merge the highest quality category with the next lower quality category, if there are fewer than three available eligible candidates in the highest quality category from whom to make a selection.

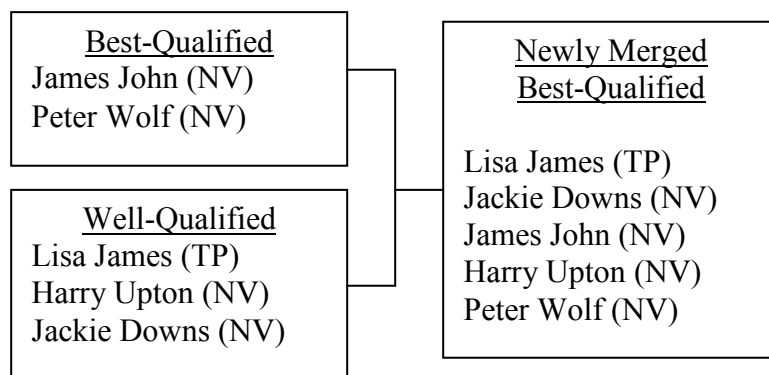
As a reminder, you must first refer to your agency's category rating policy related to merging categories, in accordance with 5 CFR part 337 subpart C, to verify whether a merger is permitted in your circumstances.

### **Example of Merging Categories before Issuing a Certificate**

If your highest quality category (e.g., Best-Qualified) has fewer than three eligible candidates, you and the hiring manager may decide to merge the highest quality category (Best-Qualified) with the next lower quality category (e.g., Well-Qualified) before issuing the Certificate of

Eligibles. The newly merged category is now your highest quality category (Best-Qualified) and contains all eligible candidates in any order (for example, alphabetical order) with preference eligibles placed above non-preference eligibles from both categories.

### Illustration of Merging before Issuing a Certificate



**Note:** Merging the highest quality category (Best-Qualified) with the next lower category (Well-Qualified) requires listing the qualified preference eligible at the top of the newly merged quality category. A hiring manager may not move past a preference eligible to select a non-preference eligible unless there are grounds for passing over the preference eligible and the agency has complied with the pass-over procedures at 5 U.S.C. § 3318 (see Section D).

**Considerations:** Under the newly merged Best-Qualified certificate, James (TP) moves to the top of the certificate. Therefore, as a TP eligible, she must be selected unless a pass-over is approved. If, however, the categories were not merged, then the Certificate of Eligibles issued with the original Best-Qualified category would allow the hiring manager to consider and select either of the non-preference eligibles. These potential outcomes should prompt a discussion with the hiring manager before making a decision to merge.

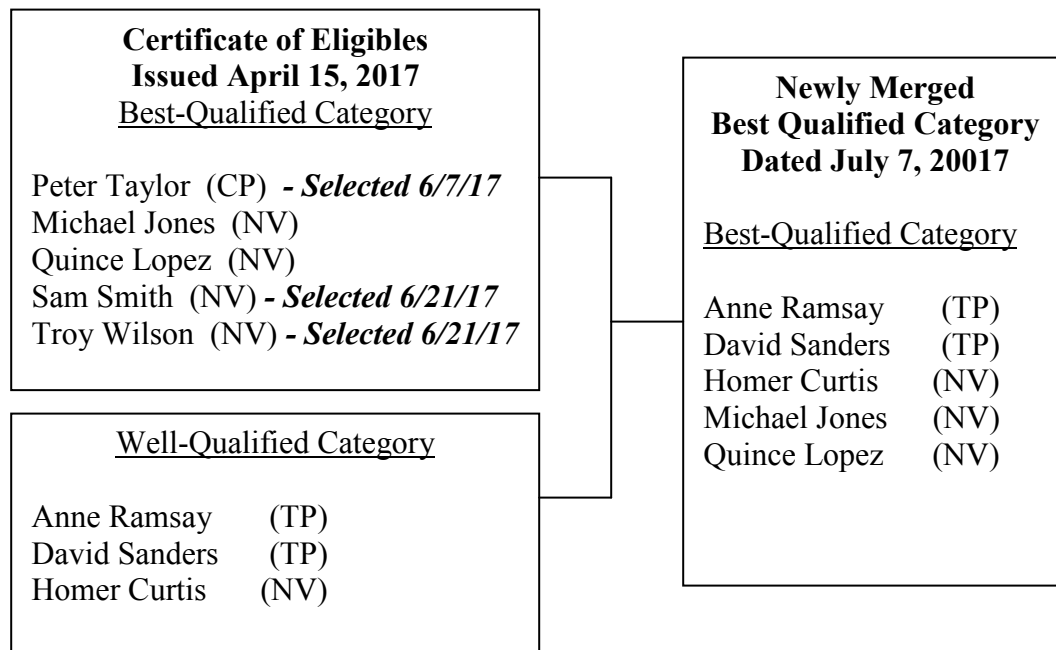
### Example of Merging after Working a Certificate of Eligibles

Your hiring manager needs to fill five positions. The hiring manager selects three eligible candidates from the highest quality category (Best-Qualified) containing one preference eligible and four non-preference eligible candidates. The highest quality category now contains only two eligible candidates. Because the hiring manager would like to make additional selections, a decision is made to merge the highest quality category with the next lower quality category (Well-Qualified) to increase the number of eligible candidates from which the hiring manager can choose.

In the Well-Qualified category, there are two preference eligibles and two non-preference eligibles. Combining (merging) the two quality categories (Best-Qualified and Well-Qualified) produces a newly merged highest quality category containing the names of the two remaining non-preference eligibles from the Best-Qualified category and two preference eligibles and two non-preference eligibles from the Well-Qualified category. In the newly merged category, the two preference eligibles are placed ahead of all non-preference eligibles. A non-preference eligible could not be selected over a preference eligible unless the hiring manager sought and

obtained approval for a pass-over with respect to each of the two remaining preference eligibles. A pass-over must be for reasons considered “proper and adequate” by OPM (5 U.S.C. § 3318(a)). For reconstruction purposes, the human resources specialist documents any selections made prior to the merge, including the date of selection(s), and the date the categories are merged. See illustration below.

**Illustration of Merging after Working a Certificate of Eligibles**



**Considerations:** Under the newly merged Best-Qualified category, Ramsay (TP) and Sanders (TP) move to the top of the merged certificate and must be selected before any of the non-preference eligibles. If the hiring manager wanted to select Jones (NV) or Lopez (NV) it would have had to occur before the merging of the categories. It is critical to work through these options with the hiring manager before making a decision to merge. Once the certificate is merged, the new order or placement of the eligibles must be maintained.

## Selection Procedures

A hiring manager may select any eligible candidate(s) in the highest quality category; except, the hiring manager may not select a non-preference eligible over a preference eligible unless the agency submits a request to pass over the preference eligible in accordance with 5 U.S.C. § 3318, and the request is approved. If there are **only** preference eligibles or **only** non-preference eligibles in the highest quality category, the hiring manager may select any eligible candidate in the highest quality category regardless of the number of eligible candidates. But, as noted above, if there is a combination of preference eligibles and non-preference eligibles in the highest quality category, the hiring manager may not select a non-preference eligible over a preference eligible without submitting a request to pass over the preference eligible and obtaining approval.

Any appointment resulting from a selection made by the hiring manager prior to merging the highest quality category with the next lower quality category is a valid and legal appointment. The name of the selectee is removed from the highest quality category and the individual's name does not appear in the newly merged highest quality category. For reconstruction purposes, it is important that the documentation of any selections made prior to the merge include the date of selection(s) and the date the categories were merged.

### Summary

In summary, a hiring manager:

- May select eligible candidates from the highest quality category, **or**
- May select eligible candidates from a newly merged category comprised of the highest and the second-highest quality categories, if fewer than three candidates were placed in the highest quality category; **and**
- May not pass over a preference eligible in the same quality category from which a selection is made, unless the requirements of 5 U.S.C. § 3318(c) are satisfied. In other words, you must select preference eligibles unless you submit a pass-over request based on reasons stated in Section D of this Chapter, issued under 5 CFR 332.406, *and* the request is approved by OPM or your agency, as appropriate. Your agency headquarters is responsible for establishing pass-over procedures for all preference eligibles except those for which OPM has responsibility. Your agency pass-over procedures should be the same as those used for the traditional rating, ranking, and selection procedure (rule of three).

The “three consideration” rule embodied in 5 CFR 332.405 does not apply in category rating; it only applies in the rule of three procedure.

## **Documenting a Returned Certificate**

Once the hiring manager returns the certificate, you must ensure it is annotated to reflect the action taken on each of the eligibles that were certified for selection. Typically this documentation is included on the certificate itself. The reverse side of the SF 39, *Request for Referral of Eligibles*, contains symbols that OPM has historically used to report actions on eligibles. We recommend you continue to use these symbols.

When the Certificate of Eligibles is returned, it must be signed and dated by the hiring manager as documentation for the file and as a key accountability mechanism. An electronic signature is acceptable.

## **Section C - Auditing a Certificate**

Auditing is the process of certifying the action taken on a returned Certificate of Eligibles by the hiring manager complies with legal and regulatory selection procedures.

You have two basic responsibilities in the audit process:

1. Determine that all documentation required to support any reported declination and other removals from consideration is in order; and
2. Determine that all selections were made in accordance with the applicable rules for the selection process used and that veterans' preference was applied correctly.

It is essential that certificates are audited before a selectee's first day of work because:

1. If the certificate was worked improperly, any hiring commitments made by the appointing official may potentially be invalid, and, in addition to the problem that appointment itself presents, may have a cascading effect on subsequent appointments. Section E, *Illegal Selection and Priority Consideration*, explains how and what to do to resolve illegal selections and to address the issues associated with lost consideration, i.e., providing priority consideration to those candidates affected by the improper selection. A prompt audit will catch these errors early; and
2. If the certificate is issued from a competitor inventory (standing register) where multiple referrals are made, auditing the certificate closes it out and enables eligibles that were not selected to be restored to the active inventory for further employment consideration. This applies only when eligibles' names are referred on one certificate at a time. It does not apply when eligibles are dual certified.

This section contains the following topics:

Preparing the Certificate for the Audit  
Auditing a Certificate of Eligibles under Category Rating Procedures  
Documenting the Personnel Action

## Preparing the Certificate for the Audit

In the process of making selections from a certificate, situations occur that may warrant an eligible to be eliminated from consideration. Any eligible who declines or who fails to respond to inquiries as to his/her availability may be removed from further consideration. The official who received the declination should document these actions adequately. When all actions have been completed on a certificate, the hiring manager should return it to you promptly.

### Documenting the Hiring Manager's Action

Once you receive a completed Certificate of Eligibles, you are responsible for assuring that all actions taken on each of the eligibles certified are documented. Appropriate documentation should be included for all eligibles who were removed from consideration (e.g., for failure to respond and declinations).

### Reporting Codes

Proper reporting codes for all actions can be found on the reverse side of the SF 39, *Request for Referral of Eligibles*. You can locate a copy of this form on our website at [www.opm.gov/forms](http://www.opm.gov/forms).

### Eligible Selected (A)

If an eligible is reported **A** for Selected, you should annotate the certificate for documentation and for reconstruction purposes.

### Documenting Declinations (D"x")

The preferred documentation for a declination is a written statement from the eligible. If the agency received an oral declination, the official who received the declination must promptly prepare and sign a written summary documenting the conversation, including date of and reason for the eligible's declination. Oral declinations must come from the eligible; declinations from anyone other than the eligible are not acceptable.

Some of the reasons an eligible may decline employment consideration include:

- DA – Declined Agency
- DD – Declined Until a Later Date
- DE – Declined Examination Program
- DG – Declined Grade
- DL – Declined Location
- DP – Declined for the Position Certified Only
- DX – Declined Further Consideration for Federal Employment
- DZ – Declined for Other Reasons



## **Documenting Failure to Respond (FR)**

You may choose how to contact an eligible (by letter, email, or telephone) to determine his or her availability, although, in case examining, availability is generally assumed. All contacts should instruct eligibles to respond by a specific date if they wish to continue to be considered for the position. If you do not hear from the eligible by that date, you must document failure to respond, “**FR**,” for that eligible and no longer consider that eligible for the position. No further notification is required; however, you must retain written documentation supporting the basis for the **FR** reporting code (e.g., email inquiry; copy of the OF-5, or other availability inquiry, sent to the eligible; etc.).

If you are contacting the eligible via telephone, you should make a good faith effort to speak to the eligible before annotating his/her record as **FR**. You should document the record by showing who made the contact, when, with whom you talked, and a summary of any conversation that you had.

The procedures used to contact eligibles should be specified as a matter of agency policy and once established must be applied uniformly and consistently.

## **Documenting Failure to Report for an Interview**

If an eligible fails to appear for a pre-employment interview, he or she may be treated as an **FR** (eliminated from consideration) when:

1. You sent a written notice (either by mail or email) to the eligible that he or she would be removed from further consideration for the position if he or she failed to appear for an interview (retain a copy of the notice as documentation); and
2. The arrangements for the interview were reasonable.

In considering such **FR** actions, you should take into account such matters as the relative importance of the interview to the vacancy, the amount of travel required for the applicant to appear for the interview, and the amount of notice given. With the availability of telephone and video conferencing, traveling for an interview should normally not be required outside of the commuting area, unless the job is above the clerical level (or above the journeyman level in the skilled trades). Instead of requiring long distance travel, if the interview is not a formal part of the assessment process, i.e., for purposes of rating and ranking, you may wish to consider using agency staff in other office locations to interview certified eligibles residing nearby and report the results to you.

## **Documenting Communication Returned Unclaimed (CRU)**

When a properly addressed, written availability inquiry is returned by the U.S. Postal Service because it was undeliverable, the envelope (preferably unopened) is adequate documentation. If you attempted to contact an eligible by sending an email to the address he or she provided, and you received an undeliverable message notification, retain a copy as documentation. In either case, you should use “**CRU**” as your reporting code.

## **Elimination of Persons Already Employed by the Agency (CE)**

A certified eligible may be eliminated from consideration if he or she is serving under the same conditions as that for which the certificate was issued, including:

- Appointing officer;
- Type of position (full-time, part-time, etc.);
- Same or higher grade;
- Duty location; and
- Type of appointment (permanent, temporary, etc.).

You may use the symbol “CE” for this situation. When this symbol is used, the title of position, grade and duty location should be listed as evidence that all of the above conditions are present including the type of appointment and hiring manager, if known. “TE” is used if the position you are filling is non-permanent and an employee is serving in a temporary or time-limited appointment.

## **Non-Selected (NS or NN)**

If the hiring manager decides not to select an eligible, two codes are available for use. **NS** is used if the eligible was contacted and not selected. **NN** is used if the eligible was not contacted and not selected.

## **Appointed by Non-Competitive Action (NC)**

This symbol is used when an eligible is referred on a Certificate of Eligibles but was selected through non-competitive means (such as a VRA appointment or other special hiring authority).

## **Objection or Pass-Over (RM, RQ or RS)**

If an eligible is the subject of an objection/pass-over and the request was sustained, the certificate should be annotated with the appropriate symbol next to the eligible’s name. You should use one of the following symbols that describe the type of objection/pass-over submitted by the hiring manager:

- Removed from Certificate (RM) - Medical (5 CFR part 339)
- Removed from Certificate (RQ) - Qualifications (5 CFR part 332)
- Removed from Certificate (RS) – Suitability Criteria (5 CFR part 332)

More information about the objection or pass-over process is found in Section D of this Chapter.

## **Improper Removal from Consideration**

If an eligible’s name was removed improperly from consideration (e.g., an eligible was reported as having declined but no supporting documentation is provided), the hiring manager’s action

code must be changed to "not selected" before auditing begins. Use of **NS** or **NN** is dependent on whether the eligible was contacted. If a certificate does not audit properly, i.e., a selection was made out of order, see Section E, Illegal Selection and Priority Consideration, for information on the steps to take to resolve illegal selections and to address the issues associated with lost consideration, i.e., providing priority consideration to those candidates affected by the illegal selection.

## **Auditing a Certificate of Eligibles under Category Rating Procedures**

By applying proper category rating procedures during the selection process, you are fulfilling one of your responsibilities in the audit process, i.e., to determine that all selections are made consistent with category rating and veterans' preference procedures. Selections must be made from among the eligibles listed in the highest quality category with preference eligibles receiving absolute preference within each quality category. A hiring manager may not select a non-preference eligible over a preference eligible in the same quality category unless a pass-over has been requested and approved (5 U.S.C. § 3318).

### **Audit Procedures in Applying Category Rating**

First, disregard all eligibles who were legitimately removed from consideration, i.e., those in the categories of declined (Dx), failure to reply (FR), correspondence returned unclaimed (CRU); currently employed by the agency (CE); currently employed by the agency as a temporary (or indefinite) employee (TE); and objections or pass-over requests that were sustained (RM, RQ, or RS). Within the highest quality category, you should observe the following in determining whether the order of selection is proper:

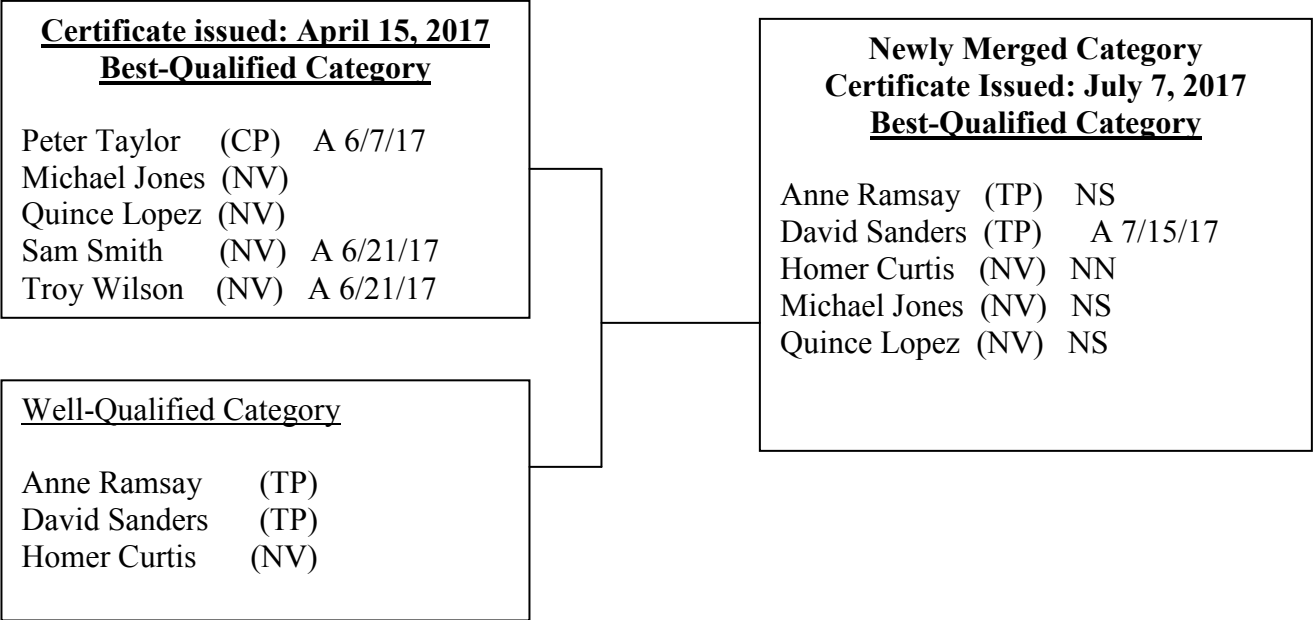
- Any preference eligible (i.e., CP, CPS, XP, TP, or SSP) is selected; or
- If no preference eligible is available, any non-preference eligible is selected.

Remember, the “three consideration” rule embodied in 5 CFR 332.405 does not apply in category rating.

### **Example of Auditing a Merged Certificate**

In the below example, a certificate was issued on April 15, 2017, with 5 eligibles in the highest quality category. The only preference eligible, Taylor, is selected (A). The date of selection (June 7, 2017) is documented on the certificate. The selection of Taylor is valid because he is the only available preference eligible. The remaining four eligibles are all non-preference eligibles and, therefore, any of them may now be selected as well. The selections of Smith and Wilson on June 21, 2017, are also valid.

Since the hiring manager has additional vacancies and there are now fewer than 3 eligibles in the highest quality category, the hiring manager has opted to merge the certificate with the next quality category (i.e., the Well-Qualified category). The HR office issued the certificate with the newly merged category information on July 7, 2017. The selection of Sanders, a preference eligible, is valid.



Note: The dates of selection on the original certificate dated April 15<sup>th</sup> must predate or occur before the certificate is merged.

**Finding an Improper Selection**

When an improper selection is discovered through the audit process you should:

1. Notify the hiring manager immediately, and
2. Make the correction before the selectee enters on duty.

There are options for correcting an improper selection depending on the circumstances (see Chapter 6, Section E – Illegal Selection and Priority Consideration).

## Documenting the Personnel Action

Instructions for documenting the SF 50, *Notification of Personnel Action*, for persons given career or career-conditional appointments under delegated examining are covered in Chapter 9, Table 9-A of *The Guide to Processing Personnel Actions* (<https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/#url=Processing-Personnel-Actions>).

### Authority Codes

When you examine under delegated examining authority, the authority code **BWA** must be used for coding your SF 50s.

Use of the **BWA** authority code requires agencies to include their delegated examining agreement number as well as the certificate number as the basis for the appointment authority.

Note: When OPM conducts examining under a reimbursable agreement, the authority code BWA, your agency's delegated examining agreement number and the certificate number must be used as the basis of the appointment authority.

## Suitability

Suitability refers to identifiable character traits and conduct that are sufficient to determine whether an individual is likely to be able to carry out the duties of a covered Federal position in such a manner as to protect the integrity or promote the efficiency of the service. Suitability arises from the President's authority (subsequently delegated to OPM) to "ascertain the fitness of applicants as to . . . character" (5 U.S.C. § 3301) and is thus distinguishable from a person's ability to fulfill the qualification requirements of a job, as measured by experience, education, and competencies/KSAs.

It is important to understand the difference between determining an applicant's suitability and determining his or her qualifications. For example, a person who is well qualified for a position may nonetheless be deemed unsuitable for Federal employment due to factors listed in the suitability criteria, such as misconduct or negligence in prior employment (5 CFR § 731.202). Under 5 CFR § 731.103(d), however, a hiring agency may not make specific inquiries concerning an applicant's criminal and/or adverse credit background of the sort asked on the OF-306, *Declaration for Federal Employment*, or other forms used to conduct background investigations for Federal employment unless the hiring agency has made a conditional offer of employment to the applicant. You may make inquiries, however, into an applicant's Selective Service registration, military service, citizenship status, or previous work history, prior to making a conditional offer of employment.

In certain situations, an agency may have a business need (i.e., a reason related to the requirements for the position or particularly burdensome cost) to obtain the above information about the suitability or background of an applicant prior to the conditional offer. In such cases, an agency must request an exception from OPM, in accordance with the provisions of 5 CFR part 330 subpart M. (See CHCO Memo, *Guidance on Requests for Exceptions to Timing of Suitability Inquiries Rule*, dated February 15, 2017, at <https://www.chcoc.gov/content/guidance-requests-exceptions-timing-suitability-inquiries-rule>.)

Under 5 CFR part 731, agencies have the responsibility to adjudicate suitability issues in cases involving tentative selectees (or, in exceptional situations, candidates) for competitive service positions, except where any of the following issues arise from the background investigation, in which event, the case **must** be referred to OPM for a determination of suitability (5 CFR § 731.103(d)(2):

Cases involving evidence of:

- Material, intentional false statement in examination or appointment,
- Deception or fraud in examination or appointment; or
- Cases involving refusal to furnish testimony as required by 5 CFR § 5.4.

Agencies **must** also refer a case to OPM when the agency determines that a Governmentwide debarment by OPM under § 731.204(a) may be an appropriate action (5 CFR § 731.103(b)(2)).

For more information on OPM suitability adjudication, see <https://www.opm.gov/investigations/suitability-executive-agent/suitability-adjudications/>.

## Section D - Objections and Pass-Overs

A hiring manager may object to any eligible certified. However, as indicated previously, objections and pass-overs based on an applicant's criminal and/or adverse credit history or based on other information normally collected on the OF 306, *Declaration for Federal Employment*, may be requested only after a conditional offer of employment has been made, unless an exception has been granted. As a delegated examining unit, you have the authority to rule on most types of objections. However, the decision must be in accordance with the authority granted in your delegation agreement. Refer to your Interagency Delegated Examining Agreement for specific authorities (see [Appendix A](#)).

OPM retains exclusive authority to:

- Make medical determinations pertaining to preference eligibles (5 CFR part 339);
- Grant or deny an agency's pass-over request of a preference eligible with a compensable service connected disability of 30% or more (5 U.S.C. § 3318); and
- Make suitability determinations involving material, intentional false statement or deception or fraud in examination or appointment, or refusal to furnish testimony as required by 5 CFR § 731.103(a).

We will guide you through each objection and pass-over process in this section.

This section contains the following topics:

Objecting to an Eligible  
Passing Over a Preference Eligible



## Objecting to an Eligible

Under category rating procedures, a hiring manager must select from eligibles in the highest quality category. Additionally, a hiring manager may not pass over a preference eligible to select a lower-ranking non-preference eligible, or, in a category rating setting, even a non-preference eligible in the same quality category without the requisite approval.

On occasion, a hiring manager may wish to make a selection outside the above restrictions, when there are adequate and proper reasons, concerning one or more of the highest ranking eligibles. Rather than afford consideration to such an eligible, the appointing officer may wish to eliminate an eligible from consideration. This is accomplished by submitting an objection substantiated by documentation supporting the conclusion that one of the adequate and proper reasons has been demonstrated and the eligible is either not qualified or not suitable for the job. If the objection is sustained, the eligible may be removed from consideration.

### Definition

An objection is an agency's request to remove an eligible from consideration on a particular certificate. When standing registers (competitor inventories) are used, an objection removes an eligible from the standing register as well as future consideration on later certificates drawn from that register or inventory.

### Objection Based on Proper and Adequate Reasons

An objection may be sustained only if it is based on proper and adequate reasons. It is not appropriate to attempt to eliminate an eligible on the grounds that one or more non-preference eligibles in the same quality category or one or more lower ranking eligibles are better qualified. When an objection or pass-over request is made based on qualifications (as opposed to suitability), the regulation at 5 CFR § 332.406 applies. Under the provision concerning objections and pass-overs, there is no statutory or regulatory right for applicants to appeal.

The following list details various grounds for objecting to candidates that have been considered by OPM. The list does not cover all bases on which objections may be made, nor are the outcomes suggested by this *Handbook* necessarily binding on OPM or a DEU, as appropriate, under all circumstances. Each case must be decided on its own merits. Your decision should recognize both the needs of the agency and the basic principles of the merit system.

Type	Description
Affiliations	Any affiliations the applicant may have which could clearly be expected to present a conflict of interest may constitute a valid objection.

<b>Type</b>	<b>Description</b>
Age	Generally, age alone is not a sufficient basis for eliminating an eligible from consideration. The hiring manager may, however, request the elimination of individuals who do not meet the minimum age requirements for Federal employment or who exceed the maximum entry age for positions with established maximum age requirements. Refer to the 8/26/09 OPM CHCO memo on change in maximum entry-age requirements for preference eligibles and their entitlement to a waiver unless the age requirement is essential to performance of the duties of the position. (See Chapter 4.)
Education	When education is not an absolute minimum requirement for the position to be filled, lack of education is not a valid basis for an objection. (See 5 U.S.C. § 3308.)
Experience	Objections based on lack of experience (minimum qualifying experience, either general or specialized, or selective factors) may be sustained only when that experience is part of the minimum requirements for the position.
Fraud or False Statements	A hiring manager may object to an eligible on the basis of material, intentional false statement or deception in fraud on examination or appointment. Because of the nexus with OPM's suitability criteria, however, this ground is subject to OPM approval for any individual to whom you plan to object on this base, not only for individuals with certain types of preference eligibility. Cases such as these must be sent to OPM for a suitability determination. (See 5 CFR § 731.103(a).)
Gender	You may restrict consideration to one gender only in unusual circumstances and only upon specific approval of OPM (5 CFR part 332). The determination as to whether a position should be restricted in this way should always be made <b>before</b> an announcement is issued.
Habitual Use of Alcohol	A hiring manager may object to an eligible on the basis of alcohol abuse without evidence of rehabilitation of a nature and duration which suggests that the applicant would be prevented from performing the duties of the position or would constitute a direct threat to the property or safety of others.
Illegal Use of Narcotics	A hiring manager may object to an eligible on the basis of illegal use of narcotics, drugs, or other controlled substances, without evidence of substantial rehabilitation.
Medical	You may consider an eligible medically disqualified when he or she has a physical or medical (including mental health) condition that will prevent him/her from performing the full range of essential duties and responsibilities of the position safely and efficiently. (Medical disqualification of preference eligibles is subject to OPM approval. See 5 CFR § 339.306.)

<b>Type</b>	<b>Description</b>
Performance Rating	You may base an objection on an unsatisfactory performance rating assigned in some previous period of Federal employment under your agency's guidelines for previous service as they relate to unsatisfactory service.
Personal Characteristics	<p>Personal characteristics are the most difficult requirements to measure and evaluate in the certification process. They are usually identified and assessed during a pre-selection interview or reference check. You may base an objection on the absence of desirable or the presence of undesirable personal qualities (i.e., mature judgment, tact, objectivity, flexibility, temperament, lack of initiative, unreliability, etc.), if they are essential for satisfactory job performance.</p> <p>In objecting to an eligible on personality traits, the hiring manager should:</p> <ul style="list-style-type: none"> <li>• Identify which elements of a position require the possession of certain personal characteristics, and</li> <li>• Demonstrate, through specific examples, how a particular eligible lacks these desired traits or exhibits undesirable traits.</li> </ul>
Previous Service/Employment	A hiring manager may object to an eligible on the basis of negligence or misconduct in previous service/employment with the same or another agency/employer.
Religion	A hiring manager may object to an eligible whose religion prevents working on a day included in the regular tour of duty.
Eligibility to hold a position that is national security sensitive	If the position, as configured at your agency, requires a determination that the incumbent be eligible to hold a position that is national security sensitive (5 CFR part 1400) (including, but not limited to a position requiring eligibility for access to classified information), and the applicant has been determined to be ineligible for whatever reason, you should sustain the agency's objection to that applicant. Since the legal responsibility for making the eligibility determination for national security sensitive positions is with the agency, it is not necessary for the hiring manager to provide you with the reasons why an eligible does not meet its national security eligibility requirements.

### Forms Used in an Objection or Pass-Over

Objections are usually submitted on a SF 62, *Agency Request to Pass Over a Preference Eligible or Object to an Eligible*, or any equivalent document. A copy of this form can be found on OPM's website at [www.opm.gov/forms](http://www.opm.gov/forms).

## Required Action

An eligible objected to by a hiring manager may be removed from consideration on a certificate **only after the objection has been sustained**. The delegated examining unit should establish objection and pass-over procedures, including designating the appropriate person (HR Director or higher) to make the determination as to whether or not to grant or deny the hiring manager's request, or to forward to OPM those types of requests to which OPM retains authority. Retain documentation of the decision in the case file. Appropriate action codes (RM, RQ, and RS) are explained on the reverse side of the SF 39, *Request for Referral of Eligibles*. You can locate a copy of this form on the OPM website [www.opm.gov/forms](http://www.opm.gov/forms). While an objection is being considered, hiring managers may continue to make additional selections if there are multiple vacancies, as long as, for each individual as to whom an objection is pending, at least one vacancy remains unfilled in the event the proposed objection (or pass-over) is not sustained (5 CFR § 332.406(e)).

## How to Handle an Objection to Eligible

The following are four steps in the process of objecting to an eligible (5 CFR part 332):

Step	Who	What Happens						
1	Hiring Manager	Must submit his or her reasons for objecting to the individual to the examining office that issued the certificate.						
2	Examining Office	Reviews the reasons for the objection and makes a decision. <table border="1" data-bbox="586 1102 1430 1514"> <thead> <tr> <th>IF the objection is...</th> <th>THEN the Examining Office</th> </tr> </thead> <tbody> <tr> <td>Sustained</td> <td>Accepts the hiring manager's reasons for removing the eligible from consideration.</td> </tr> <tr> <td>Not sustained</td> <td>Rejects the hiring manager's reasons for removing the eligible from consideration.  The eligible's name remains on the Certificate of Eligibles for consideration or selection.</td> </tr> </tbody> </table>	IF the objection is...	THEN the Examining Office	Sustained	Accepts the hiring manager's reasons for removing the eligible from consideration.	Not sustained	Rejects the hiring manager's reasons for removing the eligible from consideration.  The eligible's name remains on the Certificate of Eligibles for consideration or selection.
IF the objection is...	THEN the Examining Office							
Sustained	Accepts the hiring manager's reasons for removing the eligible from consideration.							
Not sustained	Rejects the hiring manager's reasons for removing the eligible from consideration.  The eligible's name remains on the Certificate of Eligibles for consideration or selection.							
3	Examining Office	Notifies the hiring manager of its decision in writing.						

Step	Who	What Happens	
4	Hiring Manager	Takes the following action on the objection.	
		IF the objection is...	THEN the hiring manager...
		Sustained	removes the eligible from consideration for the job.
		Not sustained	has three options: <ul style="list-style-type: none"> <li>• Seek reconsideration by submitting additional information to support a favorable decision,</li> <li>• Consider/select the eligible for the job, or</li> <li>• Decline to make a selection from the certificate.</li> </ul>

## **Passing Over a Preference Eligible**

### **Definition**

A **pass-over request** is an objection filed against a preference eligible that results in the selection of a lower-ranking non-preference eligible, or, in the case of category rating, an eligible in the same quality category who is not preference eligible.

### **Basic Rule in Passing Over a Preference Eligible**

In competitive examining procedures, an appointing officer may not pass over a preference eligible to select a lower-ranking non-preference eligible, or, in the case of category rating, an eligible in the same quality category who is not preference eligible, unless he or she submits reasons that are sufficient to warrant the pass-over.

### **How to Handle a Pass-Over of a Preference Eligible**

The procedures for passing over a preference eligible are the same as the procedures for objecting to an eligible, except that, for pass-overs involving preference eligibles with a service connected disability of 30% or more, certain additional requirements apply (see below) (5 U.S.C. § 3318(c)(2)). A pass-over request may be sustained only if such a request is based on proper and adequate reasons demonstrating objectively a reason that OPM would consider proper and adequate (5 U.S.C. § 3318). Remember, pass-overs based on an applicant's criminal and/or adverse credit history or some other information normally collected on the OF 306, *Declaration for Federal Employment*, may be requested only after a conditional offer of employment has been made, unless an exception has been granted.

### **Pass-Over Request for any Preference Eligible**

Under 5 U.S.C. § 3318(c)(1), the hiring manager must provide written reasons for passing over a preference eligible (based on proper and adequate reasons) and OPM or the DEU may require additional submissions with more detailed information, if needed. The adjudicator will then consider this material, together with any response provided by the preference eligible pursuant to subsection (c)(2) (see below). In light of binding case law interpreting 5 U.S.C. § 3320, these steps apply not only when the preference eligible is being considered for a position under the competitive service but also in the case of most excepted service positions that have been excepted from the competitive service by Executive Order, or OPM action. (For statutory exceptions, look to the terms of the statute itself to determine what steps apply.) (These steps would not apply when a position in the excepted service is exempt from part 302 procedures, under 5 CFR § 302.101(c).)

### **CPS Eligible Pass-Over Request**

OPM retains exclusive authority to rule on the proposed pass-over of a 30 percent or more compensably disabled veteran (5 U.S.C. § 3318 (c)(2)).

## Statutory Requirement for a Pass-Over of a CPS Eligible

Under 5 U.S.C. § 3318 (c)(2), a CPS preference eligible is entitled to advance notice of a proposed pass-over. The CPS veteran has the right to respond to the hiring manager's reasons for pass-over by submitting a **response to OPM within 15 days of the notification.**

## How to Handle a Proposed Pass-Over of a CPS Eligible

There are four steps in processing a proposed pass-over of a compensable disabled preference eligible of 30 percent or more (5 U.S.C. § 3318). These steps apply not only when the CPS eligible is being considered for a position under the competitive service but also for most excepted service positions, which have been excepted from the competitive service by Executive Order, or OPM action. (For statutory exceptions, look to the terms of the statute itself to determine what steps apply.)

Step	Who	What Happens
1	Hiring Manager/ agency HR office	<p>Must notify the CPS veteran of a proposed pass-over. The notification must include:</p> <ul style="list-style-type: none"> <li>• Notice of proposed pass-over, including the agency, title/series/grade of the job, duty location, and certificate number;</li> <li>• An explanation of the reasons for the proposed pass-over; and</li> <li>• Notice of the right to respond to those reasons to OPM within 15 days of the notice.</li> </ul> <p>You must include in the notification the address of the appropriate OPM office:</p> <p style="padding-left: 40px;"><i>For qualifications and medical-based actions:</i> U.S. Office of Personnel Management Employee Services 1900 E Street, NW, Room 6500 Washington, DC 20415</p> <p style="padding-left: 40px;"><i>For suitability-based actions:</i> U.S. Office of Personnel Management Suitability Executive Agent Programs Attn: Operations (Adjudications) P.O. Box 699 Slippery Rock, PA 16057</p>
2	Agency HR office	<p>Must send a copy of the proposed pass-over request with supporting documentation and a copy of the notification sent to the CPS veteran to OPM at the above address.</p>

Step	Who	What Happens						
3	OPM Official	<ul style="list-style-type: none"> <li>• Must make a decision after considering any response submitted by the veteran within 15 days of the notice; and</li> <li>• Must notify the appointing official and the veteran of its decision in writing.</li> </ul>						
4.	Hiring Manager/ agency HR office	<p>Takes the following action on the pass-over decision:</p> <table border="1" data-bbox="609 506 1425 984"> <thead> <tr> <th data-bbox="609 506 883 583">IF the pass over request is...</th> <th data-bbox="883 506 1425 583">THEN the hiring manager...</th> </tr> </thead> <tbody> <tr> <td data-bbox="609 583 883 653">Sustained</td> <td data-bbox="883 583 1425 653">removes the preference eligible from consideration for the job.</td> </tr> <tr> <td data-bbox="609 653 883 984">Not sustained</td> <td data-bbox="883 653 1425 984">           has three options:           <ul style="list-style-type: none"> <li>• Seek reconsideration by submitting additional information to support a favorable decision;</li> <li>• Consider/select the preference eligible for the job; or</li> <li>• Decline to make a selection from the certificate.</li> </ul> </td> </tr> </tbody> </table>	IF the pass over request is...	THEN the hiring manager...	Sustained	removes the preference eligible from consideration for the job.	Not sustained	has three options: <ul style="list-style-type: none"> <li>• Seek reconsideration by submitting additional information to support a favorable decision;</li> <li>• Consider/select the preference eligible for the job; or</li> <li>• Decline to make a selection from the certificate.</li> </ul>
IF the pass over request is...	THEN the hiring manager...							
Sustained	removes the preference eligible from consideration for the job.							
Not sustained	has three options: <ul style="list-style-type: none"> <li>• Seek reconsideration by submitting additional information to support a favorable decision;</li> <li>• Consider/select the preference eligible for the job; or</li> <li>• Decline to make a selection from the certificate.</li> </ul>							

### Pass-Over Requests Based on a Medical Condition

You may consider a preference eligible medically disqualified when he or she has a physical or medical (including mental) condition that will prevent him or her from performing the full range of essential duties and responsibilities of the position safely and efficiently. Additional OPM guidance is contained in the following memoranda for Human Resources Directors which can be found on our web site at <https://www.chcoc.gov/transmittals>:

- 01/21/2004 – Employment of Individuals Who Have Undergone Vision Correction
- 12/07/2006 – OPM Adjudication of Medical Disqualifications of Preference Eligibles
- 12/01/2008 – OPM Adjudication of Psychiatric/Psychological Objections

In considering whether a physical or medical condition will have an impact on an eligible’s capacity to perform the job efficiently and safely, you are required to assess whether reasonable accommodation can be provided to permit performance of the job despite the condition.

### Medical Pass-Over Request for any Preference Eligible

Under 5 U.S.C. § 3318(c)(1), the hiring manager must provide written reasons for passing over a preference eligible (based on proper and adequate reasons) and OPM or the DEU may require additional submissions with more detailed information, if needed. The adjudicator will then consider this material, together with any response provided by the preference eligible pursuant to subsection (c)(2) (see below). In light of binding case law interpreting 5 U.S.C. § 3320, these



steps apply not only when the preference eligible is being considered for a position under the competitive service but also in the case of most excepted service positions that have been excepted from the competitive service by Executive Order, or OPM action. (For statutory exceptions, look to the terms of the statute itself to determine what steps apply.) (These steps would not apply when a position in the excepted service is exempt from part 302 procedures, under 5 CFR § 302.101(c).)

### How to Handle a Request for Medical Pass-Over

There are four steps in processing a proposed request for medical pass over of a preference eligible (5 CFR part 339). Please note that a CPS preference eligible is entitled to advance notice of a proposed pass-over and the CPS veteran has the right to respond to the hiring manager's reasons for pass-over by submitting a response to OPM within 15 days of the notification (5 U.S.C. § 3318(c)(2)).

Step	Who	What Happens
1	Hiring Manager/ agency HR office	<p>When the proposed pass-over involves a CPS veteran, you must notify the CPS veteran of a proposed pass-over. The notification must include:</p> <ul style="list-style-type: none"> <li>• Notice of proposed pass-over, including the agency, title/series/grade of the job, duty location, and certificate number;</li> <li>• An explanation of the reasons for the proposed pass-over; and</li> <li>• Notice of the right to respond to those reasons to OPM within 15 days of the notice.</li> </ul> <p>You must include in the notification the address of the OPM office:</p> <p style="text-align: center;">U.S. Office of Personnel Management Employee Services 1900 E Street, NW, Room 6500 Washington, DC 20415</p>
2	Agency HR office	<p>Must submit a proposed request with supporting documentation to OPM at:</p> <p style="text-align: center;">U.S. Office of Personnel Management Employee Services 1900 E Street, NW, Room 6500 Washington, DC 20415</p>
3	OPM Official	<ul style="list-style-type: none"> <li>• Reviews the proposed request for a pass-over and makes a decision.</li> <li>• Notifies the appointing official of the decision in writing.</li> <li>• Notifies the preference eligible of the decision.</li> </ul>

Step	Who	What Happens	
4	Hiring Manager/ agency HR office	Takes the following action on the pass over decision.	
		<b>IF the pass over request is</b>	<b>THEN the hiring manager</b>
		Sustained	removes the preference eligible from consideration for the job.
		Not sustained	has three options: <ul style="list-style-type: none"> <li>• Seek reconsideration by submitting additional information to support a favorable decision;</li> <li>• Consider/select the preference eligible for a job; or</li> <li>• Decline to make a selection from the certificate.</li> </ul>

## Section E – Illegal Selection and Priority Consideration

### Introduction

An **illegal selection** occurs when a selection made from a certificate is out of order and results in a violation of the selection rules. The illegal selection may have occurred on either a properly ranked certificate or a certificate when an eligible does not appear in the correct order (i.e., eligible was misranked on a certificate or mistakenly did not appear on the certificate at all). While it is important to remember that there is no situation where an eligible must be selected, there are steps that must be taken to correct any illegal selections. **A violation of the selection rules cannot be allowed to stand, and corrective action taken must resolve the violation.**

**Priority consideration** is a special placement priority that is given to an eligible who was previously denied consideration due to an illegal selection.

Cases of knowing or intentional manipulation of the competitive examining system to bring about a non-merit based outcome, such as favoring or disfavoring certain applicants inappropriately, constitute prohibited personnel practices and will normally be referred to the U.S. Office of Special Counsel for investigation and disposition.

This section explains how and what to do to resolve illegal selections and to address the issues associated with lost consideration, i.e., providing priority consideration to those candidates affected by the improper selection. This section contains the following topics:

- Illegal Selection
- Priority Consideration

## Illegal Selection

An erroneous certification is an inadvertent misranking, non-certification, or failure to give bona fide consideration to an eligible in connection with a competitive certificate. Erroneous certification often leads to illegal selection and/or illegal appointment due to the incorrect certificate. This type of erroneous certification that leads to a violation of the law is known as Lost Consideration.

### Conditions for Lost Consideration

**Lost consideration** occurs when an eligible is denied employment consideration due to a violation of the law. Eligibles are considered to have lost consideration when, upon audit or reconstruction, the following becomes apparent:

1. A selection was made from an erroneous certificate;
2. When the erroneous certificate is corrected, the affected or misranked eligible is or moves within reach of selection;
3. When the erroneous certificate is corrected, the selectee moves out of selection range; and
4. The misranked eligible meets all qualification requirements for the job.

In order for there to be a violation of the law, all four conditions must be met.

### Examples of Out of Order selections

Erroneous certification occurs when an eligible does not appear in the correct order on the certificate (i.e., was misranked on a certificate or mistakenly did not appear on the certificate at all) or when an eligible appeared on the certificate but did not receive appropriate consideration.

Eligibles are considered to have lost consideration due to an out-of-order selection when, upon audit or reconstruction, the following becomes apparent:

Under “rule of three” procedures:

- An eligible who ranked below the top three available and qualified eligibles is selected; or
- A non-preference eligible among the top three available and qualified eligibles is selected over a higher ranked preference eligible, in the absence of an approved pass-over request.

Under category rating procedures:

- A non-preference eligible within the highest quality category is selected over one or more qualified and available preference eligibles ranked in the same quality category, in the absence of an approved pass-over request(s); or

- A selection is made from a lower quality category when three or more qualified and available eligibles remain in the higher category regardless of veterans' preference status.

### **Importance of a Timely Audit Process**

In most instances, potential selection violations are first noted in the audit process. This is the principal reason why it is essential to audit returned certificates before selectees enter on duty. Out of order selections can more easily be resolved if you have a timely audit process. Pending appointments can be immediately put on hold while further options are explored or missing documentation is secured (e.g., there is no documentation supporting declinations from eligibles). If no resolution is possible the **job offer must be rescinded** and the selectee so informed.

### **Correcting (Regularizing) an Erroneous Appointment**

If the illegally selected eligible has already entered on duty and no way can be found to regularize the selection, he or she may be subject to removal.

As a first step to correcting the appointment, you should make every effort to place the employee on an appointment that can be effectuated consistently with applicable law. Alternate legitimate appointment avenues should be explored in order to regularize the appointment. This could involve posting a job opportunity announcement under delegated examining or merit promotion, if the employee has eligibility (for example, if the employee is VEOA eligible). This could also include identifying an appropriate non-competitive authority (e.g., the VRA authority) to appoint the employee.

If no such competitive or non-competitive alternative appointment avenue is available or appropriate, find out whether the employee could have been properly appointed at the time the error was made, i.e., review previously advertised positions for which the employee qualified and reconstruct those case files to determine if the employee was within reach for selection. If the employee could not have been properly appointed when the error was made (i.e., was not within reach), find out if the employee could have been within reach competitively at **any time** during the period of de facto employment. If he or she was within reach for selection, a new appointment action should be processed, citing the reconstructed certificate as the appointing authority.

Once the employee is on a proper appointment, it would then be necessary to submit a variation request to OPM through your agency headquarters explaining the circumstances and requesting approval to provide service credit to the employee concerned to cover the period from the date of the original erroneous appointment up until the date of the second appointment action. You must show proof that the erroneous appointment was corrected by proper competitive procedures.

If none of the alternatives discussed are possible, you must regularize the appointment by removing the incumbent or submitting a variation request to OPM in order to retain the incumbent. A variation may be granted to avoid unnecessary hardship to the employee, i.e., loss of employment, pay, grade or significant service credit. You must have made extensive efforts to

regularize the erroneous appointment before OPM will consider granting a variation. For more information on requesting a variation, see <https://www.opm.gov/policy-data-oversight/hiring-authorities/variatiions/#url=Overview>.

### **Documentation**

In all cases of erroneous certification, the case file must be documented with the facts of the case. Follow-up action should also be taken, (e.g., review of processing procedures and/or additional staff training) to preclude recurrence of the problem.

### **Notification**

If an illegal selection is discovered and another eligible is affected, you should notify the affected eligible immediately.

## Priority Consideration

Priority consideration is a special placement priority given to those eligibles who lost consideration due to a violation of law (e.g., title 5 of the U.S.C. or the Veterans' Preference Act of 1944). All four conditions discussed previously must be met to constitute a violation of law. These eligibles are given priority consideration for future vacancies until they are either selected or receive priority considerations equal to the number of selections for which they were denied consideration. The name(s) of the eligible(s) who lost consideration is entered at the top of a Certificate of Eligibles subsequently issued for the same position for which consideration had originally been lost. The priority consideration eligible's status should be annotated on the certificate. Regular order of selection rules apply.

You should take the following steps to provide priority consideration to those eligibles who lost consideration.

Step	Action
1 (voluntary)	<p>If you determine that an eligible lost consideration on a certificate, the appointing officer can voluntarily make an offer to non-competitively appoint the eligible to one of the following positions:</p> <ul style="list-style-type: none"> <li>• an <b>identical</b> job (same series, same grade, same promotion potential, same tenure, same geographic location, or any location the eligible deems acceptable); or</li> <li>• an <b>equivalent</b> job (same grade, same promotion potential, and same tenure) for which the eligible qualifies in the same geographic area in which the eligible lost consideration or in any geographic area that the eligible considers acceptable.</li> </ul> <p>If the eligible accepts or declines one of the appointment offers described above, no further action is necessary.</p> <p>Either of the above positions may be offered in a different geographic location if the location is acceptable to both the eligible and the appointing officer.</p>
2 (mandatory)	<p>If the appointing officer declines to voluntarily make any of the offers listed above, then the eligible must receive priority consideration for the next appropriate position announced under competitive procedures. The name(s) of the eligible(s) who lost consideration is entered at the top of a Certificate of Eligibles.</p> <p>The appointing officer has the option of offering the eligible either or both of the following:</p> <ul style="list-style-type: none"> <li>• Option 1: Priority consideration for the next equivalent job (same grade, same promotion potential and same tenure) within the agency for which the eligible is <b>minimally qualified</b> in any geographic area that the eligible deems acceptable.</li> <li>• Option 2: Priority consideration for the next equivalent job (same grade, same promotion potential and same tenure) within the agency for which the eligible is <b>well-qualified</b> in any geographic area that the eligible deems acceptable.</li> </ul>

Step	Action
	Note: 10-point preference eligibles must be offered Option 1, i.e., they must be offered a position for the next equivalent job to which they are <b>minimally qualified</b> .

If a certificate containing the name of a priority candidate is not used, then priority consideration has not occurred, and the candidate is entitled to additional referrals.

In competitor inventory (standing register) situations, priority consideration referral is assured by placing the eligible at the top of the inventory until he or she receives the number of considerations to which entitled. In case examining situations, the examining office will need to establish special procedures to ensure the priority candidate's application is retrieved when future vacancies arise.

### Determining the Number of Priority Considerations

The following table describes a recommended method of determining the number of priority considerations an eligible should receive under either a case examining or standing register-based environment.

IF...	THEN the...
Case examining	number of priority considerations would equal the number of selections made from the original certificate in which the eligible was denied consideration.
Standing register	eligible would continue to receive priority considerations until appointed or until the eligible has received the number of bona fide employment considerations that he or she would have received had the fault not occurred, whichever comes first.

In cases involving standing register operations where it is impossible to determine the exact number of lost employment consideration opportunities, an appropriate number of priority consideration opportunities should be given to the eligible based on:

- Level of certification activity from the register; and
- Length of time over which consideration was lost

The basis for reaching a determination regarding the appropriate number of such opportunities to which a given eligible is entitled must be documented in the examining file.



## Section F – Shared Certs

### Background

On March 18, 2016, the Competitive Service Act of 2015 was enacted as Public Law 114-137. The Act allows an appointing authority (i.e., the head of a Federal agency or department) to share a competitive certificate issued under delegated examining procedures with one or more appointing authorities (at different departments or agencies) to make an appointment to a position that is in the same occupational series, grade level (or equivalent), full performance level, and duty location during the 240-day period beginning on the date of issuance of the Certificate of Eligibles.

An agency, the “original hiring agency,” may share a competitive service certificate issued under its delegated examining authority with one or more hiring agencies, the “receiving agency,” for a position to be filled on a permanent or term basis that is in the same occupational series, grade level (or equivalent), full performance level, and duty location. All actions taken on a shared certificate must be made within the 240-day period beginning on the date the original hiring agency issued the Certificate of Eligibles (5 U.S.C. §§ 3318(c), 3319(c)(2)). All actions taken on competitive certificates must be done in accordance with all applicable regulations and delegated competitive examining procedures (5 CFR § 332.408).

The following outlines the requirements for sharing and using a shared Certificate of Eligibles. Whether you are the agency sharing the certificate (the original agency) or an agency using a shared certificate issued by another agency (the receiving agency), carefully review the requirements of each party to ensure all steps are completed and documented through the process. Additional guidance can be found in the CHCO Memo, *Implementing Policy Guidance for the Competitive Service Act (Shared Certificates)*, issued January 11, 2018 found at: <https://www.chcoc.gov/content/implementing-policy-guidance-competitive-service-act-shared-certificates>.

### Requirements for the Original Agency (the Agency Sharing a Certificate)

In order to share a Certificate of Eligibles, the original agency must provide notice within the job opportunity announcement for the original vacancy that the resulting list of eligible candidates may be used by one or more hiring agencies. The job opportunity announcement must provide instructions for applicants on how to opt into having their applications and other personal information shared with other hiring agencies. A Certificate of Eligibles may be shared with one or more agencies only after the original agency audits the certificate, including the resolution of any objections to eligibles or requests to pass-over preference eligibles. A Certificate of Eligibles may be shared with more than one agency at the same time or shared sequentially with more than one agency.

When sharing a Certificate of Eligibles, the original agency shares all documentation pertaining to the creation of that certificate, including but not limited to the job analysis, testing and examination materials (under test security procedures, or agreement), the job opportunity

announcement, and applications, as relevant, and must safeguard any personally identifiable information (PII) not needed for effective use of the certificate by the receiving agency. The original agency must share the Certificate of Eligibles in its original form in order to retain the original ordering of the certificate; must safeguard any PII from unauthorized access during the transmission process; and must redact the names of those applicants who have not opted into inclusion on the shared certificate. The original agency also redacts the names of any eligibles it selected from the certificate.

Agencies sharing certificates must keep records of the instances of sharing certificates and be prepared to provide this information to OPM upon request.

If the original hiring agency, at any time, determines that it has made an error that may affect selections by a receiving agency or agencies, it must notify each receiving agency of the details of the error.

### **Requirements for the Receiving Agency (the Agency Receiving a Shared Certificate)**

A receiving agency may use a competitive Certificate of Eligibles issued by another agency's delegated examining unit (shared certificate) to fill a vacancy in the same occupational series, at the same grade level (or a corresponding rate or level of pay for a position excluded from the General Schedule), with the same full performance level, and in the same duty location as was listed on the original hiring agency's certificate.

A receiving agency must verify through its job analysis that the minimum qualification requirements (including use of any selective factors) and the competencies/KSAs that were used for the original position are appropriate for its position to be filled. This verification is necessary to establish the job-relatedness and relevance of the assessment method used, consistent with 5 CFR part 300 subpart A.

Before using a shared certificate, a receiving agency must notify the individuals on the shared certificate of its receipt of their names and application materials and its intention of considering them for a position. This notification must inform these individuals of its requirement to consider its own employees as well as other individuals the agency is required to consider (for example, CTAP and RPL eligibles) before consideration of anyone on the shared certificate. The notification must include the agency, position title, series, grade level or equivalent, and duty location. A receiving agency is encouraged to include any additional information about the position it is filling that would be helpful to the candidates.

Before making a selection from a shared certificate, a receiving agency must provide notice of its intent to fill the available position to its own employees and other individuals the agency is required to consider, such as the agency's CTAP and RPL eligibles, consistent with 5 CFR part 335, and provide these individuals up to 10 business days to apply. (Nothing in this provision affects an agency's right to fill a position from any appropriate source under 5 CFR § 330.102 and 5 CFR § 335.103.)

If, after considering its own employees, a receiving agency wishes to make a selection from the shared certificate, it must first provide selection priority to individuals eligible under the ICTAP

who applied to the original job announcement. If there are no ICTAP eligibles, a receiving agency can make a selection from the shared certificate in accordance with veterans' preference rules and the provisions governing selections under competitive examining procedures.

A receiving agency considers candidates on a shared certificate independently of the actions of any other agency with which the certificate is shared. Additionally, a receiving agency may not reassess the applicants for purposes of rating and ranking. A receiving agency has 240 calendar days from the date the certificate was issued (by the original hiring agency) to select individuals from the shared certificate. Upon completion of the process, a receiving agency must audit the Certificate of Eligibles.

Objections to non-preference eligibles and requests to pass over preference eligibles must be adjudicated on a case-by-case basis. Therefore, adjudications by the original hiring agency (or OPM in the case of 30 percent or more disabled veterans) sustaining objections or granting pass-over requests do not extend to a receiving agency if a certificate is shared. A receiving agency may object or request to pass-over an eligible on a shared certificate in accordance with the procedures outlined in this Handbook and the provisions of 5 CFR part 332.

A receiving agency receives from the original agency all documentation pertaining to the creation of the shared certificate, including, but not limited to, the job analysis, testing and examination materials, job opportunity announcement, and applications as relevant. A receiving agency must maintain case file documentation under proper security rules for its use of the certificate sufficient to reconstruct its hiring actions later, if necessary, in accordance with this Handbook and all applicable regulations.

A receiving agency is notified in the event that the original agency determines an error was made on the original certificate. A receiving agency is responsible for taking appropriate action to address any erroneous actions that it took due to the error by the original agency.

Agencies receiving shared Certificates of Eligibles must keep records of the instances of using shared certificates and be prepared to provide this information to OPM upon request.

A receiving agency may not share or distribute the shared certificate to another Federal agency.

## Section G - References

The following table provides a list of sources pertaining to the topics covered by this section:

Topic	Reference
Merit system principles	5 U.S.C. § 2301
Additional points in examining for preference eligibles	5 U.S.C. § 3309
Preference eligibles; examinations; guards, elevator operators, messengers, and custodians	5 U.S.C. § 3310
Order of certification	5 U.S.C. § 3313
Competitive service; certification using numerical ratings	5 U.S.C. § 3317
Competitive service; selection using numerical ratings	5 U.S.C. § 3318
Competitive service; selection using category rating	5 U.S.C. § 3319 5 CFR part 337 subpart C
Employment (general), basic requirements	5 CFR part 300
Temporary and term appointments	5 CFR part 316
Positions restricted to preference eligibles	5 CFR part 330 subpart D
Agency career transition assistance plan (CTAP) for local surplus and displaced employees	5 CFR part 330 subpart F
Interagency career transition assistance plan for displaced employees	5 CFR part 330 subpart G
Recruitment and selection through competitive examination	5 CFR part 332
Order of selection from certificates	5 CFR § 332.404
Three considerations for appointment	5 CFR § 332.405
Shared use of a competitive certificate	5 CFR § 332.408
Rating applicants	5 CFR part 337
Processing medical eligibility determinations on Certificate of Eligibles	5 CFR part 339
OPM's <i>Handbook of Occupational Groups and Families</i>	<a href="https://www.opm.gov/policy-data-oversight/classification-qualifications/classifying-general-schedule-positions/occupationalhandbook.pdf">https://www.opm.gov/policy-data-oversight/classification-qualifications/classifying-general-schedule-positions/occupationalhandbook.pdf</a>
OPM's <i>The Guide to Processing Personnel Actions</i>	<a href="https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/#url=Processing-Personnel-Actions">https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/#url=Processing-Personnel-Actions</a>
OPM delegated examining web page	<a href="http://www.opm.gov/deu">www.opm.gov/deu</a>
OPM Forms	<a href="http://www.opm.gov/forms">www.opm.gov/forms</a>

<b>Topic</b>	<b>Reference</b>
<i>The Classifier's Handbook</i>	<a href="https://www.opm.gov/policy-data-oversight/classification-qualifications/classifying-general-schedule-positions/classifierhandbook.pdf">https://www.opm.gov/policy-data-oversight/classification-qualifications/classifying-general-schedule-positions/classifierhandbook.pdf</a>
Sample Interagency Delegated Examining Agreement	<a href="#">Appendix A</a>
Professional and Scientific Positions	<a href="#">Appendix K</a>
Rule of Three Certification and Selection Procedures	<a href="#">Appendix L</a>
Random Referral (Tie-Breaking) Instructions	<a href="#">Appendix M</a>

## **Chapter 7 – Reporting and Accountability**

This chapter describes the reporting and accountability requirements for delegated examining offices. Agencies must conduct annual internal audits of their delegated examining operations and submit to periodic reviews by OPM’s Merit System Accountability and Compliance Division (MSAC) (5 U.S.C. § 1104 and 5 CFR part 250 subpart A).

This chapter contains the following sections:

Section A	Safeguarding the Examining Process
Section B	Freedom of Information and Privacy Acts
Section C	Annual Internal Self-Audits
Section D	OPM Review
Section E	References

### **Section A – Safeguarding the Examining Process**

#### **Introduction**

This section outlines the basic requirements for safeguarding examination materials.

#### **Basic Security of Examination Materials**

You must protect the confidentiality, integrity, and availability of examination materials (paper files as well as electronic files). Any examining document that contains information that is not releasable under either the Freedom of Information Act (FOIA) or the Privacy Act must be maintained in locked filing cabinets or within secure electronic information systems, with access restricted to examining office employees only.

Such documents include:

- Rating schedules/crediting plans;
- Written test materials and answer sheets;
- Structured interview questions;
- Certificates of Eligibles;
- Correspondence files; and
- Application documents.

#### **Test Security and Control Officer (TSCO)**

A Test Security and Control Officer (TSCO) is a person who has been trained and certified in test security by OPM. Before you take possession of OPM-developed examination materials, you must identify an individual to serve as a Test Security and Control Officer (TSCO).

Specific duties and responsibilities of TSCOs are contained in [Appendix E](#), *Handbook for Agency Test Administrators and Test Control Officers*.

### Test Administrator (TA)

A Test Administrator (TA) is a person who has been trained and certified in test administration by OPM. Only OPM-certified Test Administrators may administer OPM-developed written tests.

### Test Security Agreement

All Test Security Control Officers and Test Administrators should sign and agree to all of the terms and conditions of a test security agreement (see [Appendix E](#)), which details their respective duties and responsibilities.

### Securing Examining Materials

The following describes how examining materials are secured:

<b>How Are Examining Materials Secured?</b>	
OPM-developed examining materials	<ul style="list-style-type: none"> <li>• OPM controls the security and release of OPM-developed written tests, rating schedules/crediting plans, proficiency skill tests, and scoring keys (see 5 CFR part 300); and</li> <li>• Only OPM-trained and certified Test Administrators and Test Security and Control Officers may have access to OPM-developed test materials. Applicants, union officials, and managers MAY NOT access these materials.</li> </ul>
OPM Written tests	<ul style="list-style-type: none"> <li>• Lock all written test booklets and test papers in a secure place when not in use.</li> <li>• Only OPM-authorized Test Administrators or Test Control Officers may enter the test room with the competitors (for more detailed information, see <a href="#">Appendix E</a>).</li> </ul>
Rating schedules/crediting plans/other assessment tools	<ul style="list-style-type: none"> <li>• Only trained and authorized individuals may handle rating schedules/crediting plans.</li> <li>• You may not loan, give, sell, or otherwise make rating schedules/crediting plans, or answer keys available to any unauthorized individuals, including other components within your agency, without OPM's written permission; nor may you knowingly permit others to make such materials available to unauthorized individuals.</li> <li>• If you are using an automated system such as USA Staffing, you must never leave a computer unattended for an undue length of time (e.g., breaks, lunch, and meetings). You must exit the system during these periods to prevent unauthorized individuals from gaining access to examining materials.</li> </ul>

### **When an Examining Office Employee, or a Close Relative, Intends to Compete**

Employees who are involved in delegated examining activities, including subject matter experts, should notify their supervisor in writing if they:

- Intend to apply for a position that is being handled by the delegated examining office in which they work, or
- Know that a relative or a member of their household intends to apply for such a position.

When an employee, an employee's relative, or a member of an employee's household applies for a position that is being handled by the employee's office, the employee may not be involved in examining and certifying applicants for that position. Your agency must establish a procedure for monitoring or segregating such employees during the examining and certification process as prescribed by the Interagency Delegated Examining Agreement (see [Appendix A](#)).

### **When an OPM Test is Legally Challenged**

If any OPM test material(s) become involved in a legal proceeding conducted by a court of law or others vested with legal authority, you must notify OPM, Employee Services, who will in turn notify OPM's Office of General Counsel, who will assess the appropriateness of the request and either challenge the request or seek a protective order over the test materials to safeguard their confidentiality.



## Section B – Freedom of Information (FOIA) and Privacy Acts

An applicant has the right under the Freedom of Information (FOIA) and Privacy Acts (PA) to request certain materials for review or photocopying. This section will discuss which materials can be made available for advisory purposes only. Ultimately, your agency is responsible for deciding whether examining information must be released. OPM maintains control over the security and release of OPM-developed testing and examination materials (5 CFR § 300.201). Requests for the release of such materials must be forwarded to OPM. OPM does not release testing and examination materials the disclosure of which would compromise the objectivity of the testing process.

You can find specific provisions pertaining to the release of public information under the Freedom of Information and Privacy Acts in 5 CFR parts 294 and 297. Additional information and the latest guidance are located on the Department of Justice's (DOJ) web site at [http://www.justice.gov/oip/04\\_1\\_1.html](http://www.justice.gov/oip/04_1_1.html).

### General Policy

You must comply with the FOIA and any guidance issued by DOJ. Any discretionary decision made by you or your agency to disclose information protected under the FOIA should be made only after full and deliberate consideration of the institutional, commercial, and personal privacy interests that could be implicated by disclosing the information.

### Privacy Act Requests - Material to be Made Available by Authority of the Privacy Act

The following materials may be made available for review or photocopying by applicants who are the subject of the materials, or to their designated representative, when requested under the Privacy Act:

- Application materials submitted by the requesting individual. Notations made by raters or reviewers showing earned rating, veterans' preference, and final rating may remain, as well as notations on experience blocks showing qualifying experience or quality level;
- Application record, whether electronic or paper copy, or other documentation of the requesting individual's application;
- Certification history – identification of dates, jobs, and agencies for which the eligible's name was certified;
- Certificates of Eligibles, provided that the names, addresses, social security numbers, phone numbers and any other personal information pertaining to all other eligibles is marked out. **NOTE:** The names of *appointed* individuals - but not other personal information about them - are matters of public record, and therefore may remain unmasked on the certificate. However, care should be taken to determine that the individual shown as selected actually entered on duty;
- Availability inquiry responses;
- Position descriptions in the certification file; and

- Reasons, submitted by the appointing authority, in support of a proposed pass-over of a preference eligible must be furnished to the preference eligible, or his or her representative, upon request (see 5 U.S.C. § 3318(c)).

The above information may be made available to a third party only with written authorization from the person who is the subject of the information requested.

### **Exempt Material Not to be Made Available**

The following materials may not be disclosed to members of the public, including the applicant concerned:

- Answer keys,
- Rating schedules/crediting plans and other assessment tools,
- Rating sheets, and
- Test booklets or items

### **Exempt Material: Confidential Disclosure on a Need-to-Know Basis**

Equal employment opportunity (EEO) counselors, investigators and other individuals often request to see confidential information, while observing agency rules and procedures, for such things as applications and rating schedules/crediting plans. Use your discretion, and if unsure, confer with legal counsel, in deciding what information to disclose and under what conditions.

EEO officials are usually allowed to review documentation relevant to the pending EEO matter, but the examining office can, if it wishes, control that review. For example, you can arrange for the review to take place in the presence of a delegated examining office representative and prohibit photocopying of documents.

### **FOIA Requests**

We encourage you to share information that is releasable under the Privacy Act even when the request is mistakenly made under the Freedom of Information Act (FOIA). However, any release of information should state that the records are being released under authority of the Privacy Act, rather than the FOIA.

**Denial of Disclosure:** If you refuse to disclose information that is requested under the FOIA, you must cite the appropriate exemption(s) in the Act, and tell the requester of his or her right to appeal your decision and to whom such an appeal can be made (it is not an appealable denial of information to advise a requester that you cannot comply with the request if the information does not exist).

Most denials of disclosure will be based on the following exemptions:

- 5 U.S.C. § 552(b)(2), internal personnel rules and practice;
- 5 U.S.C. § 552(b)(5), interagency or intra-agency memorandums or letters; and/or

- 5 U.S.C. § 552(b)(6), personnel and medical files the disclosure of which would constitute a clearly unwarranted invasion of a third person's privacy.

In the interest of public relations, you should explain the reason(s) for denial whenever possible. Refer questions regarding issues not covered above to your designated point of contact within your agency (typically your legal counsel) for decision.

### **Disposition of Records**

You should determine where you will maintain examining records (e.g., certification files and applications), and advise your headquarters delegated examining program manager (or equivalent) so that he or she can notify OPM of this location. Examining records must be:

- Retained during a specific period of time as explained in [Appendix C](#), Records Retention and Disposition Schedule, and
- Available for OPM's review(s) during the period that the specific document(s) must be retained.

## **Section C – Annual Internal Self-Audits**

### **Introduction**

You must conduct an annual “self-audit” or “self-evaluation” of your delegated examining operations as prescribed by your Interagency Delegated Examining Agreement (see [Appendix A](#), Sample Interagency Delegated Examining Agreement).

### **Who Performs the Annual Internal Self-Audit?**

Only individuals who are not involved in the delegated examining activities of the office being audited may conduct the annual self-audit. These self-audits may only be conducted by persons who have successfully completed delegated examining training from OPM and maintain active delegated examining certification status. This applies to Federal employees as well as contractors. [Appendix G](#), Evaluating Delegated Examining Programs, provides information about the characteristics of an effective delegated examining program.

### **Exception from Self-Audits**

If OPM conducts a review of your delegated examining operation, or if your agency conducts such a review under its independent audit program, either review may substitute for your annual self-audit (see Section D of this Chapter).

### **Certification of Self-Audit**

You must maintain documentation that the required annual self-audit has been completed. Such documentation will be requested in advance of an OPM or agency-led review.

## Section D – OPM Review

OPM's Merit System Accountability and Compliance (MSAC) conducts periodic reviews of delegated examining offices to ensure that they are operating in accordance with merit system principles and applicable laws, regulations, and policies.

### **How to Prepare for an OPM or Agency-Led Review**

Your agency will be notified in advance of the review and asked to provide information about your delegated examining operations. You should review any agency delegated examining guidance and local DEU procedures to confirm they are in compliance with law, regulations, and your agency's Interagency Delegated Examining Agreement with OPM.

Agencies are required to have accountability systems in place to assure compliance with laws, regulations, and Interagency Delegated Examining Agreement requirements and to drive efforts to improve effectiveness and efficiency of delegated examining programs. A quality review or quality control mechanism is particularly important to ensure selections are valid before selectees enter on duty, identify potential training needs of staff, and implement necessary improvement efforts. Data analysis (e.g., tracking timeliness and cost of filling positions) and feedback from a variety of sources (e.g., surveying hiring managers about the quality of candidates referred and the adequacy of the service and support provided by the HR office, surveying selectees about their perceptions of the hiring process, etc.), will help determine program effectiveness.

To help you prepare for an OPM review (or for a review conducted under your agency's independent audit program), see [Appendix G](#), Evaluating Delegated Examining Programs.

### **Special Note**

The MSAC or agency-led review of your delegated examining office satisfies your annual self-audit requirement.

## Section E – References

The following table provides a list of sources for the topics covered by this section:

Topic	Reference
Freedom of Information Act (FOIA)	5 U.S.C. § 552; 5 CFR part 294
Privacy Act	5 U.S.C. § 552a; 5 CFR part 297
Delegation of authority for personnel management	5 U.S.C. §1104
Merit system principles	5 U.S.C. § 2301
Employment of relatives; restrictions	5 U.S.C. § 3110; 5 CFR Part 310
Competitive service; selection using numerical ratings	5 U.S.C. § 3318(c)
Authority for personnel actions in agencies	5 CFR part 250
Employment (general)	5 CFR part 300
OPM delegated examining web page	<a href="http://www.opm.gov/deu">www.opm.gov/deu</a>
Sample Interagency Delegated Examining Agreement	<a href="#">Appendix A</a>
Records Retention and Disposition Schedule	<a href="#">Appendix C</a>
<i>Handbook for Agency Test Administrator and Test Control Officer</i>	<a href="#">Appendix E</a>
Test Security Agreement	<a href="#">Appendix E</a>
Evaluating Delegated Examining Programs	<a href="#">Appendix G</a>

## Glossary

Term	Definition
<b>Ability</b>	A competence to perform an observable behavior or a behavior that results in an observable product.
<b>Administrative Law Judge (ALJ)</b>	An independent, impartial trier of fact in formal administrative hearings. In general, ALJs prepare for and preside at formal hearings on the record as required by statute to be held under the Administrative Procedure Act, in sections 553-559 of title 5, United States Code (U.S.C.).
<b>Agency Certification Program</b>	A certification developed by an agency, group of agencies, or other group that demonstrates a person's proficiency in the job-related competencies/knowledge, skills, and abilities (KSAs). An agency certification program does not have to be recognized by a professional community. (See <a href="#">Chapter 2, Section C</a> )
<b>Applicant</b>	A person who applies for a vacant position.
<b>Appointee</b>	The person who is selected for a position, and enters on board with the hiring agency.
<b>Appointing Officer</b>	A person having the authority, by law, or by duly delegated authority, to appoint, employ, or promote individuals to positions in an agency.
<b>Appointing Authority</b>	The legal or regulatory basis on which a specific appointment may be made to a Federal civilian position.
<b>Assessment Center</b>	A method of evaluating a candidate's job-related competencies/KSAs using multiple raters and exercises to evaluate each competency. Assessment centers utilize a variety of competency-related assessment simulations, including group exercises, in-basket exercises, questionnaires, fact-finding exercises, interviews, and role-playing. (See <a href="#">Chapter 2, Section C</a> )
<b>Assessment Questionnaire</b>	See "occupational questionnaire."
<b>Assessment Tool</b>	A device or method used to measure the degree to which an applicant possesses the competencies/KSAs necessary for successful job performance. Examples of assessment tools include occupational questionnaires, rating schedules, written tests, work samples, and structured interviews. (See <a href="#">Chapter 2, Section C</a> )
<b>Augmentation</b>	A procedure by which additional points are added to the ratings of eligibles based upon an assessment of competencies/KSAs pertaining to specific job-related criteria that were not previously measured. (See <a href="#">Chapter 5, Section B</a> )

<b>Term</b>	<b>Definition</b>
<b>Auditing</b>	The process of certifying the action taken on a returned Certificate of Eligibles by the human resources office to confirm compliance with legal and regulatory selection procedures. (See <a href="#">Chapter 6, Section C</a> )
<b>Behavioral Consistency Method</b>	A method of evaluating a person’s training and experience by asking candidates to describe their major achievements in several job-related areas identified for the position, called job dimensions (i.e., competencies/KSAs). The behavioral consistency method operates on the assumption that past behavior is the best predictor of future performance. (See <a href="#">Chapter 2, Section C</a> and <a href="#">Appendix D</a> )
<b>Bona Fide Consideration</b>	An applicant receives bona fide consideration when his or her name is within the group of three eligible candidates referred to the selecting official on a certificate list and a legal appointment is made from among the group of three. Each eligible candidate is entitled to three bona fide considerations for the same appointment by the same appointing official before he or she can be eliminated from consideration. (This provision does not apply under category rating procedures.)
<b>Candidate</b>	An applicant who meets the minimum qualifications requirements and passes an assessment for a position, and is therefore eligible for consideration. See also “eligible.”
<b>Career-Conditional Appointment</b>	Appointment to a non-temporary position in the competitive service pursuant to 5 Code of Federal Regulations (CFR) part 315.
<b>Career Transition Assistance Plan (CTAP)</b>	A program designed by an agency to actively assist its employees who have been notified that they are “surplus” or will be displaced by providing selection priority for intra-agency competitive service vacancies. Under the career transition assistance plan (CTAP), you must notify employees who are “surplus” or will be displaced from your agency of vacancies that your agency plans to fill in their local commuting area. (See <a href="#">Chapter 4, Section B</a> and 5 CFR part 330)
<b>Case Examining</b>	A technique in which the job seeker applies directly to a job opportunity announcement for a specific job and is rated and ranked using job-related competencies/KSAs. A certified delegated examiner conducts the examination process and issues a Certificate of Eligibles for the position, but does not maintain a competitor (standing) inventory of qualified applicants.



<b>Term</b>	<b>Definition</b>
<b>Category Rating</b>	A process of evaluating qualified eligibles by quality categories rather than by only assigning individual numeric scores. The agency assesses candidates against job-related criteria and then places them into one of two or more distinct quality categories. This is one of two examining methods available. The other is the “rule of three.” (See <a href="#">Chapter 5, Section B</a> and <a href="#">Chapter 6, Section B</a> )
<b>Certificate of Eligibles</b>	A list of the highest-ranked eligibles in descending score or quality category order, including veterans’ preference entitlement, submitted to a hiring manager for appointment consideration in accordance with the competitive selection laws and regulations. (See <a href="#">Chapter 6, Section B</a> )
<b>Closing Date</b>	The date beyond which applications for an advertised position will no longer be accepted. A closing date should be established for each vacancy and must be provided in the job opportunity announcement advertising the position. (See <a href="#">Chapter 3, Section B</a> )
<b>Competency</b>	A measurable pattern of knowledge, skills, abilities, behaviors, and other characteristics that an individual needs to perform work roles or occupational functions successfully. The terms competencies and KSAs are sometimes used interchangeably and serve the same function in the job analysis process. (See <a href="#">Chapter 2, Section B</a> )
<b>Competency-Based Job Profile</b>	A statement of the general and technical competencies required for optimal performance in an occupation or job family. Competencies identified as critical for a job provide a basis for developing applicant assessments and related products.
<b>Competitive Appointment</b>	An appointment based on selection from a competitive examination or under other specific authority.
<b>Competitive Examining</b>	<p>The process used to fill civil service positions with candidates who apply from outside the Federal workforce. It is also used to enable current Federal employees without civil service status to compete for a permanent appointment and to enable employees with civil service status to compete for other Federal positions.</p> <p>The competitive examination, which is open to all applicants, may consist of a written test, an evaluation of an applicant’s education and experience, structured interview, and/or an evaluation of other attributes necessary for successful performance in the position to be filled.</p>

<b>Term</b>	<b>Definition</b>
<b>Competitive Status</b>	A person’s basic eligibility for assignment (for example, by transfer, promotion, reassignment, demotion, or reinstatement) to a position in the competitive service without having to compete with members of the general public in an open competitive examination. Once acquired, status belongs to the individual, not to the position. (5 U.S.C. § 3304(a))
<b>Competitor Inventory</b>	A competitor inventory is a descending rank-ordered list of eligibles, including veterans’ preference entitlement, that meets one set of qualification requirements, have passed one examining vehicle, and are available to be considered for: one or more grade levels; one or more occupational specialties; at one or more geographical locations; and various employment conditions identified on the job opportunity announcement such as, travel, night or shift work. A competitor inventory is an alternative to case examining and is effective when many recurring vacancies are anticipated over time. Also referred to as “standing inventory” or “standing register.” (See <a href="#">Appendix J</a> )
<b>Content Validity</b>	A characteristic possessed by an assessment instrument whose contents accurately reflect actual job requirements. For example, a typing test would likely be a highly content-valid instrument for assessing a person’s qualifications to be a clerk-typist. Also referred to as “face validity.” (See <a href="#">Chapter 2, Section C</a> )
<b>Crediting Plan</b>	A method by which a candidate’s job-related competencies/KSAs are evaluated by reviewing the factual background of a candidate, to include positions held, levels of responsibility, accomplishments, and job-related education they have received. Also known as a rating schedule. The most commonly used form of a crediting plan/rating schedule is the occupational questionnaire. See also “training and experience evaluation.” (See <a href="#">Chapter 2, Section C</a> )
<b>Critical Hiring Need</b>	A need to fill a particular position or group of positions to meet agency mission requirements brought about by an emergency or potential threat; to meet unanticipated or unusual mission requirement; to conform to the requirements of law, a Presidential directive or Administration initiative; or to address an unexpected event outside of an agency's control. (See <a href="#">Chapter 2, Section A</a> )

<b>Term</b>	<b>Definition</b>
<b>Custodian</b>	One who performs cleaning or other ordinary routine maintenance duties in or about a small government building or a building under Federal control, park, monument, or other Federal reservation; or acts as a foreman of laborers engaged in cleaning or janitorial duties in a large government building under Federal control; or fires a heating plant in a Federal building as a part of his/her duties in connection with the cleaning and ordinary maintenance of the building. Custodian positions may be classified in various series, e.g., Housekeeping Aid, WG-3566. Custodian positions are restricted by law to preference eligibles. (See <a href="#">Chapter 6, Section A</a> )
<b>Cut-off Date</b>	The date after which applications will continue to be accepted, but will not be given initial consideration. A cut-off date may be useful where large numbers of applications are expected over an extended period of time, and there is an immediate need to fill a position. If a cut-off date is established, it must be included in the job opportunity announcement advertising the position. (See <a href="#">Chapter 3, Section B</a> )
<b>Deferred-Rated Competitor Inventory</b>	A list of applicants in alphabetical or identification number order. The list also includes options and grades for which the applicants are considered. Although there may be an initial screening for minimum qualifications, applications are rated only when a certificate is requested for a specific job opportunity announcement. Typically, the rating is valid only for that specific position. (See <a href="#">Appendix J</a> )
<b>Delegation Agreement</b>	An agreement between the U.S. Office of Personnel Management and the head of a department or agency that delegates examining authority to the agency, as provided by 5 U.S.C. § 1104, as amended. (See <a href="#">Appendix A</a> )
<b>Delegated Examining Authority</b>	Authority to fill competitive civil service positions pursuant to a delegation agreement. Delegated examining authority must be exercised in accordance with civil service laws and regulations. (See <a href="#">Chapter 1</a> )
<b>DEU Examiners/Staff</b>	Agency representative(s) or staff member(s) operating under the agency's delegated examining authority. These individuals must be trained and certified by OPM in order to conduct delegated examining functions as stated in the agency's delegation examining agreement. (See <a href="#">Appendix A</a> )
<b>Direct-Hire Authority</b>	Authority that permits hiring under certain circumstances without regard to the provisions of 5 U.S.C. §§ 3309 through 3318, and 5 CFR parts 211 and 337 subpart A. (See <a href="#">Chapter 2, Section A</a> )

<b>Term</b>	<b>Definition</b>
<b>Displaced Employee</b>	A current agency employee serving under a competitive service appointment in tenure group I or II who has received a specific reduction in force (RIF) separation notice, or notice of proposed removal for declining a directed reassignment or transfer of function outside of the local commuting area. (See <a href="#">Chapter 4, Section B</a> and 5 CFR part 330)
<b>Dual Certification</b>	The concurrent referral of an applicant to more than one position such as, multiple grades, specialties, and/or geographic locations from eligibility established under a particular job opportunity announcement or application procedure. (See <a href="#">Chapter 6, Section A</a> )
<b>Education</b>	An indicator of proficiency that relates to course work completed by the candidate that is related to the competencies/KSAs needed to perform in the job. (See <a href="#">Chapter 2, Section C</a> )
<b>Elevator Operator</b>	Positions which are properly classified to the Elevator Operating Series, 5438. Positions with the primary duty of running freight or passenger elevators. The work includes opening and closing elevator gates and doors, working elevator controls, loading and unloading the elevator, giving information and directions to passengers such as on the location of offices, and reporting problems in running the elevator. Elevator Operator positions are restricted by law to preference eligibles. (See <a href="#">Chapter 6, Section A</a> )
<b>Eligible</b>	An applicant who satisfies the minimum qualifications requirements and passes an assessment for the position, and therefore is eligible for consideration. See also “candidate.”
<b>Erroneous Certification</b>	A certificate involving the inadvertent misranking or noncertification of an eligible in connection with a competitive Certificate of Eligibles. (See <a href="#">Chapter 6, Section E</a> )
<b>Erroneous Selection</b>	Occurs when a selection made from a certificate is out of order and results in a legal violation (i.e., an illegal selection or appointment). A violation of law cannot be allowed to stand, and corrective action taken must resolve the violation. See also “illegal selection.” (See <a href="#">Chapter 6, Section E</a> )
<b>Excepted Service</b>	A term used to describe all civil service positions that are excepted from the competitive service by Statute, Executive Order, or OPM action, and are not in the Senior Executive Service. (See <a href="#">Chapter 2, Section A</a> and 5 CFR part 213)
<b>Experience</b>	An indicator of proficiency that relates to the school, home, community, voluntary or work experiences of the applicant that are related to the competencies/KSAs needed to perform in the job. (See <a href="#">Chapter 2, Section C</a> )

<b>Term</b>	<b>Definition</b>
<b>Generic Rating Procedures</b>	A procedure for rating applicants that can be applied to a variety of positions, due to the fact that the positions have the same general competency/KSA requirements, with the primary difference reflected in the technical specialty areas. Typically, generic rating procedures are most applicable to entry-level positions. (See <a href="#">Chapter 5, Section B</a> )
<b>Guard</b>	Positions which are properly classified to the Guard Series, GS-0085. Positions with the primary duties of which are the performance or supervision of protective services work in guarding Federally owned or leased buildings and property; protecting Government equipment and material; and controlling access to Federal installations by employees, visitors, residents, and patients. The purpose of security guard work is to protect and prevent loss of materials or processes which are important for national defense, for public health or safety, or as national treasures. Guard positions are restricted by law to preference eligibles. (See <a href="#">Chapter 6, Section A</a> )
<b>Illegal Appointment</b>	Occurs when an illegally selected individual enters on duty. Illegal appointments must be regularized (corrected). Every effort must be taken to put the employee on a legal appointment. If no such corrective action is possible, a variation must be requested from OPM in order to retain the employee. (See <a href="#">Chapter 6, Section E</a> )
<b>Illegal Selection</b>	Occurs when a selection made from a Certificate of Eligibles is out of order and results in a violation of selection rules (i.e., a violation of law). A violation of law cannot be allowed to stand, and corrective action taken must resolve the violation. (See <a href="#">Chapter 6, Section E</a> )
<b>Indicator of Proficiency</b>	A source of evidence that a candidate possesses job-related competencies/KSAs (e.g., agency certification program, education, experience, professional activity, and professional certification). (See <a href="#">Chapter 2, Section C</a> )
<b>Interagency Career Transition Assistance Program (ICTAP)</b>	A process by which employees who have been involuntarily separated may receive selection priority for jobs in agencies other than the one in which they were previously employed. (See <a href="#">Chapter 4, Section B</a> and 5 CFR part 330)
<b>Interdisciplinary Position</b>	A position involving duties and responsibilities closely related to more than one <b>professional</b> occupation. As a result, you could classify the position into two or more professional occupational series. The nature of the work is such that persons with education and experience in two or more professions may be considered equally well qualified to do the work. (See <a href="#">Chapter 6, Section A</a> )

<b>Term</b>	<b>Definition</b>
<b>Job Analysis</b>	A systematic method for gathering, documenting, and analyzing information about the content, context, and requirements of the job. It demonstrates that there is a clear relationship between the tasks performed on the job and the competencies/KSAs required to perform the tasks. Job analysis information is used to develop employee selection procedures, identify training needs, define performance standards, and other uses. (See <a href="#">Chapter 2, Section B</a> and <a href="#">Appendix D</a> )
<b>Job Opportunity Announcement (JOA)</b>	A document that informs the public regarding a job vacancy. A job opportunity announcement (JOA) describes the requirements of the job, and instructs applicants regarding how to apply for the vacancy. JOAs must be posted on USAJOBS as a means of satisfying the public notice requirement. (See <a href="#">Chapter 3, Section C</a> )
<b>Job-Relatedness</b>	A standard met when the competencies/KSAs in the rating procedure are shown through an analysis of the job to be necessary for successful job performance.
<b>Knowledge</b>	A body of information applied directly to the performance of a function.
<b>KSAs</b>	An acronym for “Knowledge, Skills, and Abilities.” An applicant’s qualifications for a position are often determined with reference to the KSAs that are relevant to successful performance in that position. See also “competency.” The terms competencies and KSAs are sometimes used interchangeably and serve the same function in the job analysis process. (See <a href="#">Chapter 2, Section B</a> )
<b>Lost Consideration</b>	A serious type of erroneous certification where there is a violation of law: <i>title 5 (rule of three or category rating certification rules)</i> and/or the Veterans' Preference Act of 1944, as amended. (See <a href="#">Chapter 6, Section E</a> )
<b>Luevano Consent Decree</b>	A court decree entered on November 19, 1981 by the United States District Court for the District of Columbia in the civil action known as <i>Luevano v. OPM</i> and numbered as No. 79-271. The decree became effective on January 18, 1982. The decree has as its purpose the elimination of adverse impact, if any, in the appointment of African Americans and Hispanics to a variety of positions at GS-05 and GS-07 formerly covered by the Professional and Administrative Career Examination (PACE). The injunction against using the former PACE exam remains, but the other aspects of the decree terminated in 2007. (See <a href="#">Chapter 2, Section C</a> )

<b>Term</b>	<b>Definition</b>
<b>Merit Promotion Procedures</b>	A placement made under the authority of 5 CFR part 335, Promotion and Internal Placement. With certain important exceptions (e.g., Veterans Employment Opportunities Act (VEOA) eligibles) only career status employees may apply for positions that are to be filled under merit promotion procedures.
<b>Messenger</b>	Positions which are properly classified to the Messenger Series, GS-0302. This series includes all classes of positions the primary duties of which are to supervise or perform general messenger work, such as receiving, delivering, and collecting incoming and outgoing mail or other documents or items, including correspondence, memoranda, publications, records, files, packages, and other similar material. Positions in this series may also involve the performance of light manual or mechanical work, or general office tasks of a simple and routine nature, or the operation of a motor vehicle. Messenger positions are restricted by law to preference eligibles. (See <a href="#">Chapter 6, Section A</a> )
<b>Minimum Qualifications</b>	Qualifications that an applicant must possess, at a minimum, to be eligible to participate in an assessment for hire or promotion under the competitive system, e.g., education, experience, and/or other requirements (e.g., licensure). Applicants who do not meet the minimum qualification requirements for the position receive no further consideration. (See <a href="#">Chapter 4, Section B</a> )
<b>Multiple Certification</b>	The concurrent referral of an applicant to more than one grade, specialty, and/or geographic location. Also known as “dual certification.” (See <a href="#">Chapter 6, Section A</a> )
<b>National of the United States</b>	A person who was born in an outlying possession of the United States on or after the date of formal acquisition of such possession (including American Samoa and Swains Island), or who is a child of nationals under certain circumstances, or who meets other requirements described in law at 8 U.S.C. § 1408. (See <a href="#">Chapter 4, Section B</a> )
<b>Non-Competitive Action</b>	An appointment to or placement in a position in the competitive service that is not made by selection from an open competitive examination, and that is usually based on current or prior Federal service. A noncompetitive action includes (1) all of the types of actions described under in-service placement; (2) appointments of non-Federal employees whose public or private enterprise positions are brought into the competitive service under title 5 CFR part 316.701; and (3) appointments and conversions to career and career-conditional employment made under special authorities covered in 5 CFR part 315.

<b>Term</b>	<b>Definition</b>
<b>Notice of Results</b>	A letter that notifies an applicant of the status of his or her application. (See <a href="#">Chapter 5, Section C</a> )
<b>Objection</b>	An agency’s request to remove an eligible from consideration on a particular certificate. (See <a href="#">Chapter 6, Section D</a> )
<b>Occupational Questionnaire</b>	An assessment tool used to assess applicants’ qualifications and experience. Occupational questionnaires generally ask candidates to self-report their level of training and experience in carrying out critical tasks and demonstrating critical competencies identified through job analysis. (Also known as an assessment questionnaires.) See also “crediting plan” and “training and experience evaluation.” (See <a href="#">Chapter 2, Section C</a> )
<b>Open Periods</b>	The period during which applications may be submitted for consideration. The duration of the open period must be sufficient enough to provide adequate public notice of the vacancy, and must be clearly specified in the job opportunity announcement. OPM recommends that agencies prescribe an open period of no fewer than five (5) calendar days. (See <a href="#">Chapter 3, Section B</a> )
<b>Pass-Over Request</b>	An objection filed against a preference eligible that if sustained, would result in the selection of a non-preference eligible. (See <a href="#">Chapter 6, Section D</a> )
<b>Preference Eligible</b>	A veteran, spouse, widow/widower, or parent, who meets the definition provided in 5 U.S.C. §§ 2108 and 2108a. Preference eligibles are entitled to have 5 or 10 points added to their earned score on a civil service examination under rule of three procedures or receive preference in selection under category rating procedures (see 5 U.S.C. §§ 3309 and 3319). Preference does not apply, however, to in-service placement actions such as promotions. (See <a href="#">Chapter 4, Section B</a> )
<b>Pre-rated Competitor Inventory</b>	A list of eligibles that have been rated and ranked and placed in the order in which they are certified, by option and grade. This type of listing has traditionally been called a register or standing register, and applications are referred to as being “pre-rated” or “front-end-rated.” (See <a href="#">Appendix J</a> )
<b>Priority Consideration</b>	Special placement priority that is given to a candidate who was previously denied consideration due to erroneous/illegal selection. (See <a href="#">Chapter 6, Section E</a> )
<b>Professional Activity</b>	An activity resulting in a substantial contribution to a profession that is related to the competencies/KSAs needed to perform the job. Examples include publications in professional journals, patents, prizes/awards, etc. (See <a href="#">Chapter 2, Section C</a> )



<b>Term</b>	<b>Definition</b>
<b>Professional Certification</b>	An indicator of proficiency that takes into account the certification that is issued and recognized by a specific general professional community or industry that demonstrates a person’s proficiency in the competencies/KSAs needed to perform the job. (See <a href="#">Chapter 2, Section C</a> )
<b>Public Notice</b>	The process of disseminating job vacancy information in a manner that assures that persons seeking Federal employment will have the opportunity to apply for the vacancy. Public notice explains to jobseekers when, where and how to apply for a Federal job. Public notice is required whenever you are considering hiring candidates from outside the Federal workforce for competitive service positions lasting more than 120 days. (See <a href="#">Chapter 3, Section B</a> and 5 CFR § 330.103)
<b>Quality Categories</b>	Groupings of individuals with similar levels of job-related competencies/KSAs developed under category rating procedures. (See <a href="#">Chapter 5, Section B</a> )
<b>Quality Level “A-C-E” Rating Procedure</b>	A rating procedure in which candidates are assigned ratings on qualifying experience and training according to a single quality level. Typically, three quality levels are used: “exceptional,” “good,” and “minimally qualified.” Also referred to as the “A-C-E” rating procedure. (See <a href="#">Chapter 5, Section B</a> )
<b>Quality Ranking Factor</b>	A competency/KSA that is expected to significantly enhance performance in a position. Unlike a selective factor, a quality ranking factor is not used as a “screen out” factor. (See <a href="#">Chapter 5, Section B</a> )
<b>Rating Procedures</b>	A single, comprehensive, documented process with specific criteria for making consistent and job-related determinations about the relative qualifications of applicants for a position. (See <a href="#">Chapter 5, Section B</a> )
<b>Rating Schedule</b>	See “crediting plan.”
<b>Reemployment Priority List (RPL)</b>	A list of employees within the local commuting area who have been separated from an agency due to reduction in force (RIF) or work-related injury. If an employee on the RPL is qualified for a vacancy that exists within his or her local commuting area, the agency must (with few exceptions) select that employee before hiring anyone from outside the agency. (See <a href="#">Chapter 4, Section B</a> and 5 CFR part 330)
<b>Register</b>	A list of eligible applicants compiled in order of relative standing for certification. Also known as a “standing register” or “competitive inventory.” See also “competitor inventory.” (See <a href="#">Appendix J</a> )

<b>Term</b>	<b>Definition</b>
<b>Reinstatement</b>	Non-competitive appointment of a person formerly employed in the competitive service (i.e., who either had a competitive status or was serving probation when separated) into the competitive service as a career or career-conditional employee. (See 5 CFR part 315)
<b>Reinstatement Eligibility</b>	The conditions under which a person may be reinstated into the competitive service. (See 5 CFR part 315)
<b>Reliability</b>	The degree of consistency or stability of an assessment tool over time, in different situations, or across applicants and/or raters. (See <a href="#">Chapter 2, Section C</a> )
<b>Rule of Three</b>	When selecting from a certificate of eligibles, an appointing officer must, with sole reference to merit and fitness, make a selection for the first vacancy from the highest three eligibles available for appointment on the certificate. This is one of two examining methods available. The other is category rating. (See <a href="#">Chapter 6</a> and <a href="#">Appendix L</a> )
<b>Schedule A Appointment</b>	A category of excepted service appointment that is applicable to positions that are indefinitely removed from the competitive service but are not of a confidential or policy-determining character, and that are not in the Senior Executive Service, but for which it is impracticable to examine. Examining for this purpose means application of the qualification standards and requirements established for the competitive service. OPM authorizes government-wide and agency specific authorities to fill positions under Schedule A. (See 5 CFR part 213)
<b>Schedule B Appointment</b>	A category of excepted service appointment that is applicable to positions that are removed temporarily from the competitive service but are not of a confidential or policy-determining character, and that are not in the Senior Executive Service, but for which it is impracticable to hold open competition or to apply the usual competitive examining procedures. A Schedule B appointment allows the agency to conduct targeted recruiting and hiring from among a particular class of persons, with the opportunity for the persons selected for those positions to convert to the competitive service at a later date. Candidates appointed under Schedule B authority must meet the basic qualification requirements established by OPM for the occupation and grade level. OPM authorizes government-wide and agency specific authorities to fill positions under Schedule B. (See 5 CFR part 213)

<b>Term</b>	<b>Definition</b>
<b>Schedule C Appointment</b>	A category of excepted service appointment that is applicable to positions that are of a confidential or policy-determining nature. Agencies must obtain authorization from OPM to make a Schedule C appointment. (See 5 CFR part 213)
<b>Schedule D Appointment</b>	A category of excepted service appointment that is applicable to positions that are not of a confidential or policy-determining character, for which the competitive service requirements make impracticable the adequate recruitment and selection of sufficient numbers of students attending qualifying educational institutions or individuals who have recently completed qualifying educational programs (students and recent graduates). (See 5 CFR parts 213 and 362)
<b>Schedule E Appointment</b>	A category of excepted service appointment that is applicable to administrative law judge positions. (See E.O. 13843, July 10, 2018)
<b>Selectee</b>	A person selected for appointment to a position.
<b>Selective Factor</b>	A competency/KSA or special qualification without which a candidate could not perform the duties of a position in a satisfactory manner. Selective factors are applied in addition to minimum qualifications. Applicants who do not meet a selective factor are ineligible for further consideration. (See <a href="#">Chapter 4, Section B</a> )
<b>Senior Executive Service (SES)</b>	The employment system that applies to any positions that are classified above GS-15 and involve executive management and high policy-making responsibilities. SES positions are excluded from the competitive service, the system of rules and regulations that apply to most civil service positions, but follow their own rules for recruitment and selection. (See 5 CFR parts 214 and 317)
<b>Severe Shortage of Candidates</b>	A severe shortage of candidates for a particular position or group of positions means that an agency is unable to identify a sufficient number of candidates possessing the competencies/KSAs required to perform the job requirements despite extensive recruitment, extended announcement periods, and the use, as applicable, of hiring flexibilities such as recruitment and relocation incentives. (See <a href="#">Chapter 2, Section A</a> )
<b>Skill</b>	An observable competence to perform a learned psychomotor act.
<b>Standing Inventory/Standing Register</b>	See “competitor inventory.”
<b>Status Applicant</b>	An applicant who has satisfied requirements for competitive status.
<b>Status Employee</b>	A current Federal employee who has competitive status.

<b>Term</b>	<b>Definition</b>
<b>Structured Interview</b>	An assessment method in which candidates' job-related competencies/KSAs are evaluated using standard questions that are scored systematically using predetermined criteria or benchmarks for all interviews for a particular job. The benchmarks provide behaviorally-specific examples of what constitutes high, medium, and low levels of proficiency. In each structured interview, applicants are asked the same questions in the same sequence, and their responses are scored according to the predetermined criteria or benchmarks. (See <a href="#">Chapter 2, Section C</a> )
<b>Subject Matter Expert (SME)</b>	A person with bona fide expert knowledge of the responsibilities, duties, day-to-day functions, competencies/KSAs, and requirements of a position. First-level supervisors are normally good subject matter experts (SMEs). Superior incumbents in the same or very similar positions and other individuals can also be used as SMEs if they have current and thorough knowledge of the position.
<b>Surplus Employee</b>	A current agency employee serving under an appointment in the competitive service, in tenure group I or II, who has received a Certification of Expected Separation or other official certification issued by the agency indicating that the position is surplus. (See <a href="#">Chapter 4, Section B</a> and 5 CFR part 330)
<b>Temporary Appointment</b>	A nonstatus appointment to a competitive service position for a specific time period not to exceed one year. (See <a href="#">Chapter 2, Section A</a> and 5 CFR part 316)
<b>Term Appointment</b>	A nonstatus appointment to a position in the competitive service for a specific period of more than one year and lasting not more than four years, unless an extension is granted by OPM. (See <a href="#">Chapter 2, Section A</a> and 5 CFR part 316)
<b>Test</b>	An evaluation of a candidate's job-related competencies/KSAs using a series of questions (e.g., true-false, fill-in-the-blank, matching, and multiple choice) or exercises that are administered in a paper-and-pencil or computer format. See "assessment tool." (See <a href="#">Chapter 2, Section C</a> )
<b>Test Administrator (TA)</b>	A person trained and certified by OPM to administer OPM written tests. Only OPM-certified Test Administrators may administer OPM-developed written tests. (See <a href="#">Appendix E</a> )
<b>Test Security and Control Officer (TSCO)</b>	A person who has been trained and certified in test security by OPM. A Test Security and Control Officer has overall responsibility for assuring that agency Test Administrators follow OPM guidance in administering OPM tests, and is also responsible for requesting, securing, and controlling test materials. (See <a href="#">Appendix E</a> )

Term	Definition
<b>Top-of-the-Register</b>	See “rule of three.”
<b>Training and Experience Evaluation</b>	A systematic method used to assess previous experience, education, and training information provided by job applicants. The assessment factors are based on critical job requirements and competencies/KSAs identified through a job analysis. Examples of training and experience evaluations include crediting plans/rating schedules and occupational or assessment questionnaires. (See <a href="#">Chapter 2, Section C</a> )
<b>Transmutation Procedures</b>	A mathematical process that is used to convert raw scores obtained by applicants to ratings between 70 and 100. (See <a href="#">Appendix I</a> )
<b>USAJOBS.gov</b>	A website that provides the public with comprehensive information regarding federal employment. Agencies must post their job opportunity announcements at USAJOBS.gov as part of the public notice requirement.
<b>USA Staffing</b>	A talent acquisition system that was developed by OPM and is available to agencies on a reimbursable (license fee) basis.
<b>Validity</b>	The degree that the assessment tool measures the competencies/KSAs important for job performance, i.e., people who score higher on the assessment will do better on the job. (See <a href="#">Chapter 2, Section C</a> )
<b>Veterans’ Preference</b>	A statutory right that entitles qualifying veterans to certain advantages in consideration for federal employment in the competitive and excepted services of the executive branch. Preference does not apply to merit promotion actions; certain Schedule A positions; positions in Schedule C, Schedule E, and the Senior Executive Service; or executive branch positions for which Senate confirmation is required. (See <a href="#">Chapter 4, Section B</a> )
<b>“Well-Qualified” Employee</b>	Under CTAP and ICTAP, an eligible employee whose competencies/KSAs clearly exceed the minimum qualification requirements for the position. (See <a href="#">Chapter 4, Section B</a> and 5 CFR part 330)
<b>Work Sample Assessment</b>	An assessment method in which a candidate’s job-related competencies/KSAs are evaluated based on work-specific activity or simulation of a work activity. A writing sample is an example of a work sample assessment. (See <a href="#">Chapter 4, Section C</a> )

## **Appendix A – Sample Interagency Delegated Examining Agreement**

The interagency agreement is how the U. S. Office of Personnel Management (OPM) delegates examining authority to agencies. The following is the standard interagency agreement currently being used. This document has been previously modified and may be modified again in the future.

---

**INTERAGENCY DELEGATED EXAMINING AGREEMENT**  
**Interagency Agreement Number (XXX-x)**  
**Between the**  
**Office of Personnel Management (OPM)**  
**And the**  
**[Agency Name]**

This document is a two-part agreement between the above-named parties which contains a delegation of examining authority and establishes the terms and conditions for agency use of OPM-developed examining instruments.

### **I. THE DELEGATION AGREEMENT**

#### **A. AUTHORITY**

Under 5 U.S.C. § 1104, as amended by Public Law 104-52 (1995), this Interagency Delegated Examining Agreement authorizes the [Agency Name] to examine applicants for positions at the [Agency Name] or for positions at another Federal agency that itself has executed a delegated examining agreement with OPM. OPM delegates examining authority at the headquarters level. Although [Agency Name] may decide which activity (i.e., component or office of [Agency Name]) carries out this authority and the extent to which the activity exercises it, the authority itself may not be re-delegated.

#### **B. POSITIONS COVERED**

Title 5 competitive service positions for all series and grade levels nationwide except Administrative Law Judge positions.

#### **C. EFFECTIVE DATE OF THE AGREEMENT**

This Agreement will become effective upon execution by both parties.

#### **D. APPLICABLE LAWS AND REGULATIONS**

All examining activities initiated under this Agreement must conform to the requirements of Federal laws, rules, regulations, Executive Orders, applicable court orders, and, where

applicable, specific operational procedures prescribed in the *Delegated Examining Operations Handbook*.

## **E. RESPONSIBILITIES OF THE PARTIES**

### **1. OPM Responsibilities**

OPM will:

- a. Provide operating guidelines and basic technical assistance through training and the *Delegated Examining Operations Handbook*.
- b. Perform initial certification and periodic recertification training of staff.
- c. Provide job seekers with up-to-date information about job opportunities and application procedures through the USAJOBS Governmentwide automated employment information systems.
- d. Retain exclusive authority to:
  - i. Make medical qualification determinations pertaining to preference eligibles (5 CFR 339.306), including review of a proposed disqualification of a 30 percent or more compensably disabled veteran on the basis of physical disability under 5 U.S.C. § 3312(b).
  - ii. Make suitability determinations and take suitability actions involving material, intentional false statement or deception or fraud in examination or appointment, or refusal to furnish testimony as required by 5 CFR 5.4 (5 CFR 731.103(a)).
  - iii. Grant or deny an agency's pass over request of a preference eligible with a compensable service-connected disability of 30 percent or more (5 U.S.C. § 3318).
  - iv. Make determinations on spousal derived veterans' preference claims where the claim for preference is based on a claim of common law marriage (5 U.S.C. § 2108(3)(D), (E); 5 CFR 211.103).
- e. Establish and maintain an oversight program to ensure that activities, including any competitive examining work performed for the agency (i) through the use of contractors under any authority delegated under 5 U.S.C. § 1104(a), or (ii) by another agency, on a reimbursable basis, under the Economy Act, are in accordance with the merit system principles and the performance standards established by OPM under 5 U.S.C. § 1104(b)(1), and support mission accomplishment. The agency making the appointment must be accountable for the work performed on its behalf and must itself

make each appointment and execute the documents evidencing the appointment. Any actions contrary to any law, rule, regulation, or any OPM established standard shall be corrected as required by OPM. (5 U.S.C. § 1104(c)) OPM reserves the right to order any corrective action, to suspend or withdraw any authority delegated by OPM to an agency, or to suspend or revoke this delegation agreement as described in 5 CFR 250.103.

## **2. Agency Responsibilities**

[Agency Name] will:

- a. Ensure adequate competition for positions in the competitive service by recruiting sufficient numbers of well-qualified candidates for consideration.
- b. Provide public notice of the opportunity to compete by listing all announcements for vacant competitive service positions in USAJOBS, a Governmentwide automated employment information system. To comply with its obligations under 5 U.S.C. § 3327 and 3330 to establish and keep current a comprehensive list of all announcements for vacant positions in the competitive service, OPM uses USAJOBS. Accordingly, [Agency Name] must also use USAJOBS when exercising its delegated authority under this Agreement.
- c. Determine appropriate public notice and length of open periods for receipt of applications by considering the nature of the positions covered by the examination, their career potential and the mobility/availability characteristics of the appropriate labor market. Notice periods of less than 5 calendar days must be documented in the examining file to show the examining office's rationale. OPM transmits public notice material electronically to State employment service offices nationwide.
- d. Use streamlined job opportunity announcements that are written in clear, concise, and plain language.
- e. Establish policies and procedures on the acceptance and processing of applications, including the use of résumés to establish minimum qualifications eligibility/ineligibility. Filing instructions and conditions must be specified clearly in the job announcement.
- f. Develop applicant assessment procedures. (5 CFR Part 300, subpart A)
- g. Use valid assessment tools, excluding written essays or narratives of competencies/knowledge, skills, and abilities (KSAs) at the initial stage of the application process.



- h. Obtain prior approval from OPM before modifying standards in the Operating Manual, Qualification Standards for General Schedule Positions, unless such modifications are otherwise authorized in the General Policies and Instructions section of the Manual.
- i. Rate applications and notify applicants of the status of their applications at key stages of the application process.
- j. Provide a procedure for applicants to request reconsideration of their ratings. The Agency must:
  - i. Refer to OPM any request to pass over a 30 percent or more compensably disabled veteran.
  - ii. Refer to OPM any objection or pass over request that is based on material, intentional false statement or deception or fraud in examination or appointment for review and adjudication under 5 CFR part 731, where appropriate.
  - iii. Refer other cases to OPM for suitability review as prescribed by 5 CFR 731.103(a)-(b).
  - iv. Refer to OPM for review and final approval determinations of ineligibility based on medical considerations as prescribed by 5 U.S.C. § 3312(b) and 5 CFR 339.306(b).
  - v. Make determinations on veterans' preference claims, including claims for spouse or mother preference based on the service-connected disability of a veteran, except for spousal derived preference based on a claim of common law marriage, which must be referred to OPM's General Counsel.
- k. Administer and score written tests. Individuals administering OPM tests must be trained and certified by OPM.
- l. Issue certificates of eligibles and audit certificates, and establish objection/pass over procedures. OPM retains exclusive authority to:
  - i. Make medical qualification determinations pertaining to preference eligibles (5 CFR 339.306), including review of a proposed disqualification of a 30 percent or more compensably disabled veteran on the basis of physical disability under 5 U.S.C. § 3312(b).
  - ii. Make suitability determinations and take suitability actions involving material, intentional false statement or deception or fraud in examination or appointment, or refusal to furnish testimony as required by 5 CFR 5.4 (5 CFR 731.103(a)).

- iii. Grant or deny an agency's pass over request of a preference eligible with a compensable service-connected disability of 30 percent or more (5 U.S.C. § 3318).
- iv. Make determinations on spousal derived veterans' preference claims where the claim for preference is based on a claim of common law marriage (5 U.S.C. § 2108(3)(D), (E); 5 CFR 211.103).
- m. Apply veterans' preference provisions of title 5, United States Code, including, but not limited to:
  - 5 U.S.C. § 3305 (Competitive service; examinations; when held)
  - 5 U.S.C. § 3309 (Preference eligibles; examinations; additional points for)
  - 5 U.S.C. § 3311 (Preference eligibles; examinations; crediting experience)
  - 5 U.S.C. § 3313 (Competitive service; registers of eligibles)
  - 5 U.S.C. § 3314 (Registers; preference eligibles who resigned)
  - 5 U.S.C. § 3315 (Registers; preference eligibles furloughed or separated)
  - 5 U.S.C. § 3317 (Competitive service; certification from registers)
  - 5 U.S.C. § 3318 (Competitive service; selection from certificates)
  - 5 U.S.C. § 3319 (Alternative ranking and selection procedures)
- n. Approve selective and quality-ranking factors identified and documented through job analysis of the position. (5 CFR 300.103)
- o. Make determinations on conversion to career or career-conditional appointment. (5 CFR 315.703)
- p. Make determinations on exceptions to the time-in-grade restriction when an employee is within reach on a register for competitive appointment to the position to be filled. (5 CFR 300.603)
- q. Make determinations on exceptions to time-after-competitive appointment restriction. (5 CFR 330.501)
- r. Operate examining activities in conformance with the agency's career transition assistance plan. (5 CFR 330 subpart F)
- s. Provide for a procedure whereby staff involved in delegated examining activities notifies their supervisor in writing when they intend to apply for a position covered by this Agreement that is handled by the delegated examining organization where they work. Employees must give similar notice if they know that a relative or a member of their household intends to apply. Such employees should be appropriately monitored or segregated from the examining and certification process. This procedure also applies to

subject matter experts who participate in the development of assessments or ranking of candidates.

- t. Develop and print any forms necessary for examining operations. Forms that collect information directly from the public must be cleared with the Office of Management and Budget (OMB). (See 5 CFR part 1320 or Standard Form 83-A)
- u. Ensure that maintenance of the records used to implement the delegation of authority, which are to be maintained as a system of records subject to the Privacy Act, is consistent with OPM's Governmentwide system of records (OPM GOVT-5) and the Privacy Act. Any request for changes to the OPM system notices or regulations may be submitted, through the agency headquarters, to the Associate Director for Employee Services, U. S. Office of Personnel Management, Washington, DC 20415.
- v. Adhere to OPM's schedule of records retention/disposition.
- w. Provide quarterly reports to OPM on such measures as will be required by OPM to fulfill its oversight and program management responsibility.
- x. Take such corrective action as OPM may require. (5 U.S.C. § 1104(c))
- y. Establish and maintain an internal accountability system designed to assure that the use of delegated examining authorities is in compliance with law and merit system principles. This system will be subject to regular periodic management review by OPM.
- z. Conduct annual audits of delegated examining activities using staff not associated with delegated examining activities and certify completion of the audit to OPM. [Agency Name] must maintain a list of all discrepancies and corrective actions for a period of 3 years after the audit. Annual audit procedures may be incorporated into the agency's internal accountability system.
- aa. Notify OPM of changes in delegated examining offices, including new delegated examining offices, termination, etc.
- bb. Ensure that individuals responsible for delegated examining activities, including those conducting the annual audits, have completed initial certification training and are currently certified to perform this work.
- cc. To the extent any of the work described above is performed by a contractor or another agency operating pursuant to an Economy Act arrangement, be accountable for the work performed on the undersigned agency's behalf, ensure that appointments are actually made by the undersigned agency itself, and ensure that the documents necessary to evidence such appointments are signed by officials of the undersigned agency itself.

**F. TERMINATION, SUSPENSION OR REVOCATION**

1. This Agreement may be terminated at any time by either party with 90 days advance notice to the other party. If this Agreement is terminated, [Agency Name] will not be permitted to fill positions using competitive examining procedures.
2. Certification of a delegated examining activity may be revoked or suspended at any time by OPM. Such revocation or suspension is effective as of the date of notice from OPM.

**G. AMENDMENT OR MODIFICATION**

Any amendment or modification of this Agreement must be in writing and agreed to by both OPM and [Agency Name]. This Agreement will be automatically renewed each fiscal year unless a termination notice is provided by one party to the other party.

**H. SEVERABILITY CLAUSE OR PROVISION**

If any clause or provision of this Agreement is terminated, or is determined to be illegal, invalid or unenforceable, then that clause or provision shall be severed from this Agreement and the remainder of this Agreement shall remain in full force and effect.

\_\_\_\_\_  
**U.S. Office of Personnel Management**  
(Date Signed: \_\_\_\_\_)

\_\_\_\_\_  
**[Agency Name]**  
(Date Signed: \_\_\_\_\_)

## **II. SPECIAL PROVISIONS GOVERNING USE OF ADMINISTRATIVE CAREERS WITH AMERICA (ACWA) EXAMINING INSTRUMENTS OR OTHER EXAMINING INSTRUMENTS DEVELOPED BY OPM**

Agencies at their option, and as indicated below, may request and use an OPM-developed examining instrument, including the Administrative Careers With America (ACWA) instruments (written test and/or rating schedule), which OPM developed for certain entry-level positions. Once an agency exercises this option, the agency is responsible for correct usage of these materials, in accordance with the conditions established below.

### **A. PROHIBITION ON MODIFICATIONS**

No modification of the content of the instruments or values used in the scoring process is permitted. The instruments must be used intact.

### **B. TEST SECURITY REQUIREMENTS**

Agencies are required to comply with OPM test security requirements, use only trained test administrators, and report test material compromises to OPM's Staff Acquisition Group, [StaffAcquisition@opm.gov](mailto:StaffAcquisition@opm.gov).

### **C. REPRODUCTION AND DISTRIBUTION**

Agencies are responsible for all reproduction and distribution of examining material within their organizations. Reproduction must be in accordance with Governmentwide requirements relating to such material.

### **D. TERMINATION OF THIS SPECIAL AGREEMENT**

OPM reserves the right to terminate this special Agreement at any time for violations of any of the requirements listed above.

### **E. AGENCY CONTACT**

Agencies are required to submit a point of contact (including Name, Address, Telephone Number, and E-mail Address) for the OPM-developed examining instrument(s) (written test and/or rating schedule) the agency uses. Agencies are responsible for updating any changes to the point of contact.

**F. AGENCY DECISION**

This agency requests the use of an OPM-developed examining instrument (written test and/or rating schedule).

\_\_\_\_\_  
**(Signature)**  
**[Agency Name]**

\_\_\_\_\_  
**Date**

This agency **does not** request the use of an OPM-developed examining instrument (written test and/or rating schedule).

\_\_\_\_\_  
**(Signature)**  
**[Agency Name]**

\_\_\_\_\_  
**Date**

## **Appendix B – Vendor Criteria List**

The following list outlines criteria that you may want to consider when choosing a contractor.

### **Vendor Criteria/Considerations**

1. Determine the length of time that the vendor has been providing Federal staffing services/software.
2. Request reference data such as what Federal (and other) customers are using the services/software being considered.
3. Determine specific roles and responsibilities of the vendor versus the human resources office, i.e., how much of the hiring process will the vendor be responsible for conducting.
4. Determine whether the vendor has ever used third parties or ever anticipates using third parties (i.e., outside consultants, sub-contractors) to fulfill contractual obligations.
  - a. If the vendor has or does anticipate using third parties, request a detailed list specifying the parties used and the (fulfilled/current/anticipated) nature of the scope of the parties' roles.
5. If a contractor's automated examining system is being considered, determine the feasibility of customizing for Federal use its commercial off-the-shelf products and services, ownership of the system, what happens to the data once the contract is terminated, and rules regarding third party access to the system and data.
6. Request technical and non-technical reports that detail the vendor's progress in delivering the contracted services and/or goods. The length, depth, frequency, and necessity of these reports should be mutually agreed upon prior to the engagement of contractual activities.

### **Testing/Assessment Services**

7. Determine the length of time that the vendor has been administering and/or distributing selection assessments.
8. Determine the largest applicant pool the vendor has assessed.
9. Determine if the vendor has ever had legal action taken against it for an assessment that it developed or administered.
  - If it has, determine the nature of the actions taken and the outcome of those actions.
10. Determine the number of individuals with advanced Psychometrics training and/or experience that the vendor has on staff.

11. Request documentation and evidence that demonstrate the security of the vendor's testing environments, applicants' data and information, test information, etc.
12. Request information detailing the typical cost for using one of the vendor's assessments (both per applicant and set-up costs).
13. Insure that the vendor has validation evidence for each of the assessments it administers, and request these materials as appropriate.
14. Request a summary detailing application reaction data for each of the vendor's assessments (i.e., the perceived fairness and validity of the test by test takers), if obtainable and applicable.
15. Request information summarizing the adverse impact (as defined by the *Uniform Guidelines on Employee Selection Procedures*) of each of the vendor's assessments, as appropriate.
16. Insure that the vendor's assessments are adaptable for individuals requiring assistance, as outlined in the Americans with Disabilities Act of 1990.
17. Determine the vendor's ability to construct/develop new assessments.
18. Determine the vendor's ability to administer and score multiple forms of the same assessment.
19. Determine the vendor's ability to administer and score essay and short-answer examinations.
20. Determine if the vendor administers assessments in languages other than English.
  - If yes, request evidence demonstrating the comparability of these assessments with the English versions, as appropriate.
21. Determine the average data delivery, scoring time needed by the vendor for a typical assessment (e.g., multiple-choice format).
22. Request information detailing the typical costs incurred for changes made to an assessment once it has been "put into" the vendor's delivery platform.



## Appendix C – Records Retention and Disposition Schedule

The following schedule provides guidance regarding the length of time that specific types of documents generated by delegated examining units (DEUs), whether in paper or electronic form, must be retained.

Item	Title and Description of Records	Disposition
<b>GENERAL:</b>		
1	<b>Examining delegation agreements</b> under the authority of 5 U.S.C. § 1104.	Destroy three (3) years after termination of agreement.
2	<b>Reports of internal annual reviews</b> of delegated examining operations.	Destroy three (3) years after date of report.
3	<p><b>Correspondence</b> concerning:</p> <ul style="list-style-type: none"> <li>▪ Applications,</li> <li>▪ Certification of Eligibles, and</li> <li>▪ All other examining and recruiting operations.</li> </ul> <p>Such correspondence includes, but is not limited to, correspondence from the Congress, White House, and the general public.</p>	Break annually. Destroy one (1) year after break.
<b>TESTING</b>		
4	<b>Correspondence</b> relating to the shipment of examination papers and test material.	Break annually. Destroy one (1) year after break.
5	<b>Stock control records of examination test material</b> , including running inventory of test material in stock.	Destroy when test is superseded or obsolete.
6	<b>Written test answer sheets</b> for both eligibles and ineligibles.	Destroy six (6) months after date of processing.
7	<b>Lost or exposed test material case files</b> showing the circumstances of loss, the nature of the recovery and corrective actions taken.	Break closed files annually. Destroy five (5) years after break.
8	<b>Correspondence</b> concerning accommodations for holding examinations.	Break annually. Destroy one (1) year after break.
<b>REGISTER/STANDING INVENTORY</b>		
9	<b>Certificate control/log system:</b> Records of information (e.g., receipt date, series and grade of position, duty station) pertaining to requests for lists of eligibles from a register or standing inventory.	Break annually. Destroy two (2) years after break. <b>Retain records for a total of three years.</b>
10	<b>Register of eligibles</b> (Documents the eligibility of an individual for Federal jobs).	Destroy two (2) years after the date on which the register is terminated.

<b>Item</b>	<b>Title and Description of Records</b>	<b>Disposition</b>
11	<p><b>Documentation file</b> consisting of</p> <ul style="list-style-type: none"> <li>▪ correspondence regarding examination,</li> <li>▪ final version of the announcement(s) issued,</li> <li>▪ subsequent amendments to the announcement(s),</li> <li>▪ USAJOBS posting documentation,</li> <li>▪ rating schedule/assessment tool(s),</li> <li>▪ job analysis documentation,</li> <li>▪ record of selective and quality rating factors used,</li> <li>▪ rating procedures,</li> <li>▪ transmutation tables, and</li> <li>▪ other documents associated with the job announcement(s) and the development of the register or standing inventory.</li> </ul>	<p>Destroy two (2) years after termination of the related register.</p>
12	<p><b>Eligible applications</b> on registers or standing inventories.</p> <p>(a) Active applications</p> <p>(b) Inactive applications</p>	<p>(a) Destroy 90 days after termination of the register. Retain all applications that may be brought forward to a new register.</p> <p>(b). Break annually. Destroy one (1) year after break.</p> <p><b>NOTE:</b> If the examination upon which a register is based is under litigation, then the register must be retained indefinitely. See “Examinations Under Litigation” below.</p>

<b>Item</b>	<b>Title and Description of Records</b>	<b>Disposition</b>
13	<p><b>Certificate case file</b> consisting of</p> <ul style="list-style-type: none"> <li>▪ SF-39, Request for a Referral of Eligibles (or equivalent),</li> <li>▪ SF-39A (or equivalent documents),</li> <li>▪ job opportunity announcement (if applicable),</li> <li>▪ list of eligible candidates screened for the vacancy,</li> <li>▪ rating sheet with the assignment of ratings,</li> <li>▪ availability statements,</li> <li>▪ the Certificate of Eligibles issued to the hiring manager,</li> <li>▪ the annotated Certificate of Eligibles returned from the hiring manager, and</li> <li>▪ other documentation upon which the Certificate of Eligibles was based.</li> </ul> <p><b>NOTE:</b> The certificate case file should be arranged to permit reconstruction or validation of actions taken in the event of appeal or legal action.</p>	<p>Break annually. Destroy two (2) years after break.  <b>Retain records for a total of three years.</b></p> <p><b>NOTE:</b> If the examination upon which a certificate is based is under litigation, then the certificate case file must be retained indefinitely. See “Examinations Under Litigation” below.</p>
14	<p><b>Cancelled and ineligible applications</b> including the application, supplemental forms, and attachments submitted with the applications.</p>	<p>Break annually. Destroy one (1) year after break.</p>
15	<p><b>Correspondence</b> or notices received from eligibles indicating a change in name, address, or availability.</p>	<p>Destroy 90 days after updating the appropriate record in the register.</p>
<b>CASE EXAMINING</b>		
16	<p><b>Certificate control/log system:</b> Records of information (e.g., receipt date, series and grade of position, duty station) pertaining to requests for lists of eligibles.</p>	<p>Break annually. Destroy two (2) years after break.  <b>Retain records for a total of three years.</b></p>

Item	Title and Description of Records	Disposition
17	<p><b>Certificate case file</b> consisting of:</p> <ul style="list-style-type: none"> <li>▪ SF-39, Request for a Referral of Eligibles (or equivalent),</li> <li>▪ SF-39A (or equivalent documents),</li> <li>▪ USAJOBS posting documentation of job opportunity announcement with Supplemental Qualifications Statement (if applicable),</li> <li>▪ rating schedule/assessment tool(s),</li> <li>▪ record of selective and quality ranking factors used,</li> <li>▪ job analysis documentation,</li> <li>▪ list of eligibles screened for the vacancy,</li> <li>▪ rating sheet with the assignment of ratings,</li> <li>▪ processing documents,</li> <li>▪ availability statements,</li> <li>▪ the Certificate of Eligibles issued to the hiring manager,</li> <li>▪ the annotated Certificate of Eligibles returned from the hiring manager, and</li> <li>▪ other documentation upon which the Certificate of Eligibles was based.</li> </ul> <p><b>NOTE:</b> The certificate case file should be arranged to permit reconstruction or validation of actions taken in the event of appeal or legal action.</p>	<p>Break annually. Destroy two (2) years after break.  <b>Retain records for a total of three years.</b></p> <p><b>NOTE:</b> If the examination upon which a certificate is based is under litigation, then the certificate case file must be retained indefinitely. See “Examinations Under Litigation” below.</p>
18	<p><b>Eligible applications</b> that are not referred to the hiring manager must be retained in the case examining file.</p> <p>Eligible applications that are returned to the DEU by the hiring manager must also be retained in the case examining file.</p>	<p>Break annually. Destroy two (2) years after break.  <b>Retain records for a total of three years.</b></p>
19	<p><b>Ineligible applications</b> along with rating sheets and/or documentation of ineligibility are included in the case examining file.</p>	<p>Break annually. Destroy two (2) years after break.  <b>Retain records for a total of three years.</b></p>
20	<p><b>Incomplete applications</b> consisting of the application, supplemental forms or attachments submitted with the application are included in the case examining file.</p>	<p>Break annually. Destroy two (2) years after break.  <b>Retain records for a total of three years.</b></p>

Item	Title and Description of Records	Disposition
<b>EXAMINATIONS UNDER LITIGATION:</b>		
21	All examination materials associated with positions formerly covered by the <i>Luevano</i> Consent Decree (including Administrative Careers with America, Outstanding Scholar and Bilingual/bicultural positions) including job opportunity announcement files, applications, supplemental forms, certificate case files, etc.	Break annually.  <b>Retain on a 10 year cycle</b> for all documents prior to and including 2007.  As of 2008, destroy two (2) years after break. <b>Retain records for a total of three years.</b>
22	All materials associated with examinations under litigation, including job opportunity announcement files, applications, supplemental forms, certificate case files, etc.	Break annually. Retain until further notice from OPM.

## Appendix D – OPM's Job Analysis Methodology

### Introduction

There are a number of valid approaches to job analysis. The method described below provides one model. You are free to choose any method, provided that it is consistent with the *Uniform Guidelines on Employee Selection Procedures* (see <https://www.gpo.gov/fdsys/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml>).

### OPM's Job Analysis Methodology

OPM has been conducting Governmentwide occupational analyses. Through these studies, we have identified critical competencies for Federal clerical, technical, professional, administrative, and trade and labor occupations and those competencies critical for leadership success.

Our methodology establishes a “common language” for analyzing and describing jobs at all levels within an occupational field, and provides a more realistic basis for matching persons with jobs.

For example, rather than focusing on narrow indicators, such as years of experience or number of credit hours of education, our methodology looks at the full range and quality of an applicant’s education and experience to determine how well these factors prepared them to perform the job.

### How Competencies Should be Written

You should define competencies simply and clearly and make sure that they embody a single, readily identifiable characteristic. Avoid stating a competency in way that would confuse it with a task - as frequently happens when competency statements begin with a statement such as "Ability to (perform a task)." It is also good practice to make the competency definitions behaviorally based to the extent that an individual possessing that competency can be assessed through measurable behaviors. One way to do this is to incorporate action verbs into the competency definitions (except for definitions of knowledge areas).

Qualifiers such as "thorough" knowledge, “considerable” skill, or “basic” understanding, are unnecessary. These qualifiers should not be part of the competency definition - they do not provide meaningful information to distinguish examples of performance clearly.

A complete list of MOSAIC Competencies may be found on OPM’s Assessment and Selection website competencies page available at <https://www.opm.gov/policy-data-oversight/assessment-and-selection/competencies/>.

## Task and Competency Linkages

According to the *Uniform Guidelines*, tasks should be rated on importance for job performance and on the time spent/frequency. Competencies should be rated on importance, need at entry, and distinguishing value (between superior and barely acceptable performance). Examples of additional scales that can be used in the job analysis process are at the end of this appendix.

The *Uniform Guidelines* also require that the tasks and competencies be linked to demonstrate the respective job-relatedness of competencies. The linkage also ensures that there is a clear relationship between the tasks performed on the job and the competencies required to perform those tasks.

## OPM's Job Analysis Methodology

The following table provides an overview of OPM's job analysis methodology illustrated through an example of developing a crediting plan/rating schedule. (The crediting plan/rating schedule is just one of many assessment tools available.) As you conduct the following steps, you will need the worksheets (G-8 to G-13) found in this appendix.

Step	Action
1	<p>Collect information about the job. A good place to start is by reviewing existing materials that describe the work that is performed on the job. Such materials include:</p> <ul style="list-style-type: none"><li>• Position descriptions,</li><li>• Classification standards,</li><li>• Subject matter expert (SME) input,</li><li>• Performance standards, and</li><li>• Occupational studies.</li></ul> <p>The MOSAIC tasks and competencies developed through OPM's Governmentwide occupational studies are also a good source of information. Since these studies are based on a comprehensive review of job information and are very broad in scope, you may not need to develop many additional tasks and competencies beyond those included in these studies.</p>
2	<p>Use the <a href="#">Job Analysis Worksheet for Tasks</a> to list the tasks that are required to perform successfully on the job based on the information and/or SME input (along with the source of that information) collected in Step 1.</p>

Step	Action
3	<p>On the <a href="#">Job Analysis Worksheet for Tasks</a>:</p> <ol style="list-style-type: none"> <li>Have the SMEs individually rate the tasks on the importance and frequency scales provided on the worksheet. (Note the scales shown on the worksheets are examples of scales that have been used in past job analyses. Alternative scales are provided at the end of this appendix).</li> <li>Eliminate tasks that were rated as “Not Performed” on either the importance or frequency scale by at least half of the SMEs.</li> <li>Compute an average rating from the remaining tasks (excluding any “0=Not Performed” ratings from the average) across all SME ratings for each task on each scale.</li> <li>Identify which tasks are critical for the job. This involves determining cutoffs for both the importance and frequency scales. A recommended cutoff is 3.0 or above for both scales. (This will vary by the scale used, depending on the anchors associated with each scale rating). Tasks that (on average) were rated 3.0 or above on both importance and frequency are considered critical for the job.</li> </ol>
4	<p>Use the <a href="#">Job Analysis Worksheet for Competencies</a> to list competencies that are required to perform successfully in the job based on the job information collected and/or SME input, along with the source of that information (see Chapter 2, Section C, for how competencies should be stated).</p>
5	<p>On the <a href="#">Job Analysis Worksheet for Competencies</a>:</p> <ol style="list-style-type: none"> <li>Have the SMEs individually rate the competencies on the importance, need at entry, and distinguishing value scales. (Again, these scales are examples of scales used in past job analyses. Alternative scales are provided at the end of this appendix.)</li> <li>Average the SME ratings to produce an overall rating for each competency for each scale.</li> <li>Once you have determined the SME average ratings, identify which competencies are critical for the job, based on importance and need at entry. This involves determining cutoffs for each of these scales. Recommended cutoffs for the scales shown on the worksheet are 3.0 or above for importance and 2.0 or below on need at entry. Competencies with average ratings that meet these cutoffs are considered critical for the job. Then, the ratings on the distinguishing value scale may be used to guide your decision on which of the critical competencies to include in the assessment process. A recommended cutoff on the distinguishing value scale shown on the worksheet is 3.0 or above. (Again, this will vary by the scale used, depending on the anchors associated with each scale rating).</li> </ol>
6	<p>Use the <a href="#">Worksheet for Task and Competency Linkages</a> to make the linkage ratings by:</p> <ol style="list-style-type: none"> <li>In the Task No. column, write the numbers of the tasks that were identified as critical in Step 1.</li> <li>Write the competency numbers of the critical competencies, identified in Step 5, across the top row.</li> <li>Have each SME work independently to rate the extent to which each competency is important for effective task performance. Again, SME ratings should be averaged to come up with an overall rating for each task-competency linkage. It is recommended that a cutoff of 3.0 be used for this scale to determine which competencies are linked to each task. (<b>Note:</b> If any tasks/competencies are not linked, you should reconsider whether all critical tasks and competencies have been considered).</li> <li>You and the SMEs should eliminate any tasks not linked to one or more competencies, and only competencies that are not linked to at least one task.</li> </ol>



Step	Action
7	Of the competencies remaining at the end of Step 6 of the Job Analysis process, eliminate competencies that cannot be reasonably assessed via a rating schedule. The resulting competencies will later be considered for assessment.
8	Determine which competencies will be used as selective and/or quality ranking factors (if any).  Note: Selective and quality ranking factors must be documented. To document, use a SF-39A, Request and Justification for Selective and Quality Ranking Factors..

This ends the formal job analysis process. The following table below outlines the steps required to leverage your job analysis output to develop assessments for evaluating applicants.

Step	Assessment Development
1	<p>Optionally, an <a href="#">Accomplishments Worksheet</a> may be used to record example accomplishments and SME level ratings.</p> <p>Potential sources of accomplishments include:</p> <ul style="list-style-type: none"> <li>• SMEs,</li> <li>• Job information, and</li> <li>• Past applications.</li> </ul> <p>Accomplishments may come from both work and nonwork related experiences.</p>
2	<p>On the <a href="#">Accomplishments Worksheet</a> have:</p> <p>a) SMEs rate the accomplishments as demonstrating a “high, medium, or low” level of the competency, which is typically done using a 1 to 3 rating. When making these ratings, SMEs should keep in mind that applicants should possess more in-depth, extensive, varied, and difficult experience at each successive level. Accomplishments incorporated in rating schedule items or benchmark descriptions should help differentiate these levels.</p> <p>b) Average the SME ratings to produce an overall level rating for each accomplishment.</p>
3	<p>If the rating schedule is a closed-ended, automated format, use the <a href="#">Multiple Choice/Yes-No Worksheet</a> to develop and record rating schedule items for each competency based on the accomplishments generated in Steps 9 and 10.</p> <p>If candidates provide written responses to open-ended questions that have to be manually scored, use the <a href="#">Rating Schedule Benchmark Worksheet</a> to develop and record benchmark level descriptions and examples for each competency that will be assessed.</p>

4	<p>After the rating schedule is developed, the maximum number of points an applicant may receive for each response must be determined.</p> <p>The SME high/medium/low ratings can be used to help determine the number of points associated with each item/benchmark level.</p> <p><b>Example:</b> You may assign 5 points for a “high” response, 3 points for a “medium” response, and 1 point for a “low” response. If there are five competencies and the maximum number of points that can be awarded for each competency is 5, the maximum number of points an applicant can receive is 25. Therefore, 25 points transmute to a rating of 100).</p> <p><b>Note:</b> <b>Appendix J</b> provides procedures for transmuting scores. Determine the raw score and then transmute the raw score to a score that falls within 70 to 100 (see 5 CFR 337). Appropriate veterans preference points are then added to those candidates who meet qualification requirements, if using rule of three procedures.</p>
---	---

### Special note

The following sample worksheets are provided to help you fill-out the worksheets needed to complete the job analysis.

- Sample Job Analysis Worksheet for Tasks
- Sample Job Analysis Worksheet for Competencies
- Sample Job Analysis For Task and Competency Linkage
- Sample Accomplishments Worksheet
- Sample Multiple Choice/Yes-No Rating Schedule Worksheet
- Sample Rating Schedule Benchmark Worksheet
- Occupational Analysis Scales







## Accomplishments Worksheet (Optional)

<b>Competency Title/Definition:</b>
-------------------------------------

Accomplishments	Level Rating (High, Medium, Low)
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

## Multiple Choice/Yes-No Rating Schedule Worksheet

Competency Title/Definition
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

## Rating Schedule Benchmark Worksheet

Competency Title/Definition:

### **HIGH**

Description:

Examples:

### **MEDIUM**

Description:

Examples:

### **LOW**

Description:

Examples:

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_



## Sample Job Analysis Worksheet for Tasks

Task	Source	Importance	Frequency
1. Contacts others orally to obtain information.	OPM'S MOSAIC Study		
2. Reads and understands nontechnical materials (e.g., letters, memoranda, electronic mail, simple instructions.	OPM'S MOSAIC Study		
3. Serves as primary point of contact for a specific subject area.	OPM'S MOSAIC Study		
4. Interprets laws, regulations, policies, standards, or procedures to specific issues.	Position Description		
5. Develops relationships with key individuals or groups.	Position Description		
6. Provides technical advice in subject matter area to others.	Classification Standard		
7. Collaborates with others or works on teams to accomplish work-related activities.	Classification Standard		
8. Uses computer systems or applications to access, create, edit, print, send, retrieve, or manipulate data, files, or other information.	Classification Standard		
9. Discusses results, problems, plans, suggestions, terms, or conditions with others.	Subject Matter Experts		
10. Uses addition, subtraction, division, or multiplication.	Subject Matter Experts		
11. Enters data or other information into computer.	Subject Matter Experts		

Importance Scale	Frequency
How important is this task to the job?	How often is the task performed?
0 = Not Performed	0 = Not Performed
1 = Not Important	1 = Every few months to yearly
2 = Somewhat Important	2 = Every few weeks to monthly
3 = Important	3 = Every few days to weekly
4 = Very Important	4 = Every few hours to daily
5 = Extremely Important	5 = Hourly to many times each hour

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## Sample Job Analysis Worksheet for Competencies

Competency	Source	Importance	Need At Entry	Distinguishing Value
1. Reading	OPM'S Mosaic Study			
2. Writing	OPM'S Mosaic Study			
3. Interpersonal Skills	Position Description			
4. Oral Communication	Position Description			
5. Reasoning	Classification Standard			
6. Decision Making	Classification Standard			
7. Customer Service	Classification Standard			
8. Arithmetic	Subject Matter Experts			
9. Mathematical Reasoning	Subject Matter Experts			
10. Personnel and Human Resources	Subject Matter Experts			

Importance Scale	Need At Entry Scale	Distinguishing Value Scale
How important is this competency for effective job performance?	When is this competency needed for effective job performance?	How valuable is this competency for distinguishing superior from barely acceptable employees?
0 = Not Applicable	0 = Not Applicable	0 = Not Applicable
1 = Not Important	1 = Needed the first day	1 = Not Valuable
2 = Somewhat Important	2 = Must be acquired within the first 3 months	2 = Somewhat Valuable
3 = Important	3 = Must be acquired within the first 4-6 months	3 = Valuable
4 = Very Important	4 = Must be acquired after the first 6 months	4 = Very Valuable
5 = Extremely Important		5 = Extremely Valuable

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## Sample Job Analysis for Task And Competency Linkage

### Linkage Scale

How important is this competency for effective task performance?

- 1 = Not Important
- 2 = Somewhat Important
- 3 = Important
- 4 = Very Important
- 5 = Extremely Important

Task Number	Competency Number									
	1	2	3	4	5	6	7	10		
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## Sample Accomplishments Worksheet

**Competency Title/Definition:** Writing

Recognizes or uses correct English grammar, punctuation, and spelling; communicates information (for example, facts, ideas, or messages) in a succinct and organized manner; produces written information, which may include technical material that is appropriate for the intended audience.

<b>Accomplishments</b>	<b>Level Rating (High, Medium, Low)</b>
1. I wrote a resource booklet explaining the rules and regulations on reinstatement after retirement. I received a lot of positive feedback from customers on the booklet.	High
2.	
3.	
4.	
5.	
6.	
7.	
8.	

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## Sample Multiple Choice/Yes-No Rating Schedule Worksheet

**Competency Title/Definition:** Writing

Recognizes or uses correct English grammar, punctuation, and spelling; communicates information (for example, facts, ideas, or messages) in a succinct and organized manner; produces written information, which may include technical material that is appropriate for the intended audience.

1. Have you successfully done work that involved translating technical or complex language (e.g., laws, regulations) into language that was more easily understood?

2.

3.

4.

5.

6.

7.

8.

9.

10.

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

## Sample Rating Schedule Benchmark Worksheet

### Competency Title/Definition: Writing

Recognizes or uses correct English grammar, punctuation, and spelling; communicates information (for example, facts, ideas or messages) in a succinct and organized manner; produces written information, which may include technical material that is appropriate for the intended audience.

### HIGH

Description: Composes documents or correspondence involving complex or technical information, and adapts writing to the audience's level of knowledge. Proofreads or edits complex or technical writing of others.

#### Examples

- Composes complex correspondence or other written work
- Explains, in writing, the application of laws, regulations, precedents, and practices
- Writes and publishes articles on program direction and content

### MEDIUM

Description:

Examples:

### LOW

Description:

Examples:

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

## Occupational Analysis Scales

These scales were developed for use in OPM's MOSAIC surveys. They are available for you to use in your job analysis process.

### Task Scales

<b>Importance Scale</b>	<b>Frequency</b>	<b>Frequency</b>
How important is this task to the job?	How often is the task performed?	Compared to all other tasks you perform, how much time do you spend performing this task?
0 = Not Performed	0 = Not Performed	0 = Not Performed
1 = Not Important	1 = Every few months to yearly	1 = Considerably Less Than Most Tasks
2 = Somewhat Important	2 = Every few weeks to monthly	2 = Somewhat Less Than Most Tasks
3 = Important	3 = Every few days to weekly	3 = Same As Most Tasks
4 = Very Important	4 = Every few hours to daily	4 = Somewhat More Than Most Tasks
5 = Extremely Important	5 = Hourly to many times each hour	5 = Considerably More Than Most Tasks

### Competency Scales

<b>Importance Scale</b>	<b>Distinguishing Value Scale</b>
How important is this competency for effective job performance?	How valuable is this competency for distinguishing superior from barely acceptable employees?
0 = Not Applicable	0 = Not Applicable
1 = Not Important	1 = Not Valuable
2 = Somewhat Important	2 = Somewhat Valuable
3 = Important	3 = Valuable
4 = Very Important	4 = Very Valuable
5 = Extremely Important	5 = Extremely Valuable

<b>Need At Entry Scale</b>	<b>Need At Entry Scale</b>
When is this competency needed for effective job performance?	To what extent is it necessary that the employee possess this competency when entering the job?
0 = Not Needed	0 = Not Needed
1 = Needed the first day	1 = Essential at Entry because those who do not possess it will not acquire it through training or experience
2 = Must be acquired within the first 3 months	2 = Desirable at Entry because those who possess it develop competence more readily
3 = Must be acquired within the first 4-6 months	3 = Not Needed at Entry because it is acquired through training or experience
4 = Must be acquired after the first 6 months	

<b>Proficiency Level Scale for General Competencies</b>	<b>Proficiency Level Scale for Technical Competencies</b>
What level of proficiency is required to perform the job successfully?	What level of proficiency is required to perform the job successfully?
0 = Not Needed <ul style="list-style-type: none"> <li>Competency is not needed for the job.</li> </ul>	0 = Not Needed <ul style="list-style-type: none"> <li>Competency is not needed for the job.</li> </ul>
1 = Awareness <ul style="list-style-type: none"> <li>Applies the competency in the simplest situations.</li> <li>Requires close and extensive guidance.</li> </ul>	1 = Awareness <ul style="list-style-type: none"> <li>Applies the competency in the simplest situations.</li> <li>Requires close and extensive guidance.</li> <li>Demonstrates awareness of concepts and processes.</li> </ul>
2 = Basic <ul style="list-style-type: none"> <li>Applies the competency in somewhat difficult situations.</li> <li>Requires frequent guidance.</li> </ul>	2 = Basic <ul style="list-style-type: none"> <li>Applies the competency in somewhat difficult situations.</li> <li>Requires frequent guidance.</li> <li>Demonstrates familiarity with concepts and processes.</li> </ul>
3 = Intermediate <ul style="list-style-type: none"> <li>Applies the competency in difficult situations.</li> <li>Requires occasional guidance.</li> </ul>	3 = Intermediate <ul style="list-style-type: none"> <li>Applies the competency in difficult situations.</li> <li>Requires occasional guidance.</li> <li>Demonstrates understanding of concepts and processes.</li> </ul>
4 = Advanced <ul style="list-style-type: none"> <li>Applies the competency in considerably difficult situations.</li> <li>Generally requires little or no guidance.</li> </ul>	4 = Advanced <ul style="list-style-type: none"> <li>Applies the competency in considerably difficult situations.</li> <li>Generally requires little or no guidance.</li> <li>Demonstrates broad understanding of concepts and processes.</li> </ul>
5 = Expert <ul style="list-style-type: none"> <li>Applies the competency in exceptionally difficult situations.</li> <li>Serves as a key resource and advises others.</li> </ul>	5 = Expert <ul style="list-style-type: none"> <li>Applies the competency in exceptionally difficult situations.</li> <li>Serves as a key resource and advises others.</li> <li>Demonstrates comprehensive, expert understanding of concepts and processes.</li> </ul>



## **Appendix E – Handbook for Agency Test Administrators and Test Control Officers**

The purpose of this Appendix is to provide test administration procedures to be followed by your agency personnel when using OPM test materials. The authority to use OPM test materials and administer written tests is delegated to you under the provisions of title 5 U.S.C. § 1104.

### **Responsibilities**

#### **How to Nominate Candidates**

To nominate candidates for test administrators and test control officers, you are required to submit OPM Form 1660-B (Attachment) to the OPM HRS Staff Acquisition Branch. After review, OPM will approve and return a signed copy to be retained for your records.

OPM personnel acting upon Federal agencies' nominations should be satisfied that the nominees have the necessary competencies/KSAs to independently administer written tests, and secure test material before approving such requests.

#### **Responsibilities of an Agency Test Administrator**

Your agency test administrator conducts OPM written tests in accordance with OPM guidelines and directions provided by your test control officer.

The agency test administrator should:

- Be trained and approved by OPM;
- Be thoroughly familiar with the procedures and instructions in this Handbook;
- Notify your agency test control officer when a family household member or a personal acquaintance is scheduled for a test he or she is to administer; and
- Notify your agency test control officer if he or she is scheduled to take either a competitive or noncompetitive OPM test.

#### **Responsibilities of an Agency Test Control Officer**

An Agency Test Control Officer has overall responsibility for assuring that agency test administrators who are conducting tests follow OPM guidance. The Test Control Officer is responsible for requesting written test material and for the security and control of test material while it is in your agency's possession.

The Agency Test Control Officer should:

- Ensure that agency test administrator nominees complete the required training conducted by OPM before they administer a written test;
- Ensure that agency test administrators do not administer tests to members of their family or household, or to personal acquaintances;
- Obtain a series of a test not previously used by an agency test administrator when that individual's family member, household member or personal acquaintance is scheduled for the test;
- Notify OPM when an agency test administrator is scheduled to take a competitive or noncompetitive test for purposes of reassignment or promotion, and arrange for a test series not previously used by the test administrator;
- Requisition and safeguard test material in accordance with the procedures set forth in this Handbook;
- Receive test material, immediately open the package and inventory the material. If the package is incomplete, immediately notify the appropriate OPM Staff Acquisition Branch;
- Notify the OPM Staff Acquisition Branch when test material is lost or compromised;
- Coordinate and/or conduct an investigation and prepare a report of finding as directed by OPM;
- Be trained and approved by OPM if he or she intends to also serve as an agency test administrator;
- Instruct agency mailroom staff to deliver the unopened test material envelopes and packages containing test material directly to the agency test control officer/assistant; and
- Ensure test material is returned to the OPM Staff Acquisition Branch within established time limits.

### **Initial Training**

Contact the OPM Staff Acquisition Branch to obtain training as test administrators and test control officers prior to approving agency nominations. Training will include test material control/security and test administration practices and processes.

### **Refresher Training**

It is required that refresher training for your agency test administrators and test control officer occur at least every two years.

## Test Materials

### Ordering Test Materials

You can order materials, for each location to which you want test materials shipped directly, by submitting a Requisition for OPM Test Material.

**Note:** You can obtain a Requisition Form from the OPM Staff Acquisition Branch. Keep a copy for your records.

To order test materials conduct the following steps:

Step	Action
1	Submit the Requisition Form to the OPM Staff Acquisition Branch:
2	The OPM Staff Acquisition Branch will:  Review, approve, sign, and date the Requisition Form.
3	You will:  Retain a copy of the Requisition Form for your records.
4	The OPM Staff Acquisition Branch will:  Ship the test material directly to your test control officer.
5	Upon receipt of the test material, the test control officer should: <ul style="list-style-type: none"><li>• Immediately open the package and inventory the material.</li></ul> If the package is incomplete, the OPM Staff Acquisition Branch should be promptly notified.

### When to Order Test Materials

You should allow 15 working days before the test date for receipt of material from OPM. If materials are not received within three days prior to the scheduled test session, immediately contact the OPM Staff Acquisition Branch.

### Restrictions on Ordering

You can only order test material for a specific test, and cannot use that material for any other test. You should not hold test material longer than 15 days after the test is administered.

The OPM Staff Acquisition Branch will follow-up with you on materials not returned within 30 days of the test date.

### **Securing Test Material**

Test materials must be stored in a locked cabinet (5 CFR 300):

- Without outside labeling;
- With a metal bar run through all cabinet drawer handles;
- Secured with a clasp and a combination lock or heavy-duty padlock. If padlocks are used the number of keys must be limited to test control officers and/or assistants and locked in secure areas;
- Locked at all times except when material is being removed or returned; and
- Never left opened or unattended.

### **Limit Access**

Access to the cabinets must be limited to test control officers and/or assistants, who will also be the only authorized personnel to know lock combination numbers (5 CFR 300).

### **Transporting Test Materials**

Test materials must be transported from the storage cabinet to the test room in a locked container, and must never be left unattended (5 CFR 300). Contact the OPM Staff Acquisition Branch if the test materials are not returned within 15 days of the test date.

### **Returning Test Material**

Both used and unused test material is returned directly to the OPM Staff Acquisition Branch following the instructions provided upon receipt of the material.

# Administering the Test

## Introduction

Administering the written test is perhaps the most important aspect of the examining process. The atmosphere the test administrator creates in the test room and the attitude the test administrator displays in performing his/her duties is extremely important. The test administrator's manner, bearing, and attitude may well inspire confidence in competitors and put them at ease while participating in the testing process.

Test administrators should make certain that they and their monitors are well prepared to administer the test. There is an understandable tendency on the part of some test administrators to develop their own style of conducting tests because they have conducted the same test many times and are certain that they can do it correctly. While we encourage the creation of a personal style in establishing a good relationship with competitors, we consider it equally important that test administrators not deviate from the directions for conducting the test. The following material should serve as a reminder of decisions to be made before, during, and after each test. In addition, it should eliminate confusion and uncertainty that sometimes arises when administering tests.

## Preparation for the Test

It is important for test administrators to understand the nature and purpose of the particular test. What type of test is being given? What job(s) is it used to fill? What is the reason for giving this particular test? Is it a regularly scheduled or a special test situation?

To the extent possible, test administrators should:

<b>Prepare...</b>	<b>Why Important...</b>
<b>Room Arrangement</b>	To ensure that the room is large enough to accommodate all competitors comfortably with adequate light and ventilation and that the noise level will be such that competitors will not be distracted.  Seating arrangements are such that all competitors will be able to see any instructions written on a blackboard/whiteboard such as time the test will end, etc.  To ensure that a clock is in the room.

<b>Prepare...</b>	<b>Why Important...</b>															
<b>Scheduling of test</b>	<p>To ensure that there is no conflict with other scheduled tests or with other functions- the test must not be interrupted.</p> <p>Monitors know they are to be in the examination room in advance of the scheduled time. A minimum of 30 minutes is recommended; for some situations where more specific advance preparations are required, more time will be needed.</p>															
<b>Test monitors</b>	<p>Arrangements should be made for the proper number of test monitors. There should be one test monitor for every 30 competitors. The ratio of test administrators/monitors should be as follows:</p> <table border="1"> <thead> <tr> <th><u>Competitors</u></th> <th><u>Test Administrators</u></th> <th><u>Monitors</u></th> </tr> </thead> <tbody> <tr> <td>1 - 30</td> <td>1</td> <td>0</td> </tr> <tr> <td>31 - 60</td> <td>1</td> <td>1</td> </tr> <tr> <td>61 - 90</td> <td>1</td> <td>2</td> </tr> <tr> <td>91 - 120</td> <td>1</td> <td>3</td> </tr> </tbody> </table> <p>Since only OPM trained test administrators may conduct tests, it is advisable to have an alternate, OPM trained test administrator, available in the event the scheduled test administrator is unable to conduct the test as planned.</p>	<u>Competitors</u>	<u>Test Administrators</u>	<u>Monitors</u>	1 - 30	1	0	31 - 60	1	1	61 - 90	1	2	91 - 120	1	3
<u>Competitors</u>	<u>Test Administrators</u>	<u>Monitors</u>														
1 - 30	1	0														
31 - 60	1	1														
61 - 90	1	2														
91 - 120	1	3														
<b>Order test materials</b>	<p>The Test administrator should be certain that they have the correct tests and related materials, including the Directions for Conducting the Test (DFC), # 2 pencils, a timer (or stopwatch), a "Testing--Do Not Disturb" sign, and other supplies (scratch paper, etc.) as required by the DFC. Test administrators should count the number of test booklets at least twice to verify that they have received the correct number.</p>															
<b>Study directions for conducting test</b>	<p>The Test Administrator should study the Directions for Conducting the Test (DFC) carefully before the examination. He or she should familiarize themselves with:</p> <ul style="list-style-type: none"> <li>• The general make-up of the test;</li> <li>• Time limits involved;</li> <li>• Special directions;</li> <li>• Method of indicating answers;</li> <li>• Any sample questions (if they are to be answered in the test room); and</li> <li>• Any changes to the instructions in the DFC. These instructions will be provided by OPM.</li> </ul>															

## **Review with Monitors How Materials Are to be Handled**

The Test Administrators should review with the monitors the order in which materials are to be handed out and collected. He or she should also discuss how doors of the room are to be covered during entrance by competitors before the test and exit following the test.

(**Note:** Advance preparation can help preclude potential for compromise of test material by competitors leaving through unattended doors, taking test material with them - one of the more common reasons for reported test material losses).

## **Guarding Against Fraud and Cheating**

These steps can help reduce fraud or cheating in the test room:

- Physical seating arrangements and proper stationing of monitors are essential for the proper administration of a test.
- Careful adherence to the DFC, accurate timing and guarding against disturbing interruptions, all contribute to suitable test environment.
- Monitors should always be on alert to detect wrongdoing. Monitors should be stationed at the side or rear of the test room. Test administrators and monitors must never be occupied in reading or other distracting activities. Any observations of apparent cheating should be recorded immediately. Do not wait until the test is over. Notify the OPM Staff Acquisition Branch immediately after the test of any instances of cheating, fraud or test compromise/loss.
- Alertness in the test room should be tempered with a positive, helpful attitude. While the test must be carried out in a thorough and fair manner, test administrators should not become so extreme as to give the appearance that they trust no one.

## **Guarding Against Competitor Impersonation in the Test Room**

Impersonation can result in debarment of a competitor from Federal employment. Methods of detecting possible impersonation:

- Comparing date of birth with obvious age, sex, name or known personal identity; and
- Observing a competitor's behavior will help in detecting possible impersonation.

Persons suspected of impersonation should be requested to sign in a second time. If the competitor refuses to cooperate, the test administrator should allow the competitor to take the examination. Test administrators should not outwardly accuse any competitor of impersonation. Any discussion with persons suspected of impersonation should be carried on without disturbing other competitors.

After the test session, the test administrator should collect the competitor's test material and keep it separate from other competitors' answer booklets. The test administrator must attach a

full detailed report to the test papers of any competitor suspected of impersonation and send them to the OPM Staff Acquisition Branch.

### **When Fraud or Cheating Occurs**

When fraud or cheating occurs:

OPM Staff Acquisition Branch will review reports of cheating or fraud submitted by test administrators and send copies of the report to the OPM Test Security Officer;

- In all cases, an investigation of the incident must be conducted by your test control officer. If the test administrator suspects cheating or fraud has occurred, void the examination, even if the investigation is inconclusive;
- OPM will then notify the competitor that his/her test is canceled and the reason for such cancellation. The competitor will be notified that he or she may continue to participate in future tests, but he or she should be cautioned about his or her future conduct in the test room; and
- If the results of the investigation definitely establish the existence of cheating or fraud, the OPM Test Security Officer will prescribe additional action.

### **Instructions for Conducting the Test**

These instructions should be followed when conducting the test:

<b>Step</b>	<b>Action</b>
1	A "Testing--Do Not Disturb" sign must be posted outside the room's primary entrance.
2	<ul style="list-style-type: none"><li>• Test administrators will collect admission notices or complete other registration procedures.</li><li>• All competitors must sign and print their names on a sign-in roster, as well as present a picture ID before admission to the test room.</li></ul>
3	Desks should be cleared of all personal items.
4	<ul style="list-style-type: none"><li>• Sufficient test booklets, answer sheets, pencils, and scratch paper should be on hand.</li><li>• Test booklets must be counted (at least twice) before being distributed to competitors.</li></ul>



Step	Action
5	<ul style="list-style-type: none"> <li>• Materials should be distributed according to predetermined order. To avoid test security problems, the test administrator and/or monitor should hand distribute test material personally to each individual competitor.</li> <li>• After the tests are distributed, a check should be made to ensure that each person has a test. If there is a discrepancy, the test administrator must stop and immediately resolve it; the test cannot proceed until this has been accomplished.</li> <li>• After test booklets have been distributed to the competitors, the number of remaining test booklets must be counted. If multiple versions of a test are to be used, an equal number of all versions should be distributed by being passed out alternately.</li> </ul>
6	Competitors are to be cautioned not to begin until told to do so.
7	<ul style="list-style-type: none"> <li>• No competitors will be permitted to leave the room until they have turned in all test materials including scratch paper.</li> <li>• Procedures of collection should be briefly outlined, assuring that materials are received individually from all competitors.</li> </ul>
8	<ul style="list-style-type: none"> <li>• All identifying information is to be written on the answer sheet only.</li> <li>• Competitors must be instructed that they <b>do not</b> write any information on the test booklets (OPM reuses test material).</li> </ul>
9	<ul style="list-style-type: none"> <li>• Instructions should be given as directed. Included in each test package is a booklet containing the DFC.</li> <li>• The DFC should be studied before the test begins.</li> <li>• The directions are to be read exactly as shown – test administrators must not improvise. Just as poor physical conditions may affect the performance of some competitors, so will a test administrator who stumbles through the reading of the directions.</li> </ul>
10	<p>It is important for test administrators to remember that many competitors have not tested before and are not familiar with the forms or what is expected of them. Test administrators may find the following points helpful:</p> <ul style="list-style-type: none"> <li>• A copy of the form should be shown to the competitors or clearly described to them as the directions for completing it are being read.</li> <li>• Competitors should always be given enough time to fully answer all preliminary questions on the forms and answer sheets.</li> <li>• If the directions are printed on the form or booklet, competitors should be instructed to read along silently.</li> </ul>

<b>Step</b>	<b>Action</b>
11	<ul style="list-style-type: none"> <li>• The test room should be scanned regularly to check for signs of competitors with puzzled looks or lack of understanding.</li> <li>• Competitors should frequently be asked if they have any questions.</li> <li>• Questions are to be encouraged and answers given which are short and easily understood.</li> <li>• Answers should be repeated as many times as necessary for complete understanding.</li> <li>• Answers should be given in a manner that makes the competitors feel that their question is justified, even if it seems simple to the test administrator.</li> <li>• Directions should be read in a warm, friendly, well-modulated voice.</li> </ul>
12	<p>If practice questions are to be answered in the test room, the test administrator should circulate among the competitors to make certain that each competitor understands the directions.</p>
13	<ul style="list-style-type: none"> <li>• The signal to begin should be given in a matter-of-fact way.</li> <li>• The words of the DFC must be used exactly; a test administrator must not trust his/her memory. Substitution of a word - even one with the same literal meaning - may alter the tone of the direction.</li> <li>• A test administrator should not insert exclamation marks in the reading. When the DFC says "READY, BEGIN the test," the test administrator should not read "READY, BEGIN!" This may stimulate speed and nervousness. Rather, the test administrator should say, "Ready," then glance around the room to be sure all competitors have pencils and materials in order. The words, "Begin the test," should be delivered clearly, but not so sharply as to suggest a violent push.</li> </ul>
14	<p>Test administrators should move quietly about the test room and, if necessary, make suggestions to individuals to make sure that:</p> <ul style="list-style-type: none"> <li>• Competitors are marking answers in the proper manner; for example, applying appropriate pressure, within the lines on the proper section of the answer sheet.</li> <li>• Competitors are continuing to go on to the next page of each section after finishing the previous page.</li> <li>• Competitors stop at the end of each section as required.</li> <li>• There is no copying from other competitors or other unfair practices.</li> </ul> <p>No outside interruptions will be permitted; this includes distracting activity by test administrators or monitors such as unnecessary conversation, reading newspapers, or receiving telephone calls during the test. Monitors should be stationed at the side or rear of the test room, and must always be on the alert to detect wrongdoing. Any observations of apparent cheating should be recorded immediately.</p>

Step	Action
15	<ul style="list-style-type: none"> <li>• Time limits must be observed precisely.</li> <li>• Those competitors still working when time is called must be instructed to stop immediately.</li> <li>• If competitors finish ahead of time, the test administrator may decide whether the papers may be turned in when finished, or whether they must wait until the group has finished.</li> <li>• The test administrator should normally cover this before the test starts by telling the group what the "ground rules" are.</li> </ul>
16	<ul style="list-style-type: none"> <li>• Normally, no one will be released during the last ten minutes of the test so that no last minute confusion poses a test security problem.</li> <li>• Early departures should not be permitted when there is any question on accounting for all test material.</li> <li>• If anyone abandons his or her test, the answer sheet should be noted in pencil at the top "ABANDONED." The answer sheet should be put on the top of the stack for processing.</li> </ul>

### Giving Examinations to Persons with Disabilities

It is OPM's policy to offer individuals with disabilities equal consideration for any job for which they can perform all duties efficiently and safely. In line with this policy, OPM arranges special examinations to ensure that the severely disabled have a fair chance to demonstrate their abilities.

You should be familiar with the most common of these special arrangements:

- An interpreter for the deaf;
- Larger print test booklets for the partially sighted;
- Readers for the test, tapes, and Braille for the blind;
- Enlarged answer sheets and/or test administrator assistance in marking answers for persons with motor-coordination disabilities.

The specific modified testing *procedures* will depend upon the individual competitor's disability. While method of administration can be modified for persons with disabilities, **do not** attempt to modify any examination.

You should contact the OPM Staff Acquisition Branch to discuss specific areas, as well as refer to OPM's "Guide for Administering Written Employment Examinations to Persons with Disabilities."

## **Disposition of Materials**

- Materials, including scratch paper, are collected, according to predetermined order. Any missing material must be obtained from the competitor(s) if possible. If necessary, competitors **MUST** be confronted with the fact that their test booklets are missing (5 CFR 300).
- Used and unused booklets and answer sheets are counted (at least twice), and the tally is recorded on the OPM 1291. Competitors are not to be dismissed from the test room until all test booklets are accounted for.
- A record should be made of any incidents observed that may tend to invalidate competitors' scores on the OPM 697 in the remark section. (Attachment 7).
- Competitors may not be allowed to wait in the test room for friends, test results, or for any other reason, after they have completed the test and turned in their test material.

## **Answer Sheets**

After competitors are dismissed answer sheets should be carefully checked to verify that the test identification data (name, social security number, test number, test series, and test part) are properly entered and coded.

Answer sheets should be packaged and sent to the OPM Staff Acquisition Branch. The package should include:

- An identification of the test administered; and
- Instructions for providing test results to the agency.

## **Processing Answer Sheets**

You will batch and send the answer sheets to the OPM Staff Acquisition Branch which will make arrangements for scoring. OPM will deliver the scores in the method that the agency chooses (upload to USA Staffing or electronic file). The answer sheets will be maintained by OPM.

## **FOIA Requests for Answer Sheets**

If you receive a request to review OPM test materials (including answer sheets) under the Freedom of Information Act, the Privacy Act, or as part of a court request, you should contact the OPM Staff Acquisition Branch for appropriate instructions. In those cases where you have assumed responsibility for the scanning and scoring of the answer sheets, OPM will provide separate instructions.

## **Performance Tests**

If you provide performance tests, you may obtain rating instructions from OPM when needed.

## Test Security Procedures

The security of the OPM test material is the personal responsibility of each individual authorized to conduct tests. The test administrator should use every possible means to safeguard confidential test materials. The primary security precautions should be that:

- All tests and test papers not required for the test being administered are locked in a secure place.
- Only OPM authorized test administrators or test control officers are allowed in the test room with the competitors.
- Each competitor receives the specified set of papers--no more and no less.
- Proper tests have been distributed—this is especially important when more than one basic test is to be administered (e.g., Tests 800 and 801A).
- Every paper sent in the test package is accounted for after the test.
- Only competitors and authorized test administrators see the test materials.
- Competitors do not take or pass notes or communicate with one another during the actual test.
- OPM is notified immediately in the event discrepancies are found.
- Agency mailroom personnel are informed to expect test material, and that they are not to open it.

Most test room security requirements can be met in an unobtrusive manner. Counting materials as they are given out and as they are collected is natural; so is banning interruptions. By treating these security measures as a matter of course, test administrators can safeguard test materials without projecting a hostile, suspicious attitude. Any additional security measures specified in the DFC for a particular examination should be carried out with the same alert but matter-of-fact approach.

### Test Security Procedures under Emergency Conditions

If, during the administration of a test, it is necessary to evacuate a building, the following guidelines should be followed:

- Give primary consideration to the competitors' physical safety.
- During emergency exercises, first give primary consideration to the competitors and then secure the test material. If a practice alert is short in duration, the test administrator can resume testing at the point where it was discontinued.
- In any emergency that requires competitors to leave the test room, the test administrator should, if time permits, instruct the competitors to leave all test material on their desks. The test administrator will lock the test room, or, if this is not possible, collect the test material before departing.

- If the emergency is a bomb threat or actual fire, evacuate the test room as quickly as possible. Do not remove the test material if doing so will delay the evacuation. Safety of the competitors and test administrators is the prime consideration.

If a test is canceled due to an emergency situation, competitors should be rescheduled and instructed to report on a subsequent test date within a period of two to four weeks. A different series of the test material should be used for the rescheduled test. If the test administrator has test material and test space available in a nearby building, he or she may begin the test again at that location, using new test material.

### **Test Loss**

If, during the administration of the test, test material is found to be missing (e.g., an applicant runs out of the room with the test booklet), the test administrators should record the circumstances and details surrounding the loss/compromise of test material (include a seating chart, if appropriate). Test administrators should not undertake any physical action to obtain the missing test material. A full report of any incident should be included with the competitor's test papers whether the missing material is secured or not.

Competitors should be asked whether they still have any test material in their possession, and should be reminded that failure to turn in all test material before leaving the test room may result in cancellation of their test papers and denial of future testing, in addition to facing possible Federal prosecution.

If the test administrator observes a competitor withholding test material or strongly suspects a specific competitor of having withheld test material, the test administrator should not confront the competitor in the presence of other competitors, but request the competitor remain when other competitors are allowed to leave the test room. Remind the individual that his/her papers may be canceled and he or she cannot take future tests if he or she has withheld test material. In addition, inform him/her that they may be subject to prosecution for theft against the U.S. Government.

When the loss of test material is discovered after competitors have left the test room, the test administrator should not attempt to contact competitors, but should report details to OPM immediately. Before leaving the test room, the test administrator should make a thorough search of the area, including all trash cans, restrooms, and hallways.

### **Reporting a Test Loss/Compromise**

- Whenever test material is lost or missing, the test administrator will notify the agency test control officer at the end of the business day, and will follow-up by submitting a written incident report within 24 hours of the incident.
- The test control officer will notify OPM by email within 24 hours of the initial notification, to be followed by a written report within one week of the incident.

The report must include (5 CFR 300):

- Date, time, and location where incident occurred;
- Name of the test administrator in charge;
- A description of the test material, the test and series number, test book number (when applicable) and the number of copies missing;
- An explanation of the circumstances involved, and actions taken by the test administrator (include any involvement by other participants such as monitors, teachers, and competitors);
- Steps taken to recover the material;
- How the material became lost and recommendation for an investigation, if appropriate;
- Analysis of the incident (why loss/compromise occurred, procedures the test administrator failed to follow, etc.); and
- Steps taken to prevent a recurrence of the incident.

## **SAMPLE TEST SECURITY AGREEMENT**

*(For all Test Materials Received from the U.S. Office of Personnel Management)*

### **1. Purpose**

This agreement is intended to protect the mutual interests of the United States Office of Personnel Management (OPM) and the Federal agencies using tests developed by OPM, as well as the interests of persons who take such test, in order that no person may gain special advantage by having improper access to the materials and that the Government does not incur inordinate replacement costs through the loss or misuse of test materials. For purposes of this agreement, test materials include written tests, rating schedules, proficiency skill tests and scoring keys for each examining assessment whether it is in an automated (electronic) or manual (paper copy) format.

### **2. Terms and Consideration**

In consideration of the receipt of these OPM examination materials, the signer of this agreement accepts personally and on behalf of the named agency, responsibility for carrying out its terms. The signer further agrees that all necessary administrative steps will be taken to assure that persons who have access to OPM test material will be informed of this agreement and will be required to comply with it. Specifically, it is agreed that:

- a. These test materials obtained from OPM will be used for the official purpose of the <AGENCY> in testing candidates for employment and promotion. Under no circumstances will the OPM material be made available for purpose of study, copying, or publication. If the regulations, or union agreements, of the named agency permit any person who has already taken a test to review his or her answer sheet along with the test booklet, such regulations or agreements must be changed before any use of these tests is made to ensure that applicants may not come back to study their answer sheets and test booklets.
- b. Any agency research efforts for which these test materials will be used must be cleared by Employee Services, OPM.
- c. These OPM testing materials in the possession of the <AGENCY> will be handled and stored in a manner that will prevent unauthorized persons from having access to them and that is in compliance with CFR part 337 and with the guidance set forth in other material which OPM will provide the named agency. For example, proper maintenance of test materials requires that they never be left unattended, that they be stored in locked file cabinets when not in use, and that they be routinely inventoried so that each copy received from OPM can be accounted for.
- d. No official, staff member, consultant, or other employee of the <AGENCY> will loan, give, sell or otherwise make available these OPM testing materials to any other agency or unauthorized person, nor will they knowingly permit others to do so, without written permission of OPM.



- e. The Designated Test Control Officer signer of this document is expected to be the supervisor of the agency's testing program or a higher level official responsible for the control and/or use of test materials.
- f. Whenever the signatory of this agreement shall vacate his or her position, notification will be given in writing to the OPM Staff Acquisition Branch within ten (10) working days prior to his or her departure and arrangements should be made to return all test material. When a successor is appointed to the position he or she must call the Staff Acquisition Branch to arrange for training. Once training has been completed, a new agreement signed, the agency may then resume their delegated testing operations.
- g. OPM reserves the right to terminate this agreement, or to withhold access to its test material, if it has reason to believe that the terms of the agreement are not being fulfilled. OPM also reserves the right to withdraw any or all of its test material at any time.
- h. If any of these test materials obtained from OPM should become involved in legal proceedings conducted by a court or others vested with legal authority, the agency that is party to this Test Security Agreement will promptly inform the General Counsel, OPM, through the Staff Acquisition Branch, of the existence and terms of this agreement, and will request that the OPM materials be covered by a protective order that safeguards their confidentiality. A copy of such correspondence should also be sent to Employee Services, OPM. The OPM General Counsel will provide users with appropriate wording, if needed, for such a protective order.

On behalf of myself and this agency, I accept this agreement and assure compliance with its terms:

**Agency Testing Representative Signature**

**OPM Test Control Officer Signature**

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Agency: \_\_\_\_\_

\_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

Fax No.: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

Fax No. \_\_\_\_\_

Date: \_\_\_\_\_

**Agency Designated Test Control Officer:**

\_\_\_\_\_  
Signature

Telephone: \_\_\_\_\_

**OPM Test Security Representative:**

\_\_\_\_\_  
Signature

Telephone: \_\_\_\_\_

## Appendix F – Administrative Careers With America Positions

Below is the list of series covered.

Series	Occupational Series
0011	Bond Sales Promotion Series
0018	Safety and Occupational Health Management Series
0020	Community Planning*Series*
0023	Outdoor Recreation Planning Series
0025	Park Ranger Series
0028	Environmental Protection Specialist Series
0080	Security Administration Series
0101	Social Science Series* **
0105	Social Insurance Administration Series
0106	Unemployment Insurance Series
0107	Health Insurance Administration Series
0110	Economics Series*
0130	Foreign Affairs Series*
0131	International Relations Series*
0132	Intelligence Series
0140	Workforce Research and Analysis Series*
0142	Workforce Development Series
0150	Geography Series*
0170	History Series*
0180	Psychology Series*
0184	Sociology Series*
0187	Social Services Series
0190	General Anthropology Series*
0193	Archeology Series*
0201	Human Resources Management Series
0244	Labor Management Relations Examining Series
0301	Miscellaneous Administration and Program Series**
0341	Administrative Officer Series
0343	Management and Program Analysis Series
0346	Logistics Management Series
0391	Telecommunications Specialist Series
0501	Financial Administration and Program Series**
0526	Tax Specialist Series
0560	Budget Analysis Series
0570	Financial Institution Examining Series
0673	Hospital Housekeeping Management Series
0685	Public Health Program Specialist Series
0901	General Legal and Kindred Administration Series

<b>Series</b>	<b>Occupational Series</b>
0950	Paralegal Specialist Series
0958	Employee Benefits Law Specialist Series
0965	Land Law Examining Series
0967	Passport and Visa Examining Series
0987	Tax Law Specialist Series
0991	Workers' Compensation Claims Examining Series
0993	Railroad Retirement Claims Examining Series
0994	Unemployment Compensation Claims Examining
0996	Veterans Claims Examining Series
1001	General Arts and Information Series**
1015	Museum Curator Series*
1035	Public Affairs Series
1082	Writing and Editing Series
1083	Technical Writing and Editing Series
1101	General Business and Industry Series**
1102	Contracting Series*
1103	Industrial Property Management Series
1104	Property Disposal Series
1130	Public Utilities Specialist Series
1140	International Trade Specialist Series
1145	Agricultural Program Specialist Series
1146	Grain Agricultural Marketing Specialist Series
1147	Agricultural Market Reporting
1150	Industrial Specialist Series
1160	Financial Analysis Series
1163	Insurance Examining Series
1165	Loan Specialist Series
1169	Internal Revenue Officer Series
1170	Realty Series
1171	Appraising Series
1173	Housing Management Specialist Series
1176	Building Management Series
1412	Technical Information Services Series
1420	Archivist Series*
1421	Archives Technician Series Specialist
1654	Printing Services Series*
1701	General Education and Training Series* **
1715	Vocational Rehabilitation Series
1720	Educational Program Series*
1801	General Inspection, Investigation, Enforcement, and Compliance Series**
1810	General Investigation Series**
1811	Criminal Investigation Series**

<b>Series</b>	<b>Occupational Series</b>
1889	Import Compliance Series
1910	Quality Assurance Series
2001	General Supply Series**
2003	Supply Program Management Series
2010	Inventory Management Series
2030	Distribution Facilities and Storage Management Series
2032	Packaging Series
2101	Transportation Specialist Series**
2110	Transportation Industry Analysis Series
2125	Highway Safety Series
2130	Traffic Management Series
2150	Transportation Operations Series
2210	Information Technology Management Series(Alternative B Qualifications)

<b>Description of Symbols (*, **)</b>	<p>Each symbol stands for:</p> <p>* = Series have specific educational requirements</p> <p>** = For positions formerly covered under the Professional and Administrative Careers Examination (PACE)</p>
---------------------------------------	---

## Appendix G – Evaluating Delegated Examining Programs

OPM, as well as agencies through their independent audit programs or as part of their annual self-audits, assesses delegated examining programs and activities. Delegated examining activities are expected to support mission accomplishment and be conducted efficiently, effectively, and in accordance with merit system principles and applicable law and regulations, including the Veterans Preference Act of 1944, as amended. The following merit system principles are especially relevant to delegated examining:

- Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a workforce from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge and skills, after fair and open competition which assures that all receive equal opportunity (5 U.S.C. 2301(b)(1)).
- All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition, and with proper regard for their privacy and constitutional rights (5 U.S.C. 2301(b)(2)).
- The Federal work force should be used efficiently and effectively (5 U.S.C. 2301(b)(5)).

The following questions may be used to determine whether actions under review adhere to the applicable merit system principle.

Merit Principle	Question
Recruitment is from qualified individuals from appropriate sources	<ul style="list-style-type: none"> <li>• Is recruitment appropriately focused?</li> <li>• Does recruitment produce a sufficient number of high quality applicants?</li> <li>• Do selectees meet appropriate qualification requirements?</li> <li>• Were sufficient numbers of eligibles referred on the certificate for the number of vacancies?</li> </ul>
Fair and open competition	<ul style="list-style-type: none"> <li>• Are jobs posted on OPM’s USAJOBS?</li> <li>• Does the length of the open period provide applicants a reasonable opportunity to compete, considering such factors as the volume of applications expected and the area of publicity?</li> <li>• Can applicants readily obtain sufficiently detailed information on application procedures/materials, qualifications, and job requirements?</li> <li>• Are procedures in place to insure applicants who are entitled to file late applications receive appropriate consideration?</li> <li>• Are application acceptance, candidate referral, and interview and placement practices “neutral” (i.e., they do not arbitrarily favor or disfavor specific candidates or type of applicants)?</li> </ul>

<b>Merit Principle</b>	<b>Question</b>
Selections are based on relative ability, knowledge, and skills	<ul style="list-style-type: none"> <li>• Are selection criteria resulting in selections of highly qualified candidates?</li> <li>• Are KSAs and assessment tools based on job requirements, confirmed through job analyses, and appropriate?</li> </ul>
Employees and applicants receive fair and equitable treatment	<ul style="list-style-type: none"> <li>• Does correspondence indicate the agency responds to Freedom of Information Act requests and inquiries in a timely and open manner, while insuring the privacy of applicants and employees?</li> <li>• Do the hiring practices of the office discriminate for or against any employee or applicant?</li> <li>• Do the agency records of audited certificates and results of annual audits of delegated examining units indicate that appropriate corrective action is taken to resolve cases of erroneous certification and out-of-order selection?</li> <li>• Does the agency have procedures for handling suitability matters?</li> </ul>
Efficient and effective use of the Federal work force	<ul style="list-style-type: none"> <li>• Was the certificate used in a timely manner?</li> <li>• Is there appropriate use of automation?</li> <li>• Do delegated examining activities support public policy on placement of surplus and displaced employees?</li> <li>• Does the delegated examining process produce quality candidates in a timely manner at a reasonable cost?</li> </ul>

When OPM or agencies conduct delegated examining audits, they evaluate the efficiency, effectiveness, and level of compliance of delegated examining programs and activities against specific criteria. When preparing for an audit, keep the following expected results in mind:

1. The job analysis process is documented and identifies objective, assessable knowledge, skills, and abilities (KSA)/competencies related to important job duties, work outcomes, or work behaviors necessary for successful performance in the job being filled.
2. Assessment criteria (e.g., rating plans, occupational questionnaires, tests, structured interviews) align with job analyses; make clear distinctions between creditable levels of qualifications; contain appropriate measures; and are uniformly applied.
3. Job opportunity announcements (JOAs) are posted on USAJOBS and contain information required by regulation. Use of links is appropriate. Justification for open periods of less than 5 calendar days is documented. JOAs are streamlined, written in plain language, and include clear filing instructions and meaningful definitions of qualifying specialized experience specific to the grade level(s) of the position being filled.
4. Policies and procedures on acceptance and processing of applications are appropriate and consistently applied.

5. At the initial application stage, applicants may apply by submitting a resume in the format of their choosing (cover letter optional) or completing a simple, plain language application. Applicants are not requested or required to provide written essays or narratives at the initial stage of the application process.
6. Late applications are appropriately reviewed to determine if they meet valid exceptions and are processed accordingly and consistently. Late applications from CP, CPS, and XP preference eligibles are retained and referred for future vacancies as appropriate.
7. Appropriate qualification standards, including agency-developed standards approved by OPM, are used. Justification for use of selective factors is documented. Specialized experience requirements and selective factors, when used, align with job analysis. Selective factors do not require KSAs that could be learned readily during the normal period of orientation to the position or are so specific as to exclude applicants not having prior Federal experience.
8. Qualification requirements are uniformly applied, and qualification determinations are documented and accurately made. Application includes transcripts, course listings, or other documentation sufficient to support qualification based on education.
9. Determinations regarding eligibility for veterans' preference (VP) are properly made.
10. When a self-assessment rating instrument is used to rank candidates, responses from applicants who will be referred for selection on a Certificate of Eligibles are checked against other application materials for evidence supporting applicant ratings. Appropriate rating adjustments are made and fully documented.
11. Displaced/surplus employees eligible under ICTAP, CTAP, or RPL are documented and given selection priority in accordance with legal and regulatory requirements. If ICTAP eligibles are found not well-qualified, independent second reviews are conducted, and written notification containing the specific reason(s) is provided.
12. Certification and merging procedures are appropriate and consistent with veterans' preference laws and applicable agency policies.
13. Established regulations and procedures for objections and veteran pass over requests are followed and appropriate actions (if any) are taken.
14. Selections are properly made from candidates ranked in the highest quality category on a Certificate of Eligibles, in accordance with veterans' preference laws.
15. Applicants are notified of the status of their application at key stages (i.e., application received; qualified/not qualified; referred/not referred; selected/not selected).



16. Decisions to use pay flexibilities for hiring (recruitment, retention, relocation incentives, repayment of student loans, and superior qualifications and special needs pay setting authorities) are appropriately justified and documented.
17. Federal staff members conducting competitive examining have current Delegated Examining Certification from OPM. If contractors are used, the delegated examining office has documentation of the contractors' completion of delegated examining training within prescribed timeframes, or current Delegated Examining Certification (beginning in 2019). Individuals administering written tests have been trained and certified by OPM.
18. Certificates are audited and documented by certified staff or trained contractors before appointee's entrance on duty. Certificates are properly annotated to document actions such as declinations or failures to respond.
19. Annual self-audits of delegated examining activities are conducted by delegated examining-certified staff or contractors who are not involved with the delegated examining office's operations. A list of all discrepancies and corrective actions is maintained for a period of 3 years after each audit.
20. Appropriate corrective action is taken when cases of lost consideration or other types of violations are identified.
21. Documentation is retained to ensure the examining process can be fully reconstructed. Documentation stored in automated staffing systems is accessible or readily retrievable for third party review and case file reconstruction.
22. An accountability system is in place to assure compliance with MSPs and legal, regulatory, and Interagency Delegated Examining Agreement requirements and drive efforts to improve effectiveness and efficiency of delegated examining operations.
23. Agency responsibilities outlined in the Interagency Delegated Examining Agreement not otherwise specified as expected outcomes are met.
24. Security of examining records is proper; applicant information protected by the Privacy Act and the Health Insurance Portability and Accountability (HIPAA) Privacy Rule is properly maintained and safeguarded, and records are maintained in accordance with the retention schedule.
25. Personnel action (SF 50) processing, Official Personnel Folder maintenance, and other administrative activities conform to regulatory and legal requirements.

## **Appendix H – CTAP/ICTAP Charts**

### **Introduction**

The two charts in this appendix are to be used as a quick (but not exclusive) reference for you to follow in filling positions in compliance with CTAP/ICTAP. External competitive examining is subject to ICTAP, as are other types of external placements (e.g., transfers and reinstatements). If CTAP/ICTAP clearance is done outside the Examining Office, the Examining Office must document the case file that CTAP/ICTAP requirements were met.

**NOTE:** These charts are not to be used exclusively as the determining factor for selection priority, please see 5 CFR part 330.

## CTAP Special Selection Consideration

(This chart is not to be used exclusively as the determining factor for selection priority, please see [5 CFR part 330, subpart G](#)).

Question Number	Question	If YES, THEN:	If NO, THEN:
1	For CTAP Special Selection Consideration: Does the Employee meet "surplus" or "displaced" definition in 5 CFR part 330, subpart F?	Question 2	Individual is not entitled to selection priority
2	Has the employee separated from the agency?	Individual is not entitled to CTAP selection priority (but may be for ICTAP purposes)	Question 3
3	Has the employee included a performance appraisal at the Fully Successful level or equivalent rating?	Question 4	Individual is not entitled to selection priority (unless modified by agency policy).
4	Is the duty station of the vacancy in the same commuting area as the employee's duty station?	Question 5	Individual is not entitled to selection priority
5	Is the grade of the vacancy at or below the employee's current grade?	Question 6	Individual is not entitled to selection priority
6	Does the vacancy offer the same or less promotion potential than employee's current position?	Question 7	Individual is not entitled to selection priority
7	Was the employee found to be well-qualified?	Employee is referred for selection priority	Individual is not entitled to selection priority

## ICTAP Special Selection Consideration

(This chart is not to be used exclusively as the determining factor for selection priority, please see [5 CFR part 330, subpart G](#)).

Question Number	Question	If YES, THEN:	If NO, THEN:
1	For ICTAP Special Selection Consideration: Does the Employee meet the definition of “displaced” in 5 CFR part 330, subpart G.	Question 2	Individual is not entitled to selection priority
2	Has employee’s ICTAP eligibility expired?	Individual is not entitled to selection priority	Question 3
3	If required by regulation, does the employee have at least a Fully Successful or equivalent rating?	Question 4	Individual is not entitled to selection priority.
4	Is the duty station of the vacancy in the same commuting area as the employee's duty station?	Question 5	Individual is not entitled to selection priority
5	Is the grade of the vacancy at or below the employee's current (or last) grade?	Question 6	Individual is not entitled to selection priority
6	Does the vacancy offer the same or less promotion potential than employee's current (or last) position?	Question 7	Individual is not entitled to selection priority
7	Was the employee found to be well-qualified?	Employee is referred for selection priority	Individual is not entitled to selection priority

# Appendix I – Transmutation Procedures for General Schedule Positions

## Introduction

Applicants who meet the U.S. Office of Personnel Management minimum qualification requirements and any selective factors for the position are eligible for further assessment of their qualifications. Those failing to meet the minimum requirements for the position are ineligible and thus “screened out.” Transmutation is the process of converting passing assessment scores to final numerical ratings in the range of 70 to 100. The minimum passing score is transmuted to 70, the maximum score is transmuted to 100, and scores in between must be similarly converted. Veterans’ preference (VP) points are added only after transmuting the final assessment scores.

## Determining Maximum, Minimum, and Range

The three key pieces of information needed to transmute scores are the maximum possible score, the minimum passing score, and the range of scores.

After the assessment tool has been developed, you must determine the *maximum* number of points applicants can attain. For example, assume the job analysis identified five critical competencies/KSAs for the position and the maximum point value for each competency/KSA is set at five. Therefore, the maximum number of points an applicant can achieve on this assessment is 25. The maximum possible score always transmutes to a rating of 100, so in this example the score of 25 transmutes to a rating of 100.

The *minimum* passing score is the lowest number of points an applicant can earn on an assessment and still be considered eligible for appointment. The minimum passing score always transmutes to a rating of 70 (see 5 CFR 337.101). For example, on an assessment where applicants must attain a passing score of at least 14 points, 14 transmutes to a rating of 70. When using assessments on a pass/fail basis (qualified eligibles who meet experience/education requirements but do not pass the assessment are screened out), it is critical to document the bases upon which minimum passing scores were established.

The *range* describes the spread of the raw score points that are to be transmuted to ratings between 70 and 100. The range is simply the difference between the maximum possible score and minimum passing score. For example, if the maximum possible score is 25, and the minimum passing score is 14, the range is 25 minus 14, which equals 11.

## Constructing a Transmutation Table

Using the maximum possible score, the minimum passing score, and the range, construct a transmutation table by following these steps:

Step 1: Divide 30 (i.e., 100 minus 70) by the range of the raw scores (i.e., the maximum possible score minus the minimum passing score).

Step 2: Assign a transmuted score of 100 to the maximum score.

Step 3: Subtract the value obtained in Step 1 from each transmuted score in sequence, starting with 100. (Round up or down to the nearest whole number.)

Repeat Step 3 for each of the remaining raw score points.

**Example 1:**

Maximum Score: 25

Minimum Passing Score: 14

Range: 11 (25 minus 14)

Step 1: Divide 30 by 11 (the range) = 2.73.

Step 2: Assign a transmuted score of 100 to the raw score of 25 (maximum score).

Step 3: Calculate the transmuted score for the remaining raw scores.

For 24:  $100 - 2.73$  (from Step 1) = 97.27, rounded down to 97.

For 23:  $97.27 - 2.73 = 94.54$ , rounded up to 95.

For 22:  $94.54 - 2.73 = 91.81$ , rounded up to 92, and so on.

Repeat Step 3 until transmuted scores are assigned to all raw scores.

**Below is the Complete Transmutation Table for Example 1:**

<b>Raw Score Points</b>	<b>Conversion</b>	<b>Transmuted Rating (Not including VP points)</b>
25 (Maximum)	-	100
24	97.27	97
23	94.54	95
22	91.81	92
21	89.08	89
20	86.35	86
19	83.62	84
18	80.89	81
17	78.16	78
16	75.43	75
15	72.70	73
14 (Passing)	-	70

**Example 2:**

Maximum Score: 15  
Minimum Passing Score: 0  
Range: 15 (15 minus 0)

Step 1: Divide 30 by 15 (the range) = 2.00.

Step 2: Assign a transmuted score of 100 to the raw score of 15 (maximum score).

Step 3: Calculate the transmuted score for the remaining raw scores.

For 14:  $100 - 2.00$  (from Step 1) = 98.  
For 13:  $98.00 - 2.00 = 96$ .  
For 12:  $96.00 - 2.00 = 94$ , and so on.

Repeat Step 3 until transmuted scores are assigned to all raw scores.

**Below is the Complete Transmutation Table for Example 2:**

<b>Raw Score Points</b>	<b>Conversion</b>	<b>Transmuted Rating (Not including VP points)</b>
15 (Maximum)	-	100
14	98.00	98
13	96.00	96
12	94.00	94
11	92.00	92
10	90.00	90
9	88.00	88
8	86.00	86
7	84.00	84
6	82.00	82
5	80.00	80
4	78.00	78
3	76.00	76
2	74.00	74
1	72.00	72
0 (Passing)	-	70

**Example 3:**

Maximum Score: 15  
Minimum Passing Score: 9  
Range: 6 (15 minus 9)

Step 1: Divide 30 by 6 (the range) = 5.00.

Step 2: Assign a transmuted score of 100 to the raw score of 15 (maximum score).

Step 3: Calculate the transmuted score for the remaining raw scores.

For 14:  $100 - 5.00$  (from Step 1) = 95.

For 13:  $95.00 - 5.00 = 90$ .

For 12:  $90.00 - 5.00 = 85$ , and so on.

Repeat Step 3 until transmuted scores are assigned to all raw scores.

**Below is the Complete Transmutation Table for Example 3:**

<b>Raw Score Points</b>	<b>Conversion</b>	<b>Transmuted Rating (Not including VP points)</b>
15 (Maximum)	-	100
14	95.00	95
13	90.00	90
12	85.00	85
11	80.00	80
10	75.00	75
9 (Passing)	-	70



## Appendix J – Competitor Inventory

As an alternative to case examining, you may wish to establish a competitor inventory. This type of inventory is also referred to as a "standing inventory," "standing register," or "register." For the purpose of this section, the term "competitor inventory" will be used.

A competitor inventory is usually established when positions in an occupation are frequently filled with non-status candidates and it is not efficient to recruit and examine for each job filled. A competitor inventory provides a list of interested and qualified applicants ready to be certified for current and future vacancies.

### Definition

A competitor inventory is a rank-ordered list of eligibles who have met one set of qualification requirements, have passed at least one assessment and are available to be considered for:

- One or more grade levels;
- One or more occupational specialties;
- At one or more geographical locations; and
- Various employment conditions identified on the job announcement, such as, travel, night or shift work.

### Types of Inventories

There are two types of competitor inventories:

**Pre-rated inventory** is a list of eligibles that have been rated and ranked and placed in rank order, by option and by grade. This type of listing has traditionally been called a register, and applications are referred to as being "pre-rated" or "front-end rated."

**Deferred-rated inventory** is a list of applicants in alphabetical or identification number order. The list includes options and grades for which the applicants are considered. Although there may be an initial screening for minimum qualifications, applications are rated only when a certificate is requested for a specific job. Typically, the rating is valid only for that specific position.

### Requirements for Establishing a Competitor Inventory

When establishing a competitor inventory, you must record and maintain the following basic information to make it possible to reconstruct the history of a competitor inventory:

- Examination title and number;
- Position, grade and geographic area(s) covered;
- Date the inventory was established; and
- Disposition of other competitor inventories, which the new one may have superseded.

## Date of Establishment

The date for establishing the competitor inventory depends on the length of time that the job opportunity announcement is open.

<b>IF a job opportunity announcement is open...</b>	<b>THEN the date of establishment is the date...</b>
for a limited period	of the first certificate issued from the inventory.
Continuously	when the first eligible applicant is entered into the inventory.

In either case, if the public notice says that all those who apply by a certain date are considered first, then the applicants from the first group are entered onto the inventory at the same time, and those who apply later are entered as they are rated.

## Period of Eligibility for a Competitor Inventory

The applicant's period of eligibility is based on your need for the competitor inventory. Typically, the period of eligibility lasts for one year; however, you may set a shorter or longer time period.

It is important to note the date of an applicant's entry onto the competitor inventory, because this is the date from which the length of the period of his or her eligibility is determined.

## Requests for Additional Information

You may establish the competitor inventory without waiting for applicants to respond to requests for additional information. However, you should make this fact known to the applicants from whom you are seeking additional information. If it appears that the number of incomplete forms is very large, you may delay certification or making selections from the certificate until you receive the additional information or until the deadline for additional information has passed.

## Pre-rated Inventory

When establishing a pre-rated standing inventory, it must contain a complete record of the applicant's eligibility. For each applicant on the inventory, you may use a register card, an automated data record, or other non-automated approach. Generally, a separate record is prepared for each position, grade, and option for which an applicant is eligible. The record should contain the following information:

- The eligible applicant's rating, including appropriate veterans' preference points, if applicable, and symbol (CP, CPS, XP, SSP, or TP). If the examination includes a written test, the part scores are recorded if part scores exist;
- The job specialty in which the applicant has been rated eligible. If separate register cards are made for each grade, option, or position, you may wish to post only rating, grade, etc., at the top of the card and annotate the bottom of the card with the other

grades and options for cross reference purposes, or ensure that any automated examining system maintains such data;

- Examination number. This is the job opportunity announcement number;
- Identification number. If the applications are filed numerically, record the application number;
- Date of entry (registration date) onto the competitor inventory;
- Other eligibilities. When separate register cards are prepared for each option and grade, you may want to list at the bottom of the card all other eligible ratings, grades, options, or positions resulting from the same application;
- Special notations. Note any limitations or modifications of eligibility, (e.g., subject to completion of a 4-year college degree). In a card system, you would typically note this at the bottom of the card; and
- If the application was accepted after the closing date, annotate the register card or automated system's records to show the reason for acceptance, e.g., "Reopened" or "Delayed" filer.

### **Deferred-rated Inventory**

You may use an automated or electronic file or a manual process to maintain your inventory. It may contain a single entry following the applicant's name or a separate listing for each grade or occupational specialty. The file may also include:

- Appropriate preference symbol (CPS, CP, XP, TP, or SSP) if applicable;
- Application number if you will file the applications numerically;
- Examination/job opportunity announcement number;
- Date of entry onto the competitor inventory; and
- Any limitation on eligibility (e.g., meeting maximum entry age requirements) or availability (e.g., geographic, nature of employment, willingness to travel, etc.).

### **Application Notification Procedures**

You must communicate with applicants concerning the status of their application, and it must be done in a timely manner on at least four communication touch-points. However, it is acceptable if touch-points are combined into two communications. The four communication touch-points are:

1. Notice of receipt of application. OPM suggests notifying applicants no later than 5 business days after the application was received. The notice should include the following information:
  - Title and number of the examination;
  - Name of the issuing office;
  - Date of issue; and
  - Positions, options, and grades covered by the inventory.

This notice should also describe how the applicant will receive consideration. The notice should clearly state that it is not a notice of rating or a determination of eligibility. However, some deferred-rated examinations may provide for a minimum qualification screening for grade level only. If you have made such a determination, you should include this determination in the notice of receipt of application.

2. When the application is assessed for minimum qualifications (eligibility/ineligibility) for the job after all applications have been assessed. See information on Notice of Results.
3. When applications are referred or certified (or not) to the hiring official.
4. When a selection is made (or not) for the position or the job is canceled. OPM suggests non-selected candidates be notified no later than 10 business days after the date on which the selected candidate has accepted the job offer or the job was canceled.

### **Information on the Notice of Results**

The information on the notice of results tells applicants whether they are qualified for the position for which they applied. The following information should be included in the notice:

- Title, series, grade of the job, occupational specialty(ies), plus job announcement number or other job identifier;
- Whether the applicant is eligible or ineligible, including any assigned numerical rating if front-end examining procedures are used;
- Level of veterans' preference awarded (if eligible);
- Any restrictions on eligibility, such as "subject to meeting education requirements";
- Whether the eligible applicant was referred to the hiring manager for employment consideration, or how this referral may occur in the future;
- Brief explanation of the reason that applicant was not qualified -- for example, "did not pass the written test," "did not meet basic experience or education requirements," "did not meet a mandatory selective factor," or "salary of the job was below the minimum acceptable level stated in your application" (if eligible);
- Length of eligibility and the procedures for extending that eligibility; and
- Point of contact in case the applicant has questions.

## **Maintaining a Competitor Inventory**

### **Period of Eligibility on a Competitor Inventory**

The period of eligibility for an individual on a competitor inventory is established when developing the examination plan.

You should inform the applicant how long his/her eligibility is valid and how to extend it. Remove from consideration any eligibles who do not communicate their continued interest in employment within the prescribed period and put them in the inactive inventory for a period of one year.

Upon request, the eligible may have his/her eligibility reinstated during the one-year-period, whether the examination is open or closed. You should consider any communication received from the applicant during his/her eligibility that clearly indicates continued interest in employment as a request to extend eligibility (e.g., letter changing address, congressional inquiry).

### **Re-examining (Re-competing) Applicants**

As long as the examination is still open, applicants may reapply and be reexamined at any time unless the examination says otherwise. If an applicant competes more than once in a written test, the highest rating is the official one unless a previous eligibility has expired, in which case the latest rating is the official one. If the applicant is limited to a specific number of times he or she can apply for an examination within a limited period of time (such as 6 months or 1 year) disregard the second application submitted by the applicant during the designated period.

When an examination is closed or suspended as to the receipt of new applications, eligibles may submit information about additional qualifications gained after the closing/suspension date. An eligible may request consideration under different options and/or grade levels at any time if the announcement was open for those options and/or grades anytime during the eligible's period of eligibility and the eligible meets the qualification requirements during the open period.

Your office may wish to set a reexamining and recompetition policy and implementing procedures. This policy, if established, must be clearly stated and documented in your standard office procedures manual or equivalent.

### **Multiple Applications from a Single Applicant**

You may receive multiple applications from a single applicant. If the applications are different, you should review both applications to determine if any changes were made or new information was added to one application and not the other. You should combine the applications, and then reconcile the rating, if necessary.

## **Changes to Applicant Record**

You are responsible for annotating the record with any notices of change in name, address, or availability, and for notifying the appointing officer of any significant change in an eligible applicant's status while that person is on a certificate to the official. You must also record any changes in an eligible applicant's qualifications, veterans' preference status, or other information that would affect his/her eligibility or position on a certificate.

## **Removal Based on Selection**

When an eligible is selected for a career-conditional position, remove him/her from the inventory for those positions in the grade, series, and promotion potential for which he or she was selected. The individual retains eligibility for all other series and grades for which he or she qualifies.

When an eligible is selected for a temporary or term position, he or she remains on the inventory for consideration for permanent positions (see 5 CFR part 316).

## **Restoring After Removal**

You may not restore an eligible who has been removed from an inventory, except when the applicant does not need to retake any written test because the previous test scores are available.

The following applicants are entitled to be restored, upon request, to an inventory or its successor whether the inventory is open or closed to the receipt of new applications:

- A preference eligible who resigned without delinquency or misconduct from a career or career-conditional position provided he or she applies within 90 calendar days after separation (5 CFR 332.321); and
- An employee separated (voluntarily or involuntarily) during probation without delinquency or misconduct (5 CFR 332.323).

## **Terminating or Combining Inventories**

### **When to Terminate/Combine Inventories**

Before you establish a new inventory covering the same positions (as when a new qualification standard is issued or a new assessment tool developed), you should either terminate the old inventory or combine it with an equivalent new inventory.

- You must terminate old inventories if one examination has a written test and the other does not, unless OPM authorizes another procedure, and
- You may terminate an existing inventory when it is no longer needed to fill vacancies, or when a case examining approach is better suited to the agency's needs.

### **Alternative to Termination**

Usually you must terminate the old inventory when qualification requirements or rating schedules/assessment tools change.

- You should allow applicants who may not meet the new requirements to submit new application materials.
- If an eligible applicant's score or eligibility changes under the new examination, you must issue a new notice of results.

### **Maintaining a Competitor Inventory Case File**

You must maintain sufficient information in the competitor inventory case file to permit reconstruction of the inventory. The following are examples of information you should include:

- Termination date of the competitor inventory;
- Disposition of the applications on the competitor inventory;
- Date of the last appointment from the inventory; and
- Whether a successor inventory was established.

### **Retaining Applications for Extended Consideration**

If you do not establish a new inventory but you expect to fill future vacancies through case examining, you must retain the applications of persons entitled to extended consideration in a separate file for future vacancies.

**Note:** This applies to 10-point preference eligibles (see Special Handling of Preference Eligibles in this section) and individuals who lost certification opportunities (see Chapter 6, Section E, Erroneous Selection and Priority Consideration).

### **Notification of Termination**

Whenever you plan to terminate an existing competitor inventory, you should notify all active eligibles in writing if one of the following circumstances occurs:

<b>IF you use...</b>	<b>THEN you should...</b>
a new examination to establish a new inventory	tell the eligible applicants the opening and closing dates and the procedures to follow if they wish to apply; or
case examining in filling future vacancies	tell competitors how to find out about future announcements.

### **Combining Inventories**

When you combine an existing inventory with a new one, you should follow the procedures cited below:

- Merge current eligibles on the existing inventory with the new inventory in the same order as if the list had resulted from one examination;
- Eligible applicants entitled to priority consideration on the old inventory for reasons such as lost certification retain their preferred standing on the combined inventory; and
- Current eligible applicants on the existing inventory remain on the new inventory for the unexpired period of eligibility.

If an eligible is on both the new and old inventories with different scores, enter him/her on the combined inventory with the higher rating. However, eligibles with preferred standing (e.g., priority consideration, CTAP/ICTAP) on the old inventory retain their preferred standing on the combined inventory. In the case of ICTAP eligibles, this assumes their CTAP period of eligibility has not expired.

### **Disposition of Records**

Schedule examining records and documents for disposal according to the records retention and disposition schedule instructions in Appendix C. Attach terminated register cards or equivalent records to your reconstruction sheet for disposition, or ensure such data is retained in automated systems.



## Appendix K – Professional and Scientific Positions

Below is the list of professional and scientific occupational series.

Series	Position Title
0020	Community Planning Series
0060	Chaplain Series
0095	Foreign Law Specialist Series
0101	Social Science Series
0110	Economist Series
0130	Foreign Affairs Series
0131	International Relations Series
0135	Foreign Agricultural Affairs Series
0140	Workforce Research & Analysis Series
0150	Geography Series
0170	History Series
0180	Psychology Series
0184	Sociology Series
0185	Social Work Series
0190	General Anthropology Series
0193	Archeology Series
0401	General Natural Resources Management and Biological Sciences Series
0403	Microbiology Series
0405	Pharmacology Series
0408	Ecology Series
0410	Zoology Series
0413	Physiology Series
0414	Entomology Series
0415	Toxicology Series
0430	Botany Series
0434	Plant Pathology Series
0435	Plant Physiology Series
0437	Horticulture Series
0440	Genetics Series
0454	Range Conservation Series
0457	Soil Conservation Series
0460	Forestry Series
0470	Soil Science Series
0471	Agronomy Series
0480	Fish and Wildlife Administration Series
0482	Fish Biology Series
0485	Wildlife Refuge Management Series
0486	Wildlife Biology Series
0487	Animal Science Series
0510	Accounting Series
0511	Auditing Series

<b>Series</b>	<b>Position Title</b>
0512	Internal Revenue Agent Series
0601	General Medical and Healthcare Series
0602	Physician Series
0603	Physician Assistant Series
0610	Nursing Series
0630	Dietetics and Nutrition Series
0631	Occupational Therapy Series
0633	Physical Therapy Series
0635	Kinesiotherapy Series
0638	Recreation/Creative Arts Therapy Series
0644	Clinical Laboratory Science Series
0660	Pharmacy Series
0662	Optometry Series
0665	Speech/Language Pathology and Audiology Series
0668	Podiatry Series
0680	Dentistry Series
0690	Industrial Hygiene Series
0696	Consumer Safety Series
0701	Veterinary Medical Science Series
0801	General Engineering Series
0803	Safety Engineering Series
0804	Fire Prevention Engineering Series
0806	Materials Engineering Series
0807	Landscape Architecture Series
0808	Architecture Series
0810	Civil Engineering Series
0819	Environmental Engineering Series
0830	Mechanical Engineering Series
0840	Nuclear Engineering Series
0850	Electrical Engineering Series
0854	Computer Engineering Series
0855	Electronic Engineering Series
0858	Bioengineering and Biomedical Engineering Series
0861	Aerospace Engineering Series
0871	Naval Architecture Series
0880	Mining Engineering Series
0881	Petroleum Engineering Series
0890	Agricultural Engineering Series
0893	Chemical Engineering Series
0896	Industrial Engineering Series
0904	Law Clerk Series
0905	General Attorney Series
1015	Museum Curator Series
1102	Contracting Series*
1220	Patent Administration Series
1221	Patent Advisor Series
1222	Patent Attorney Series
1223	Patent Classifying Series

<b>Series</b>	<b>Position Title</b>
1224	Patent Examining Series
1226	Design Patent Examining Series
1301	General Physical Science Series
1306	Health Physics Series
1310	Physics Series
1313	Geophysics Series
1315	Hydrology Series
1320	Chemistry Series
1321	Metallurgy Series
1330	Astronomy and Space Science Series
1340	Meteorology Series
1350	Geology Series
1360	Oceanography Series
1370	Cartography Series
1372	Geodesy Series
1373	Land Surveying Series
1380	Forest Products Technology Series
1382	Food Technology Series
1384	Textile Technology Series
1410	Librarian Series
1420	Archivist Series
1501	General Mathematics and Statistics Series
1510	Actuarial Science Series
1515	Operations Research Series
1520	Mathematics Series
1529	Mathematical Statistics Series
1530	Statistics Series
1550	Computer Science Series
1701	General Education and Training Series
1710	Educational and Vocational Training Series
1720	Education Program Series
1725	Public Health Educator Series
1730	Education Research Series
1740	Education Services Series
1750	Instructional Systems Series

**\*Note: 10-point compensably disabled veterans continue to float at grade GS-9 and above in the GS-1102 occupation.**

## Appendix L – Rule of Three Certification and Selection Procedures

As discussed in Chapter 5, the *Presidential Memorandum on Improving the Federal Recruitment and Hiring Process* mandates the use of category rating for all competitive examining. Previously, applicants were ranked in score order with veterans' preference points added to their final score. Hiring managers were then able to select from the top three highest ranked applicants with veterans receiving preference over non-veterans. This Appendix further explains these "rule of three" procedures. While not in use today in competitive examining, rule of three procedures are still used in excepted service hiring.

### Ranking the Eligibles

Once the rating process is complete, under "rule of three" procedures you rank order each eligible in score order, and in the order of his or her entitlement. By ranking each eligible, you are establishing what we call the "order of selection."

For case examining and competitor inventories, the order of eligibles will vary depending upon the nature of the position being filled. This section discusses the rules that apply when using "rule of three" procedures, as well as how to order eligibles for professional and scientific positions at GS-9 and above, and for positions restricted to preference eligibles.

#### General Rule

You must follow the order of certification outlined in 5 U.S.C. § 3313 and 5 CFR part 330. When using "rule of three" procedures, eligibles are ranked in the following order:

Order	Entitlement
1 (5 CFR part 330)	Interagency Career Transition Assistance Program (ICTAP) Eligibles
2 (5 U.S.C. § 2301(b)(1))	Eligibles who lost consideration due to erroneous certification/selection
3 (5 U.S.C. § 3313)	All 10-point preference eligibles who have a service-connected disability of 10 percent or more (CPS and CP)
4 (5 U.S.C. § 3313)	All remaining eligibles in descending score order

#### Order by Entitlement

Within each entitlement group, eligibles are ranked in order of their numerical rating, including veterans' preference points. An ICTAP eligible who meets the ICTAP well-qualified definition must be selected if available, unless the hiring manager chooses not to use the certificate or makes a selection from a source excepted from ICTAP requirements, such as a 30% disabled veteran appointment (5 CFR part 330).

## Ordering the Preference Categories

If there is a tie in numerical scores between eligibles in different preference categories, the order of ranking is CPS/CP, XP, TP, SSP and then NV. For example, an eligible with a rating of 98XP is listed ahead of an eligible with 98TP. Similarly, an eligible with a rating of 98TP is listed ahead of a non-preference eligible with a score of 98.

## Ordering the Compensable Preference Eligible

Compensably disabled preference eligibles (CPS and CP) go to the top of the Certificate of Eligibles, regardless of numerical rating, ahead of all other eligibles, except ICTAP and Priority Consideration eligibles. If there is more than one CPS or CP eligible, they are listed in descending score order (e.g., a CP eligible with a score of 100, is listed before a CPS eligible with a score of 95). If tied scores occur, you should apply a tie-breaking procedure. (See Tied Ratings.)

## Professional and Scientific Positions at GS-09 and Above

For **Professional and Scientific Positions at the GS-9 grade level and above**, the eligibles are ranked in the following order:

Order	Entitlement
1 (5 CFR part 330)	ICTAP eligibles
2 (5 U.S.C. § 2301(b)(1))	Eligibles who lost consideration due to erroneous certification
3 (5 U.S.C. § 3313)	All other eligibles in score order

## Order by Entitlement

Within each entitlement group, eligibles are ranked in the order of their numerical rating, including veterans preference points. A well-qualified ICTAP eligible must be selected if available, unless the hiring manager chooses not to use the certificate or makes a selection from a source excepted from ICTAP requirements, such as a 30% disabled veteran appointment (5 CFR part 330).

## Special Note

For professional or scientific positions at grades GS-9 and above, compensably disabled preference eligibles (CPS/CP) **are not** automatically placed at the top of the Certificate of Eligibles (5 U.S.C. § 3313). Eligibles are listed in score order, including veterans' preference points.

### **Positions Restricted to Preference Eligibles**

There are several types of jobs which restrict appointments to preference eligibles as long as there are qualified preference eligibles available (5 USC § 3310). For positions restricted to preference eligibles, the eligibles are ranked in the following order:

<b>Order</b>	<b>Entitlement</b>
1 (5 CFR part 330)	ICTAP eligibles entitled to veterans' preference
2 (5 U.S.C. § 2301(b)(1))	Preference eligibles who lost consideration due to erroneous certification
3 (5 U.S.C. § 3313)	All 10-point preference eligibles with a service-connected disability of 10 percent or more
4 (5 U.S.C. § 3313)	All remaining preference eligibles in score order
5 (5 CFR Pat 330)	Non-preference ICTAP eligibles
6 (5 U.S.C. § 2301)	Non-preference eligibles who lost consideration due to erroneous certification
7 (5 U.S.C. § 3313)	All remaining eligibles (if non-preference were allowed to compete) in score order

### **When to Certify Non-Preference Eligibles**

You may certify non-preference eligibles only if there is a likelihood that the supply of preference eligibles will be exhausted before all vacancies have been filled. When non-preference eligibles are certified, they are listed below the last preference eligible.

### **Special Note**

When eligibles within a particular group have identical ratings, the tied ratings are broken by listing preference eligibles first in the order of their preference (e.g., CPS/CP, XP, TP, and SSP), then non-preference eligibles. If tied scores occur, you must apply a tie-breaking procedure (see the discussion under Tied Ratings below).

## Tied Ratings

Tied ratings only apply to “rule of three” procedures. There may be instances where tied ratings occur among eligibles in the same preference category (e.g., CPS/CP). When this happens, you need to use a method to break the sub-group ties on a consistent basis.

### Four Methods of Breaking Tied Ratings

Here are four methods for breaking tied ratings. You may use any or all of the different types of tie breaking methods. These methods may be applied in any sequential order.

These four methods of breaking ties are examples, and are not intended to serve as an exhaustive list. You may adopt other methods of randomly breaking ties. However, care should be taken to assure that the method is truly random. Listing eligibles alphabetically, for example, is not acceptable. Whatever procedure is adopted, it must be recorded if used to break sub-group ties, and kept with the certificate documentation records.

<b>Type of Tie Breaker</b>	<b>Description of Method</b>
Job-related Factor	You may use a job-related factor to break tied scores provided that, you did not use these factors in the ranking process.
Name Request	If the hiring manager submits a name request within the tied range, you may place the name request ahead of other eligibles with the same rating within the sub-group.
Name Request Based on Job-related Factor	A name request may also be identified after a Certificate of Eligibles is issued to the hiring manager. If you issue a certificate with tied scores and the hiring manager determines that he or she would like to identify an eligible as a name request from among the tied scores, then you would apply the name request tied score procedures to the certificate when it is returned. The identification of the eligible must be based on a job related factor, and documented as such in the case file.
Random Number	You may break ties randomly. We recommend using the last digit of eligibles’ Social Security Numbers in conjunction with a table of random numbers. Those procedures are explained in Appendix L, Random Referral (Tie-Breaking) Instructions.

## **Number of Names Certified**

After arranging all the eligibles in score order by their entitlement, it is time to consider the number of names that will be referred to the hiring manager. The appointing officer is entitled to consider three eligibles for each vacancy.

### **General Rule**

The general rule for referring the appropriate number of names per vacancy is that you must certify enough names from the highest ranking eligibles to permit the appointing officer to consider at least three names for appointment to each vacancy in the competitive service (5 U.S.C. § 3317 and 5 CFR 332.402). This means that, at minimum and if available, three eligibles per vacancy must be referred even if some of them do not appear to be “within reach” due to veterans’ preference considerations.

### **Fewer than Three Eligibles**

You may not always have three eligible names to refer to the hiring manager. If you have fewer than three eligibles for a particular position, you may refer the names to the hiring manager or reannounce the position to attract additional candidates for consideration. You should review your public notice and recruitment efforts to determine if they were adequate. You may receive a request from the hiring manager to reannounce the vacancy. The hiring manager should be given the option of deciding whether to request issuance of a certificate in the interim with the one or two candidates who did establish eligibility. If this occurs, and your reannouncement action generates additional names, you must issue a supplemental certificate, if the original one with one or two names is still being “worked” by the hiring manager. (Supplemental certificates under rule of three procedures are discussed later in this Appendix).

### **Additional Names**

At your discretion, and based on your past experience, additional names may be certified to compensate for eligibles who are within reach for consideration but will likely decline or fail to respond to an inquiry of availability or interview.

### **Certification of Eligibles under Case Examining**

By definition, case examining procedures involve a one-time-only action with no expectation of filling other jobs at a later date. Therefore, you may refer all the qualified eligible names to the hiring manager in rank order.



## Supplemental Certification

A certificate is identified as a supplement when there is another certificate outstanding and the following items are the same:

- Appointing Officer;
- Type of Appointment;
- Duty Location;
- Title, Series, Grade;
- Qualification Factors (selective placement/quality ranking factors); and
- Employment Conditions (travel, part-time vs. full time, etc.)

Supplemental certificates serve to protect commitments made by the appointing officer to eligibles on the earlier certificate who may happen to stand lower than eligibles on the later certificate.

A supplemental certificate may be issued when the original certificate results in fewer than three eligible and available candidates per vacancy. The need for supplements usually occurs for one of three reasons: (1) the declination and failure to respond rates are higher than anticipated; (2) additional vacancies materialize in the office of the same supervisory official to whom on the original certificate was sent; or (3) a supervisor in another office (but still under the same appointing officer) has an identical vacancy.

A supplemental certificate can be issued only when the original certificate is still outstanding (i.e. has not been audited by the examining office). When the original certificate has been returned and audited, a request for more names requires the issuance of a new certificate.

When issuing a supplemental certificate, the examining office prepares a new SF-39 or other requesting document, with all of the position-specific information from the original. We suggest using the original certificate number with a suffix S-# to identify it as a supplement. For example, certificate DF-18-0056, S-1 is the first supplement to DF-18-0056.

A supplemental certificate contains the highest ranking group of eligible candidates who were not listed or who did not make the original certificate. Sometimes the eligibles on a supplement follow in score order right behind the lowest candidates from the original. Sometimes, additional candidates have been put in the eligible candidate pool after the original certificate was issued (for example, due to late filers), resulting in numerical ratings for the supplement that are higher than the scores of persons who have been selected from the original. To protect those earlier selections, the eligibles listed on a supplement are considered to have a lower standing than eligibles on the original certificate, and eligibles on a second supplement have lower standing than eligibles on the first supplement, etc. In other words, ratings from the supplemental certificate are not merged with ratings from the original. If the hiring manager specifically requests to merge all candidates in score order, the examining office may approve the merger. However, once the certificates are merged, the “rule of three” is applied.

### **Tie-Breaking on a Supplemental Certificate Merged with Original Certificate**

When a supplement is merged with the original certificate, the examining office is creating a new certificate which that be audited in accordance with the “rule of three” and veterans’ preference procedures. If tied scores occur between eligibles on the original certificate and eligibles on the supplement (after the application of veterans’ preference), the examining office may decide for itself how to list the eligibles with tied ratings, as long as the tied rating procedures outlined earlier are followed. For example, the eligibles from the original certificate could be listed first, followed by those from the supplemental certificate, or tie-breaking procedures could be applied to all same score candidates on both lists.

## **Selection Procedures**

Selection must be made from among the top three eligibles certified. A hiring manager may not pass over a preference eligible to select a non-preference eligible unless there are grounds for passing over the preference eligible and the agency has complied with the pass over procedures at 5 U.S.C. § 3318 (see Chapter 6, Section D).

### **Three Considerations under “Rule of Three” Procedures**

If an eligible was considered and non-selected from the same or different certificates from which three valid selections were made by the same appointing officer, you may eliminate the eligible from further consideration on that(those) certificate(s). Each time a job is announced on a case examining basis, the same eligible has the right to be considered for the position again even if he or she was considered three times for a previous case examining certificate.

### **Removal from Consideration (Only Applies under “Rule of Three” Procedures, NS3)**

If any eligible was certified and given three bona fide considerations by the same appointing officer, the eligible’s consideration may be discontinued. A bona fide consideration occurs only when a valid selection has been made. The reporting code is “NS3” in this instance. Where a competitor inventory exists, preference eligibles must be notified in advance of the discontinuance of certification (5 U.S.C. § 3317).

**Special Note:** The three consideration rule found in 5 U.S.C § 3317(b) does not always apply in cases of restricted positions. If applications from both preference and non-preference eligibles are accepted, you cannot eliminate preference eligibles from further consideration once they have been certified and received three bona fide considerations, if this would result in the selection of a non-preference eligible (unless a pass over request has been formally approved). This stems from the legal mandate in 5 U.S.C. § 3310, which states that in examining for such position, “competition is restricted to preferences eligibles as long as preference eligibles are available.” However, if an announcement for restricted positions solicited only preference eligible applicants, use of the three consideration rule to eliminate an eligible given three considerations would be permissible because no non-preference eligibles would be available for referral and potential consideration for selection.

## Auditing a Certificate of Eligibles under “Rule of Three” Procedures

By applying the traditional "rule of three" procedures, you are fulfilling one of your responsibilities in the audit process. That is, to determine that all selections are made consistent with the “rule of three” and veterans' preference procedures.

Through the “rule of three” procedures, you ensure that each eligible is afforded his or her right to receive a bona fide employment consideration. This can only occur if a valid selection is made. An eligible who is among the top three eligibles does not receive a "consideration" if no one is selected. Additionally, the “rule of three” allows an appointing officer to eliminate an eligible that has been considered for three separate appointments from the same or different certificates for the same position (5 CFR § 332.405).

### Audit Procedures in Applying the “Rule of Three”

You should observe the following steps in determining the order of selection:

Step	Action																		
<b>1</b>	<p>Disregard all eligibles that were legitimately removed from consideration, i.e., declination (<b>D</b>); failure to respond (<b>FR</b>); communication returned unclaimed (<b>CR</b>); currently employed by the agency (<b>CE</b>); currently employed by the agency as a temporary or indefinite employee (<b>TE</b>); and objection or pass over requests that were sustained (<b>RM, RQ, or RS</b>).</p> <p>Example: The Certificate of Eligibles below was returned with the appointing officer’s actions on each of the eligibles referred. Baker and Evans are removed from consideration because the hiring manager indicated action codes of DP and FR respectively and submitted supporting documentation.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Appointing Official’s Action</th> <th style="text-align: center;">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">A</td> <td>95.0 TP Armstrong</td> </tr> <tr> <td style="text-align: center;">DP</td> <td><del>93.0 Baker</del></td> </tr> <tr> <td style="text-align: center;">A</td> <td>90.0 Carter</td> </tr> <tr> <td style="text-align: center;">NS</td> <td>89.0 Davis</td> </tr> <tr> <td style="text-align: center;">FR</td> <td><del>89.0 Evans</del></td> </tr> <tr> <td style="text-align: center;">NS</td> <td>85.0 Farmer</td> </tr> <tr> <td style="text-align: center;">A</td> <td>82.0 Green</td> </tr> <tr> <td style="text-align: center;">NS</td> <td>82.0 Hamilton</td> </tr> </tbody> </table>	Appointing Official’s Action	Score and Name of Eligible	A	95.0 TP Armstrong	DP	<del>93.0 Baker</del>	A	90.0 Carter	NS	89.0 Davis	FR	<del>89.0 Evans</del>	NS	85.0 Farmer	A	82.0 Green	NS	82.0 Hamilton
Appointing Official’s Action	Score and Name of Eligible																		
A	95.0 TP Armstrong																		
DP	<del>93.0 Baker</del>																		
A	90.0 Carter																		
NS	89.0 Davis																		
FR	<del>89.0 Evans</del>																		
NS	85.0 Farmer																		
A	82.0 Green																		
NS	82.0 Hamilton																		

Step	Action								
2	<p>Determine who the first three available eligibles are by considering only those who were appointed (A) and not selected (NS or NN). Place a "1" beside the names of the top three eligibles to indicate that group of three from which the first selection can be made.</p> <p>First vacancy:</p> <table border="1" data-bbox="313 489 1182 646"> <thead> <tr> <th data-bbox="313 489 751 527">Appointing Official's Action</th> <th data-bbox="751 489 1182 527">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="313 527 751 567">1 A</td> <td data-bbox="751 527 1182 567">95.0 TP Armstrong</td> </tr> <tr> <td data-bbox="313 567 751 606">1 A</td> <td data-bbox="751 567 1182 606">90.0 Carter</td> </tr> <tr> <td data-bbox="313 606 751 646">1 NS</td> <td data-bbox="751 606 1182 646">89.0 Davis</td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	1 A	95.0 TP Armstrong	1 A	90.0 Carter	1 NS	89.0 Davis
Appointing Official's Action	Score and Name of Eligible								
1 A	95.0 TP Armstrong								
1 A	90.0 Carter								
1 NS	89.0 Davis								
3	<p>Determine first if the selectee is either a:</p> <ul style="list-style-type: none"> <li>•Preference eligible;</li> <li>•Non-preference eligible appearing above non-selected, preference eligible(s) on the certificate; or</li> <li>•Non-preference eligible on a certificate where no preference eligible appears.</li> </ul> <p>If the selectee meets the above criteria, then the selection is valid. If the selectee does not meet the above criteria, then the selection is invalid.</p> <p>In our example, the selection of Armstrong, a preference eligible, for the first vacancy is valid.</p>								
4	<p>Determine who the next three available eligibles are for consideration. This group of three consists of the names of the remaining two eligibles who were not selected for the first vacancy and the next highest ranking eligible. Place a "2" beside the names to indicate that group of three from which the second selection can be made.</p> <p>Second vacancy:</p> <table border="1" data-bbox="313 1350 1182 1507"> <thead> <tr> <th data-bbox="313 1350 751 1388">Appointing Official's Action</th> <th data-bbox="751 1350 1182 1388">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="313 1388 751 1428">2 1 A</td> <td data-bbox="751 1388 1182 1428">90.0 Carter</td> </tr> <tr> <td data-bbox="313 1428 751 1467">2 1 NS</td> <td data-bbox="751 1428 1182 1467">89.0 Davis</td> </tr> <tr> <td data-bbox="313 1467 751 1507">2 NS</td> <td data-bbox="751 1467 1182 1507">85.0 Farmer</td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	2 1 A	90.0 Carter	2 1 NS	89.0 Davis	2 NS	85.0 Farmer
Appointing Official's Action	Score and Name of Eligible								
2 1 A	90.0 Carter								
2 1 NS	89.0 Davis								
2 NS	85.0 Farmer								
5	<p>Repeat Step 3.</p> <p>In our example, the selection of Carter for the second vacancy is valid since the three eligibles are all non-preference eligibles.</p> <p>Note: Davis received two bona fide considerations and is entitled to a third. This is important to remember for the next two steps.</p>								

Step	Action								
6	<p>Determine who the next three available eligibles are for consideration. This group of three consists of the names of the remaining two eligibles who were not selected for the second vacancy and the next highest ranking eligible. Place a "3" beside the names to indicate that group of three from which the third selection can be made.</p> <p>Third vacancy:</p> <table border="1"> <thead> <tr> <th>Appointing Official's Action</th> <th>Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td>3 2 1 NS</td> <td>89.0 Davis</td> </tr> <tr> <td>3 2 NS</td> <td>85.0 Farmer</td> </tr> <tr> <td>3 A</td> <td>82.0 Green</td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	3 2 1 NS	89.0 Davis	3 2 NS	85.0 Farmer	3 A	82.0 Green
Appointing Official's Action	Score and Name of Eligible								
3 2 1 NS	89.0 Davis								
3 2 NS	85.0 Farmer								
3 A	82.0 Green								
7	<p>Repeat Step 3.</p> <p>In our example, the selection of Green is valid for the third vacancy since all eligibles are non-preference eligibles. Note: Davis appears to have received three bona fide considerations without being selected. Davis' name can now be removed from consideration if there is a fourth vacancy to be filled. Draw a line through Davis' name to indicate that he received three considerations as shown below.</p> <table border="1"> <thead> <tr> <th>Appointing Official's Action</th> <th>Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td><del>3</del> <del>2</del> <del>1</del> NS <del>3</del></td> <td><del>89.0 Davis</del></td> </tr> <tr> <td>3 2 NS</td> <td>85.0 Farmer</td> </tr> <tr> <td>NS</td> <td>82.0 Hamilton</td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	<del>3</del> <del>2</del> <del>1</del> NS <del>3</del>	<del>89.0 Davis</del>	3 2 NS	85.0 Farmer	NS	82.0 Hamilton
Appointing Official's Action	Score and Name of Eligible								
<del>3</del> <del>2</del> <del>1</del> NS <del>3</del>	<del>89.0 Davis</del>								
3 2 NS	85.0 Farmer								
NS	82.0 Hamilton								
8	Continue following these steps for each additional vacancy.								

The entire audited certificate in our example is below.

Appointing Official's Action	Score and Name of Eligible
1 A	95.0 TP Armstrong
DD	<del>93.0 Baker</del>
2 1 A	90.0 Carter
<del>3</del> <del>2</del> <del>1</del> NS <del>3</del>	<del>89.0 Davis</del>
FR	<del>89.0 Evans</del>
3 2 NS	85.0 Farmer
3 A	82.0 Green
NS	82.0 Hamilton

**Example: Applying the "Rule of Three" with Veterans**

The following is another example of applying the "rule of three." In this example, the certificate contains different types of veterans.

Step	Action										
1	<p>Disregard all eligibles who were legitimately removed from consideration, i.e., declination (<b>D</b>); failure to respond (<b>FR</b>); communication returned unclaimed (<b>CR</b>); currently employed by the agency (<b>CE</b>); currently employed by the agency as a temporary or indefinite employee (<b>TE</b>); and objections or pass over requests that were sustained (<b>RM, RQ, or RS</b>).</p> <p>Example: Certificate of Eligibles - The certificate below will be used throughout this process.</p> <table border="1" data-bbox="313 558 1182 753"> <thead> <tr> <th data-bbox="313 558 753 590">Appointing Official's Action</th> <th data-bbox="753 558 1182 590">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="313 590 753 636">NS</td> <td data-bbox="753 590 1182 636">99.0 CP Bill Smith</td> </tr> <tr> <td data-bbox="313 636 753 674">NN</td> <td data-bbox="753 636 1182 674">98.0 CPS Randy Newman</td> </tr> <tr> <td data-bbox="313 674 753 714">A</td> <td data-bbox="753 674 1182 714">92.0 TP John Brown</td> </tr> <tr> <td data-bbox="313 714 753 753">DD</td> <td data-bbox="753 714 1182 753">90.0 XP Candy Noles</td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	NS	99.0 CP Bill Smith	NN	98.0 CPS Randy Newman	A	92.0 TP John Brown	DD	90.0 XP Candy Noles
Appointing Official's Action	Score and Name of Eligible										
NS	99.0 CP Bill Smith										
NN	98.0 CPS Randy Newman										
A	92.0 TP John Brown										
DD	90.0 XP Candy Noles										
2	<p>Determine who the top three available eligibles are by considering only those who were appointed (<b>A</b>) and not selected (<b>NS</b>) or not selected – not contacted (<b>NN</b>).</p> <p>In our example, Mr. Brown was selected. Although Mr. Brown received fewer veterans' preference points, his selection is valid. Since the top three eligible candidates are all veterans, there is no distinction among the preferences. In this group, the veterans are equal and any one veteran can be selected regardless of preference.</p> <table border="1" data-bbox="313 1056 1182 1211"> <thead> <tr> <th data-bbox="313 1056 753 1087">Appointing Official's Action</th> <th data-bbox="753 1056 1182 1087">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="313 1087 753 1127">1 NS</td> <td data-bbox="753 1087 1182 1127">99.0 CP Bill Smith</td> </tr> <tr> <td data-bbox="313 1127 753 1167">1 NN</td> <td data-bbox="753 1127 1182 1167">98.0 CPS Randy Newman</td> </tr> <tr> <td data-bbox="313 1167 753 1211">1 A</td> <td data-bbox="753 1167 1182 1211">92.0 TP John Brown</td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	1 NS	99.0 CP Bill Smith	1 NN	98.0 CPS Randy Newman	1 A	92.0 TP John Brown		
Appointing Official's Action	Score and Name of Eligible										
1 NS	99.0 CP Bill Smith										
1 NN	98.0 CPS Randy Newman										
1 A	92.0 TP John Brown										

### Finding an Improper Selection

When an improper selection is made and discovered through the audit process, you should:

1. Notify the appointing official immediately, and
2. Make the correction before the selectee enters on duty.

There are options for correcting an improper selection depending on the circumstances (see [Chapter 6, Section E, Erroneous Selection and Priority Consideration](#)).

### Special Note

If a name was removed improperly from consideration, the appointing official's action code must be changed to "not selected" before auditing begins.

## Appendix M – Random Referral (Tie-Breaking) Instructions

### When to Use Random Referrals

The random referral procedure is used when all job-related methods for breaking ties have been exhausted. Tie-breaking procedures are needed only when using “rule of three” procedures. It is used to rank tied eligibles by matching the last digit of the identification number such as the Social Security Number, against a randomly chosen number sequence which is changed daily.

### What is a Random Number List?

A Random Number List is used (see page L-5) to find the starting point for the number sequence used to break ties on a certain day. There is a space on the list opposite the number to enter the date certificates or supplemental certificates were issued using that number as a starting point for breaking ties.

The first day the list is used, the starting point would be "0," because "0" is the first number of this list; on the second day "3," etc. Once the starting point has been determined, the remainder of the sequence follows in logical numerical order. In the example where "0" is the first number, the sequence would be 0123456789. If "3" were the first number, the sequence would be 3456789012.

### Basic Rule to Random Number Lists

The basic rule is that within a tied-rating group, the last digits of the identification numbers involved are compared to the 10-number sequence, based on the number selected from the Random Number List, and eligibles are certified in the order of the sequence.

**Example 1:** Assume that this is the 10th day you have used the random referral procedure for certification. Write in the date opposite the 10th number, which is "9." Because "9" is the first number in the random number sequence, the entire sequence used to break ties that day is **9012345678** and the tied eligibles and order of certification will be:

Tied Eligibles	Order of Certification
970863	415239
415239	067112
954416	970863
067112	954416

All tied eligibles with applicant numbers ending in 9 would be certified first, those ending in 0, second, those ending in 1, third, etc.



## Special Note

Dates entered in the **Random Number List** should be only those dates on which at least one certificate was issued. Thus, for example, if a certificate was issued on October 9, 2018, and the next one was not issued until October 13, 2018, those dates would follow in sequence on the List. Intervening dates of the 10th, 11th, and 12th would not be written in.

### Example 2:

If more than one applicant number in a tied rating group ends in the same digit, the same procedure is applied to the next to the last digit and so on until the necessary ties are broken. Each digit (next to the last, second to the last, etc.) is compared to the first number in the sequence, and so on until all necessary eligibles are ranked. The random number sequence is **9012345678** and the tied eligibles and order of certification for this example will be:

<b>Tied Eligibles</b>	<b>Order of Certification</b>
431800	872149
894671	914000
914000	505000
872149	431800
934800	934800
505000	391741
391741	894671
371112	371112

In this example, 9 is the first number in the random sequence; therefore, any identification number ending in 9 goes first. The next number is 0. There are four identification numbers in the example that end in 0, which means that the next to the last digit in the identification numbers will be used to rank the eligibles. When a new digit in the identification number must be used for tie-breaking, start at the beginning of the random number sequence again (i.e., 9's first, 0's second, 1's third, etc.) Three identification numbers in the example have a next-to-last digit of 0, so that next-to-last digit must be used for breaking ties. When all identification numbers ending in 0 have been ranked, all those ending in 1 are ranked. Continue the procedure until enough eligibles have been ranked to fill the requests.

### Maintaining Random Lists

Each DE staff member may maintain one **Random Number List** for all certificates for which he or she is responsible, or the office may wish to maintain one list to be used by the entire office. Whichever procedure is followed, a new random number sequence is used for each day that certificates are issued. When all the numbers on the **Random Number List** have been used, start over at the beginning of the list.

Automated competitor inventory random numbers are system-generated, and the manual list should not be used.

### **How to Handle Random Lists**

Your office may make copies of the list for internal use, but the random number material is to be treated as **confidential** and should not be released to agencies or the general public (see next page for Random Number List).

## Random Number List

Date	Number	Date	Number	Date	Number	Date	Number	Date	Number
	0		0		1		2		8
	3		4		5		7		2
	1		3		6		3		9
	6		7		3		4		7
	2		9		2		9		4
	4		1		8		8		0
	8		5		9		6		1
	7		6		0		1		3
	5		2		4		5		5
	9		8		7		0		6
	7		2		1		6		7
	3		8		5		2		4
	2		3		7		0		5
	6		0		3		5		1
	0		7		4		8		9
	8		6		8		4		3
	1		1		2		9		2
	5		5		6		7		0
	9		4		9		3		8
	4		9		0		1		4
	3		5		5		9		4
	6		4		9		2		7
	7		7		4		0		9
	9		2		1		4		6
	8		9		8		8		5
	2		3		3		6		2
	4		8		0		3		3
	1		6		7		7		1
	0		1		2		1		0
	5		0		6		5		8
	2		7		0		6		3
	7		5		9		5		5
	8		3		5		0		0
	5		9		7		7		6
	6		1		1		9		1
	4		8		2		3		2
	3		6		8		4		4
	1		2		3		8		8
	9		4		6		2		7
	0		0		4		1		9

\*From statistical Analysis for Managerial Decisions, John C.G. Boot and Edwin B. Cox, 1970.

## **Appendix N – Assessing Applicants with Disabilities**

### **Introduction**

Nearly 10 percent of working-age adults have a disability affecting their capacity to see, hear, walk, or perform other basic functions of life. Given the prevalence of disabilities, it is likely that anyone involved with selection assessments will at some point face the challenge of how best to administer an assessment to an individual with a disability. This appendix is intended to provide assistance in meeting this challenge.

Federal agencies are required to provide assessment accommodations to applicants with disabilities to the extent such accommodations are reasonable, consistent with the nature and purpose of the examination, and matched to the applicant's disability. Those developing, administering, and using assessment procedures need to be aware of the legal framework and basic principles involved in assessing individuals with disabilities.

The challenges can be substantial. Professional judgment is often required when determining the type of accommodations that may be appropriate for a given assessment procedure. Assessment accommodations are deemed appropriate when they allow applicants to demonstrate their qualifications without compromising the usefulness or meaning of assessment scores.

This appendix does not provide guidance on administering or managing a reasonable accommodation program. As required by [Executive Order 13164](#), agencies are responsible for establishing their own administrative guidelines for processing reasonable accommodation requests. These may include procedures for initiating requests, assigning decision-making authority to agency staff, ensuring confidentiality of disability information, and setting time limits for processing requests. Agencies have some flexibility in developing a process that works for them, but clearly written policies and procedures should be in place and made available to all applicants.

### **The Rehabilitation Act of 1973**

Since 1973, applicant examining procedures in the Federal Government have been designed to meet the requirements of the Rehabilitation Act (29 U.S.C. 791). In 1992, the Rehabilitation Act was amended to apply the standards established under the Americans with Disabilities Act (ADA) to Federal employment. The ADA Amendments Act of 2008 (ADAAA) took effect on January 1, 2009 and expressly applied to the Rehabilitation Act. See 29 C.F.R. § 1630.1(c). The Rehabilitation Act and accompanying regulations define a person with a disability as someone with a physical or mental impairment that substantially limits one or more major life activities. The ADAAA changed the standards for evaluating whether impairment substantially limits a major life activity, in most cases making it easier for an individual to meet the standard. Therefore, under the Rehabilitation Act, the definition of disability should be construed in favor

of broad coverage and should not demand extensive analysis. In addition, “substantially limits” must be construed broadly and consistently with the findings and purposes of the ADAA. 42 U.S.C. § 12102(4)(A), as amended, and Pub. L. No. 110-325, 122 Stat. 3553 (2010) at § 2(b)(5) (“Findings and Purposes”). Major life activities, include, but are not limited to, functions such as caring for oneself, performing manual tasks, walking, lifting, bending, seeing, hearing, speaking, learning, concentrating, thinking, communicating, working, or the operation of a major bodily function, and without consideration of an mitigating measures (except ordinary eyeglasses or contact lens).

The Rehabilitation Act requires agencies to provide reasonable and necessary assessment accommodations to individuals with disabilities. In cases where the condition is not readily visible, agencies may ask for supporting documentation to validate that an applicant meets the definition of an individual with a disability under the Rehabilitation Act and the ADA.

For additional information on the Rehabilitation Act, refer to the “Laws and Executive Orders” section in the “HR Professionals” chapter at the following Office of Personnel Management (OPM) website (<http://www.opm.gov/disability>), “Federal Employment of People with Disabilities.” Additional information on reasonable accommodation can be found at the same OPM website under the section on “Reasonable Accommodation.”

### **Purpose of an Assessment Accommodation**

An assessment accommodation is defined as a change in how an assessment is presented or how the applicant responds. Accommodations may include changes in the presentation format, response format, assessment setting, timing, or scheduling. The purpose of an assessment accommodation is to provide equal access to the examination process for applicants with disabilities as provided to individuals without disabilities. Accommodations are intended to lessen the impact of the applicant's functional limitation on the assessment process without:

- Fundamentally modifying the nature of the examination;
- Compromising the security, validity, or reliability of the examination;
- Providing an unfair advantage to the applicant with the disability; or
- Imposing an undue hardship on the agency.

While providing accommodations will presumably enable applicants to better demonstrate their mastery of job-related competencies/knowledge, skills, and abilities (KSAs), assessment accommodations are not a guarantee of improved performance, test completion, or a passing score.

### **Maintaining the Competitive Nature of the Assessment Process**

Examinations are given to measure job-related competencies/KSAs. The resulting ratings or numeric scores are used to compare the performance of individual competitors for purposes of making employment decisions. Care must be taken to ensure that accommodations do not

affect an individual's score to the extent that it cannot be compared meaningfully to the scores of other competitors.

To maintain competitive equity for all applicants, accommodations should be designed so that individuals with disabilities are placed neither at an advantage nor disadvantage relative to other competitors. Therefore, any proposed change to the assessment process that may raise questions about the interpretability of results should be reviewed by an employment testing expert before implementation.

### **Preserving Assessment Integrity**

Written, oral, performance, and other types of assessment procedures are designed to measure the competencies/KSAs needed to learn or perform a job. Therefore, the examination or method of administration should not be changed if the proposed accommodation fundamentally modifies what is being assessed. If at all possible, avoid assessment procedures requiring the use of impaired mental, sensory, manual, or speaking skills, unless the procedures are intended to measure those very skills. This is provided for in relevant statutory guidance:

“Thus, an employer could require that an applicant with dyslexia take a written test for a particular job if the ability to read is the skill the test is designed to measure. Similarly, an employer could require that an applicant complete a test within established time frames if speed were one of the skills for which the applicant was being tested.” (Appendix to 29 CFR part 1630)

A modified assessment procedure may no longer test the same competency it was designed to measure or the outcome it was designed to predict. For example, time extensions are frequently proposed as testing accommodations. To the extent that the assessment is intended to measure speed of performance (e.g., a typing test), allowing more time is not appropriate. Such an accommodation would invalidate the results by modifying what the test was originally designed to measure.

### **Developing an Assessment Accommodation**

Assessment accommodations should be determined on a case-by-case basis. When developing assessment accommodations, it is important to keep in mind that applicants with the same type of disability may differ greatly in their capabilities and specific need for accommodation. For example, not all applicants with visual impairments would be effectively accommodated by providing materials in Braille format. Depending on individual circumstances, some applicants may require a magnification device while others may need special lighting or a reader. Appropriate accommodations ensure that applicants are assessed according to individual needs rather than presumed group characteristics. Therefore, each request should be evaluated on its own merits using an individualized approach.

The primary concern in determining the appropriateness of a modified assessment procedure is whether the proposed change compromises the accurate assessment of an applicant's job qualifications. For example, using a scribe to record answers (as required by a written test) may be a reasonable accommodation for an applicant with cerebral palsy. On the other hand, using a reader to read a test aloud that was designed to assess reading comprehension may be an unreasonable request. The goal is to provide applicants with disabilities an equal opportunity to demonstrate their job-related competencies/KSAs without undermining the validity or competitive equity of the assessment process.

### **Applicant Responsibility**

As the person being assessed, the applicant has an essential role to play in the process of requesting an assessment accommodation. For example, applicants are responsible for:

- informing the agency that they need a change or adjustment to the assessment process because of a medical condition prior to taking the assessment;
- providing documentation in support of the need for an assessment accommodation, if requested;
- providing up-to-date information concerning the nature and extent of the disability sufficient to determine the assessment accommodations required; and
- cooperating with the agency in the process of developing appropriate accommodations for the assessment situation.

What constitutes sufficient information may depend on the type of disability. For example, for an in-person assessment, supporting documentation is not necessary when the applicant has an observable, physical disability (e.g., loss of a limb). On the other hand, documentation may be requested for hidden disabilities such as learning or psychiatric disorders or other cases where the need for accommodation is not obvious. For more information, refer to your agency's specific instructions to applicants on how to request a reasonable accommodation in the application and assessment process.

### **Agency Responsibility**

Agencies are responsible for safeguarding the competitive equity and validity of the assessment process while at the same time providing reasonable accommodation to qualified applicants with known disabilities. Once an applicant initiates a request, the agency should gain the individual's participation in developing an appropriate accommodation. In cases where the competitive nature and validity of an assessment is not likely to be affected (e.g., use of a magnification device), agency test administrators can work out what accommodation, if any, should be provided.

Many disabilities require only simple accommodations. For example, an individual in a wheelchair may only need adequate access to the test room and a table that is the correct height. Applicants with attention disorders may need to be assessed in a distraction-free environment.

When there is some question as to whether providing a requested accommodation would preclude the valid assessment of the applicant's qualifications, you may want to consult with an employment testing expert for final determination. Once you have become aware of an applicant's desire for an assessment accommodation:

- Review the documentation submitted by the applicant;
- Discuss the assessment process with the applicant to ensure that the applicant knows what is required;
- Obtain clarification or additional documentation from the applicant as needed, consider possible changes to how the assessment is presented or how the applicant responds, and decide which accommodation to implement;
- Consult with an employment testing expert if there is some question as to whether the accommodation might affect the competitive nature or validity of the examination;
- Offer an accommodation to the applicant if there is little risk of undermining assessment validity or providing an undue advantage;
- Document the rejection and the reasons for the rejection if the applicant does not accept the accommodations that can be reasonably granted or implemented; and
- Refer the case to the agency test control officer if an assessment accommodation cannot be determined after further consulting with the applicant.

Refer to your agency's written policies for any additional responsibilities related to processing reasonable accommodation requests.

## **Documentation**

Where the disability is not readily visible, you may ask applicants requesting reasonable accommodations to provide appropriate documentation of the disability and specify the extent to which the standard assessment procedures need to be modified. Documentation should be sufficient to establish that the applicant does in fact have a disability as defined by Federal law and that the disability interferes with the valid measurement of the competency/KSA areas covered by the assessment procedure. Keep in mind that the law's definition of a disability may differ from a clinical diagnosis. Under the Rehabilitation Act, however, the definition of disability should be construed in favor of broad coverage and should not demand extensive analysis. In addition, "substantially limits" must be construed broadly and consistently with the findings and purposes of the ADAA. 42 U.S.C. § 12102(4)(A), as amended, and Pub. L. No. 110-325, 122 Stat. 3553 (2010) at § 2(b)(5) ("Findings and Purposes")

It is important to recognize that the effects of some disabilities can vary over time (e.g., psychiatric disorders, learning disabilities). If the documentation does not address the individual's *current* level of functioning and need for accommodation, then an update may be warranted. For example, a childhood diagnosis of attention deficit disorder would usually not constitute acceptable documentation if the individual applies for an assessment accommodation



as an adult. You should provide guidance to applicants on what documentation, if any, is needed. Relevant documentation may include:

- Information on how the disability would affect performance during the assessment process (i.e., the specific tasks or functions affected by the disability);
- The specific assessment accommodation the applicant is requesting; and
- Supporting documentation from a qualified professional who has training and experience related to the disability of the applicant.

When reviewing the documentation, make sure that the requested accommodation is logically related to the specific functional limitations of the applicant. For example, requesting extra time on a reading comprehension test may not be a reasonable accommodation for an applicant with a math disorder.

### **Getting Help with Documentation**

Professional groups have developed guidelines with uniform standards for documenting some of the more common disorders that require assessment accommodations. For example, the *Guidelines for Documentation of a Learning Disability in Adolescents and Adults* were developed by the Association on Higher Education and Disability (AHEAD) and are available at the following website: <http://www.ldonline.org>. The *Guidelines for Documentation of Attention-Deficit/Hyperactivity Disorder in Adolescents and Adults* were developed by the Consortium on ADHD Documentation and are available at the following website: <http://www.act.org/aap/disab>. These guidelines have been widely adopted by employers and testing organizations to evaluate the adequacy of documentation used to support the existence of cognitive disabilities.

Given the complexities of disability documentation and the many misconceptions about the definition of disability under the Rehabilitation Act, it is often useful to consult with employment testing and disability experts when reviewing and interpreting such documentation.

### **Accommodations with Little or No Impact**

Some accommodations may be made by test administrators without consulting an employment testing expert if the changes do not affect the competitive nature or validity of the assessment process. The following types of accommodations can usually be granted and implemented by agency test administrators:

**Accessibility Accommodations:** Requests for accommodation involving accessibility of the testing site are normally addressed by test administrators. This includes, but is not limited to, access to the testing facility and assistance inside the facility or examination room. It also includes providing alternative seating arrangements as needed (e.g., you may need to seat an individual in a wheelchair at a table rather than at a student desk). In some cases, it may be

necessary to schedule a separate session to ensure that applicants are tested at an accessible location.

**Other Accommodations:** The following are other types of accommodations that would normally be provided by agency test administrators without further consultation:

- Alternate test dates;
- Individual sessions;
- Individual monitors;
- Frequent breaks (between test parts only);
- Special lighting;
- Use of magnification or low-vision aids;
- Special acoustics (e.g., quiet room);
- Preferential seating arrangements;
- Sign language interpreter; and
- Miscellaneous personal assistance (e.g., turning pages, marking answers).

Implementing any one or a combination of these measures may be appropriate for individual applicants depending on their needs, the purpose of the assessment procedure, and the specific tasks required of the applicant during the examination process. If the requested accommodation is not on the above list, see the section on “Accommodations with potential impact.”

### **Accommodations with Potential Impact**

When an applicant requests an accommodation that may affect the competitive nature or the validity of the assessment process, it should be reviewed by an employment testing expert. This includes any departure from standardized testing procedures prescribed in the directions for conducting (DFC) an examination. The DFC contains detailed, step-by-step instructions used to administer an assessment procedure (e.g., list of required materials, time limits, test security protocols).

An assessment accommodation is not reasonable or appropriate if it:

- Compromises the validity, reliability, or security of a test;
- Fundamentally modifies what is being assessed;
- Imposes an undue administrative or financial burden on the agency; or
- Provides an unfair advantage to an applicant with a disability.

Standardized testing conditions are established to provide a common basis for interpreting assessment scores. A request for an accommodation is, in effect, a request for a modified test administration. The purpose of a modified test administration is to eliminate, insofar as possible, sources of difficulty that are irrelevant to the competencies/KSAs being measured. An

assessment accommodation should balance the needs of the applicant with the need to maintain the validity and competitive nature of the assessment process.

When the conditions of measurement change (e.g., timing, mode of presentation, response format), the meaning and interpretation of assessment scores may change. Valid comparisons of individual scores may become impossible. When a proposed accommodation involves changing the standardized conditions of administration, consult an employment testing expert to evaluate the possible psychometric impact on assessment validity.

### **Undue Hardship**

Agencies are required to provide reasonable accommodation in examinations to qualified applicants with known disabilities except in cases of undue hardship. The Rehabilitation Act of 1973, as amended, defines an undue hardship as an action requiring significant difficulty or expense when considered in light of the employer's size, agency-wide financial resources, and the nature and structure of the operation. The following examples may constitute an undue hardship with respect to the assessment process (see note at bottom):

- The purchase or rental of specialized equipment or services at great expense, for a one-time or limited use by only a very few applicants;
- To postpone announcing or administering an examination for a large number of applicants to accommodate the needs of an individual applicant. (Note: This does not prohibit establishing an alternative date for the individual in appropriate circumstances.); or
- Any action violating the seniority provisions of a collective bargaining agreement.

Note: These examples are for illustrative purposes. Each agency, in consultation with its legal counsel, will need to determine whether its specific situation(s) meets the definition of undue hardship.

### **Other Assessment Accommodations**

Although most requests for accommodation in the assessment process will involve written tests, it is important to realize that other types of assessment procedures commonly used by the Federal Government may present serious difficulties for certain individuals. Other frequently used assessment methods and types of accommodation are described below. This listing is not intended to be all inclusive, but only representative of the range of effective accommodations that might be considered in particular situations.

**Employment Interviews:** Interviews may pose problems for some deaf and hard of hearing individuals and for those with certain kinds of speech challenges. Do not make assumptions about an applicant's preferred medium of communication. Analyze the needs of the individual, including interacting directly with the individual with the disability, in relation to the specific demands of the interview process. In some cases, it may be appropriate for review committee

members to give a written copy of interview questions to deaf or hard of hearing applicants to read prior to the interview, as long as doing so does not compromise the competitive nature and validity of the employment interview. See the section on “Hearing Impairments” for further information.

**Performance Tests:** Test administrators should consider the physical needs of the applicant with a disability taking performance tests just as they do for written tests. Because performance tests generally approximate tasks found on the job, modifications or adjustments to test material or the procedures used to administer these tests should be carefully analyzed before implementation. Only those accommodations that do not compromise the competitive nature and validity of the testing process should be considered.

**Applications and Employment Questionnaires:** Applicants with disabilities may need assistance when completing application forms, experience supplements, or other questionnaires. Human resources staff should be alerted to the possibility of such requests, and be prepared to offer assistance. The agency also should ensure that online documents are in compliance with Section 508 of the Rehabilitation Act, which seeks to eliminate barriers to information technology. This enables applicants with disabilities who wish to complete the application, employment questionnaires, and related online materials on their own to do so using assistive technology.

## **Hearing Impairments**

Applicants with hearing impairments constitute one of the largest groups requiring assessment accommodations. Communication barriers can make the assessment process extremely difficult for these individuals. Fortunately, there are many test administration options available to deaf and hard of hearing applicants. The most appropriate accommodation will depend upon several factors, such as the extent of hearing loss, the accuracy and fluency of speech reading skills, age of onset, and whether the individual uses and is fluent in American Sign Language (ASL). ASL is a gestural language that has a different vocabulary, syntax, and structure from English. Most — but not all — applicants who are deaf will probably need to use a qualified interpreter.

The first step is to consider the accommodation requested by the individual and offer the following options as appropriate:

- Use preferential seating near the examiner so that the test applicant is able to read lips unobstructed.
- Use an ASL interpreter for the administrative instructions portion of the session.
- Provide a written version of examination instructions that applicants can read on their own.
- Offer other accommodations if reasonable and accompanied by supporting documentation.

Not all deaf applicants will have the same accommodation needs. For many people who acquired hearing loss at birth or before attaining language fluency, English is a second language that they did not have the opportunity to hear and use. Such individuals may prefer an ASL interpreter to translate orally-administered test instructions rather than a written version of the oral instructions.

Similarly, providing an ASL interpreter to individuals who became deaf later in life and never learned sign language would not be an option. For such individuals, it may be more appropriate to provide a written version of the orally-administered test instructions.

### **Using an American Sign Language (ASL) Interpreter**

The following guidelines may be helpful when testing any applicant who requests an ASL interpreter. These guidelines are most effective when reviewed by all individuals administering or involved in monitoring an examination (including ASL interpreters) in which there are applicants who are using an ASL interpreter.

**Note:** Agencies should not use employees as sign language interpreters unless the employees are qualified to do this work and it falls within their job descriptions.

- Interpreters should possess adequate skills to interpret spoken test instructions. If possible, you should use interpreters who are certified by the Registry of Interpreters for the Deaf, have passed a state quality assurance test, or have a similar certification or qualification.
- The test administrator and the ASL interpreter who is to interpret the spoken test instructions should review the directions for conducting the examination (and any other required material) prior to the examination.
- Any review of examination material by the ASL interpreter should be conducted under conditions that maintain complete test security.
- Applicants who are using an interpreter for an orally-administered assessment (e.g., a test measuring the ability to follow oral instructions) should be tested in a separate area or room to minimize distractions.
- For orally-administered material, the interpreter should wait at each designated pause until every applicant who is using the interpreter clearly indicates that he or she is ready to proceed with the next instruction.
- During the assessment, applicants using an ASL interpreter for orally-administered instructions would normally not be required to adhere to the same time restrictions imposed on other applicants.

In addition to consulting with an employment testing expert regarding requests for nonstandard testing, you may wish to contact sources in your local community for more information about accommodating people who are deaf or hard of hearing. These may include local associations for people who are deaf or hard of hearing, local community colleges with ASL interpreter programs, associations of speech and hearing sciences, state independent living centers, or state

vocational rehabilitation offices. National resources include the Job Accommodation Network (<http://www.jan.wvu.edu>) and the Registry of Interpreters for the Deaf (<http://www.rid.org>).

### **Summary of Basic Steps and Principles**

In evaluating a request for modified testing, first consider whether adequate documentation exists to establish a disability that substantially limits one or more major life activities. Once the supporting documentation has been reviewed, you must determine whether the disorder rises to the level of a disability under the law. Keep in mind that the law's definition of a disability may differ from a clinical diagnosis. Under the Rehabilitation Act, however, the definition of disability should be construed in favor of broad coverage and should not demand extensive analysis. In addition, "substantially limits" must be construed broadly and consistently with the findings and purposes of the ADA. 42 U.S.C. § 12102(4)(A), as amended, and Pub. L. No. 110-325, 122 Stat. 3553 (2010) at § 2(b)(5) ("Findings and Purposes"). Major life activities, include, but are not limited to, functions such as caring for oneself, performing manual tasks, walking, lifting, bending, seeing, hearing, speaking, learning, concentrating, thinking, communicating, working, or the operation of a major bodily function, and without consideration of an mitigating measures (except ordinary eyeglasses or contact lens).

The next step involves evaluating the reasonableness of the proposed accommodation. Assessment accommodations are provided to qualified applicants to remove any artificial barriers that may arise from the assessment situation. The goal is to provide persons with disabilities an equal opportunity to demonstrate their job qualifications without compromising the validity or competitive nature of the examining process. An assessment accommodation **should not**:

- Fundamentally modify the nature of the examination;
- Impose an undue administrative or financial burden on the agency;
- Compromise the security, validity, or reliability of the examination; or
- Provide an unfair advantage to an applicant with a disability.

You should consider only those accommodations that modify the assessment process in appropriate ways. Refer to your agency's written policies and procedures for specific information such as requirements for initiating requests, timeframes for responding to requests, procedures for handling confidential records, information tracking and reporting, and applicant appeal rights when requests are denied.