

# Introduction

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**Purpose of Handbook**

The Delegated Examining Operations Handbook 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 Handbook applies to competitive examining only and not merit promotion, excepted service, senior executive service, or non-competitive 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.

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**Audience**

Although OPM delegates examining authority at the agency headquarters level, agencies may assign examining responsibilities to subordinate offices, which serve as “delegated examining offices” (DEOs).

This Handbook is designed primarily for:

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

Use this Handbook in conjunction with:

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

(While the information in this Handbook is current as of the date of issue, any changes in regulation or law will supercede the information in this Handbook.)

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## Introduction, Continued

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### **How Handbook is organized**

We have organized this Handbook 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 Handbook, we have provided a flow chart outlining the major steps of the process (see next page). The main headings of the flow chart (outlined in red) reflect the major steps of the examining process. These major steps are:

- Identifying the job and its assessments (Chapter 2);
  - Recruiting and announcing the job (Chapter 3);
  - Accepting and reviewing applications (Chapter 4);
  - Assessing applicants (Chapter 5); and
  - Certifying eligibles (Chapter 6).
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### **Pledge to Applicants**

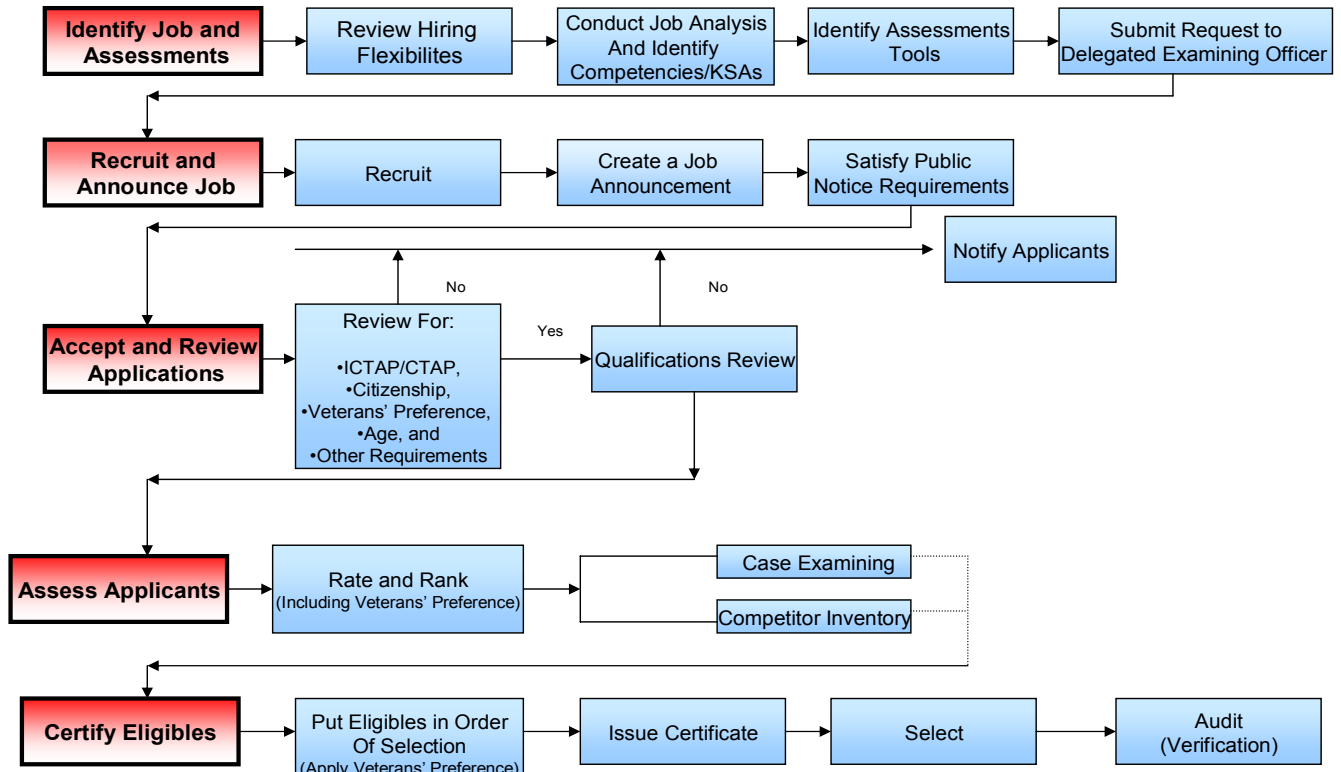
Performing delegated examining activities properly is one step in fulfilling the “Pledge to Applicants”.

#### **Pledge to Applicants:**

OPM and the Partnership for Public Service recognize 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 ensure a 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 that their application has been received.
  5. Regular updates on the status of their applications as significant decisions are reached.
  6. A timely decision-making process.
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# Competitive Examining Process Flow Chart



\* Boxes in red are the major steps in the competitive examining process

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# Chapter 1

## OPM and Agency Responsibilities

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**Introduction** This chapter describes the responsibilities that are typically outlined in Interagency Delegated Examining Agreements between OPM and agencies.

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**In this chapter** This chapter contains the following sections:

<b>Topic</b>	<b>See Section...</b>
What is Delegated Examining Authority?	A
OPM Responsibilities	B
Agency Responsibilities	C
Delegated Examining Training Responsibilities	D
References	E

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## Section A

### What is Delegated Examining Authority?

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**What is delegated examining authority?**

Delegated examining authority is an authority OPM grants to agencies to fill competitive civil service jobs with:

- Applicants applying from outside the Federal workforce,
- Federal employees who do not have competitive service status, or
- Federal employees with competitive service status.

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

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**What does delegated examining cover?**

Under 5 U.S.C. § 1104, OPM delegated agencies the authority to conduct competitive examinations for positions in the competitive service, except for administrative law judge positions.

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**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 agreement with OPM (5 U.S.C. § 1104). The four steps to obtaining delegated examining authority are:

<b>Step</b>	<b>Action</b>
1	The agency headquarters contacts OPM's Division for Strategic Human Resources Policy and requests delegated examining authority.
2	OPM drafts a delegated examining agreement for both parties to sign (see Appendix A for Sample Interagency Delegated Examining Agreement).
3	OPM and the agency HR Director sign the agreement.
4	OPM trains the agency personnel who will operate the delegated examining office(s).

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## What is Delegated Examining Authority?, Continued

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**How delegated  
examining  
authority is  
terminated,  
suspended, or  
revoked**

Your delegated examining authority may be terminated by either OPM or your agency with 90 days advance notice. OPM may suspend or revoke certification of your delegated examining office at any time, with or without advance notice.

For more information see Appendix A for a sample Interagency Agreement for Delegated Examining Authority.

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## Section B

### OPM Responsibilities

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**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 people you have identified to conduct examining operations;
  - Periodic re-certification training; 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 Part 339); and
  - Grant or deny an agency's passover 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 passovers.
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**Job information**

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

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**Oversight**

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

If we determine that an activity is not being performed in accordance with applicable laws, rules, regulations, or standards, we will require your agency to take corrective action (see 5 U.S.C. § 1104 (c)).

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## Section C

### Agency Responsibilities

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#### **Fundamental responsibilities**

A delegated examining office has two fundamental responsibilities:

1. To ensure that the agency's vacant positions are filled with the best-qualified persons from a sufficient pool of well-qualified eligibles; and
  2. To uphold the laws, regulations, and policies of merit selection (see 5 U.S.C. §§ 2301 and 2302).
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#### **Recruitment and public notice**

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 vacancy through delegated examining, you must:

- Recruit enough well-qualified applicants to ensure adequate competition for competitive service positions (see Chapter 3);
  - Provide public notice of the opportunity to compete by listing all job announcements on USAJOBS (see 5 U.S.C. §§ 3327 and 3330);
  - Provide a suitable job announcement and an appropriate open period for receipt of applications, considering:
    - The nature of the position(s) to be covered by the job announcement,
    - The promotion potential associated with the position(s), and
    - The characteristics of the relevant labor market (see Chapter 3);
  - Specify filing instructions and conditions clearly in the job announcement (see Chapter 3); and
  - Justify an open period of less than five calendar days by documenting your rationale in the examination file (see Chapter 3).
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#### **Establishing an agency policy on accepting and processing applications**

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

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## Agency Responsibilities, Continued

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**Assessment instruments** You must develop assessment instruments in accordance with 5 CFR Part 300 (see Chapter 2, Section C).

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**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.

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

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**Rating and ranking applications**

You are responsible for:

- Screening for minimum qualifications,
  - Rating applications,
  - Ranking eligibles based on their ratings,
  - Applying veterans' preference, and
  - Notifying the applicants of the status of their applications.
- 

**Administering and scoring written tests**

You are responsible for administering and scoring written tests. Individuals who administer OPM tests must be trained and certified by OPM. You may contract with OPM or another certified contractor to administer and score OPM tests 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 to administer and score your written tests.

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## Agency Responsibilities, Continued

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### Applying veterans' preference

You must apply the veterans' preference provisions of title 5, United States Code, including:

- 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 from registers); and
- 5 U.S.C. § 3318 (competitive service; selection from certificates).

For more information visit: [www.opm.gov/vetguide](http://www.opm.gov/vetguide).

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### Screening for potential suitability concerns

Under 5 CFR Part 731, agencies have the responsibility to screen for and evaluate suitability issues in cases involving applicants for competitive service positions, except the following, which must be referred to OPM:

Cases involving evidence of:

- Material, intentional false statement in examination or appointment, or
- Deception or fraud in examination or appointment; and
- Cases involving refusal to furnish testimony as required by 5 CFR section 5.4.

**Note:** The agency has the latitude to determine what office within the agency will be responsible for adjudicating suitability issues. This function may be done in the DEO, but is not required to be done there. For further information concerning suitability determinations refer to 5 CFR Part 731 and OPM's Suitability Processing Handbook.

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## Agency Responsibilities, Continued

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### Other determinations

In addition to suitability, you are also responsible for making the following determinations:

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

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### Requests for reconsideration

You must establish a procedure through which applicants may request reconsideration 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, Establish an Inventory.

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### Issuing certificates

You are responsible for issuing certificates of eligibles, auditing certificates, and establishing objection/passover 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 passover 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 passovers.
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## Agency Responsibilities, Continued

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**Training and certification**

You must ensure that individuals responsible for conducting delegated examining activities, including those conducting the annual audits, have completed initial certification training and are currently certified to perform these activities (See Chapter 1, Section D and 5 U.S.C. § 1104).

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**Accountability**

To ensure that your delegated examining activities are in compliance with Federal law and merit system principles (see 5 U.S.C. §§ 1104(b)(1) and 2301), you must:

- Establish an internal accountability system. This internal accountability system is subject to periodic review by OPM.
  - Conduct annual self-audits of your delegated examining activities. Such self-audits must be performed by non-DEU staff that have been trained and certified by OPM in delegated examining procedures. In satisfying this requirement, you must:
    - Certify completion of the self-audit to OPM by indicating the date of completion in your quarterly workload report (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 Office of Merit Systems Oversight and Effectiveness.
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## Agency Responsibilities, Continued

**Reporting and record-keeping** You must comply with the following reporting and record-keeping requirements (see 5 U.S.C. § 1104 (b)(1) and Chapter 7).

Topic	Requirement
<b>Reporting</b>	<p>You are responsible for:</p> <ul style="list-style-type: none"> <li>• Providing OPM with quarterly workload reports summarizing your delegated examining activities (see Chapter 7, Section C);</li> <li>• Notifying OPM of any changes in your delegated examining program, including the addition or termination of delegated examining offices; and</li> <li>• Complying with the reporting requirements of the <i>Luevano</i> Consent Decree (see Chapter 2, Section A).</li> </ul>
<b>Record Keeping</b>	<p>You are responsible for:</p> <ul style="list-style-type: none"> <li>• Retaining records in accordance with Appendix C of this Handbook (Records Retention and Disposition Schedule). 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 office, including any schedule that may have been attached to a delegated examining agreement;</li> <li>• 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:</li> </ul> <p style="text-align: center;">Deputy Associate Director Center for Talent and Capacity Policy U. S. Office of Personnel Management 1900 E Street, NW, Room 6500 Washington, DC 20415</p>

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**Agency Responsibilities, Continued**

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**Reporting and record-keeping (continued)**

<b>Topic</b>	<b>Requirement</b>
<b>Record-Keeping</b>	Complying with the data collection requirements of the <i>Luevano</i> Consent Decree (see Chapter 2, Section A).

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## Section D

### Delegated Examining Training Responsibilities

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**Introduction** Together, your agency and OPM have a vested interest in ensuring that employees who perform examining functions are fully knowledgeable about competitive examining procedures. Toward that end, OPM provides comprehensive initial and refresher (“recertification”) training to all specialists, assistants, or clerks who are involved in delegated examining activities.

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**Initial delegated examining training** All employees involved in delegated examining activities must receive initial training from OPM (5 U.S.C. § 1104 (b)(1)). The initial training involves topics such as developing an assessment tool; rating and ranking candidates; adjudicating veterans' preference; and application of the rule of three. Individuals who successfully complete this initial training are certified to perform delegated examining work.

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**Certification** Certification to conduct delegated examining activities is time-limited. Generally, recertification occurs within three years of the initial training and continues in three-year increments thereafter – although your local OPM Services Branch may establish additional conditions. After an employee’s certification expires, he/she must receive refresher training to be re-certified (5 U.S.C. § 1104(b)(1)).

You are responsible for providing the local OPM Services Branch with information describing the training needs and background of your delegated examining staff.

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**Refresher training** Refresher training is required if you wish to be recertified to conduct delegated examining functions. The training covers any new examining policies, issues related to on veterans' preference, and any problems that may have developed during an internal audit or an OPM conducted audit.

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## Delegated Examining Training Responsibilities, Continued

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### Recommended prerequisites to delegated examining functions

Our experience shows that staff identified for delegated examining work should have one or more of the following to be successful:

- Prior work experience in either Federal competitive staffing or internal merit promotion operations;
  - Classroom training providing a knowledge of basic Federal staffing policies, procedures, methods, and techniques; and/or
  - Knowledge of Federal personnel management procedures, including applying and following merit system principles.
- 

### How to get delegated examining training

Notify your local OPM's Human Capital Leadership and Merit System Accountability Division when your delegated examining staff needs initial or refresher training.

**Training Needs Assessment:** Before receiving training, each participant and his or her supervisor should complete a training needs assessment. This assessment determines the individual's level of technical knowledge and identifies specific areas of training to emphasize. OPM's Human Capital Leadership and Merit System Accountability Division will provide the assessment forms.

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## References

### Additional information

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

Topic	See
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
Prohibited personnel practices	5 U.S.C. § 2302
Employment of relatives	5 U.S.C. § 3110; 5 CFR Part 310
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 from registers	5 U.S.C. § 3317
Competitive service; selection from certificates	5 U.S.C. § 3318
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="http://www.opm.gov/deu">www.opm.gov/deu</a>
<i>Federal Employment Policy Handbook: Veterans and the Civil Service</i>	<a href="http://www.opm.gov/veterans">www.opm.gov/veterans</a>
Interagency agreement for delegated examining authority	Appendix A
Vendor criteria list	Appendix B
Records retention and disposition schedule	Appendix C

## Chapter 2

### Identifying the Job and its Assessments

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**Introduction** 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.

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**Contents** This chapter contains the following topics:

<b>Topic</b>	<b>See Section</b>
Review Hiring Flexibilities	A
Conduct a Job Analysis	B
Identify Assessment Tools	C
Submit Request to the Delegated Examining Officer (DEO)	D
References	E

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## Section A

### Review Hiring Flexibilities

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#### Introduction

As you are creating a job 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 that you may consider. For a comprehensive list of appointing authorities, please visit our web site at [www.opm.gov](http://www.opm.gov).

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## Temporary Limited Employment

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**Definition of a temporary appointment**

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

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**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:
    - Abolishment,
    - Reorganization,
    - Contracting out of the function,
    - Anticipated reduction in funding, or
    - Completion of a specific project or peak workload; or
  3. 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 Human Capital Leadership and Merit System Accountability (HCLMSA) Division 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.

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*Continued on next page*

## Temporary Limited Employment, Continued

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### 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 HCLMSA Division 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 use both competitive and non-competitive examining procedures to fill temporary limited positions.

For competitive examining procedures, you may use either:

- 5 CFR Part 332 competitive procedures; or
- 5 CFR Part 337 examining system.

For non-competitive examining procedures, you may use any of the following:

- Reinstatement under 5 CFR Part 315;
  - Veterans Readjustment 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 under 31 U.S.C. § 732(g) for current and former employees of the General Accounting Office;
  - Appointment under 28 U.S.C. § 602 for current and former employees of the Administrative Office of the U.S. Courts;
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## Temporary Limited Employment, Continued

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**How to make temporary appointments**  
(continued)

- 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 333 or 337; 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 333 or 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 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) (See Chapter 4, Section B).

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**Where to find information on this topic**

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

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## Term Employment

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**Definition of term appointment**

A term appointment is a nonstatus appointment to a position in the competitive service for a specific period of more than one year but not more than four years.

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**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,
    - Contracting out of the function,
    - Uncertainty of future funding, or
    - Need to maintain the position for future placement of other employees.
- 

**Extension of term appointment**

You may make an initial term appointment for a period of 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 HCLMSA Division identifying the reasons for an additional extension, and the additional time needed (5 CFR Part 316).

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## Term Employment, Continued

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### 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.

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### How to make term appointments

You may use both competitive and non-competitive examining procedures to fill term positions.

For competitive examining procedures, you may use:

- 5 CFR Part 332 competitive procedures or
- 5 CFR Part 337 examining system.

For non-competitive examining procedures, you may use any of the following:

- Reinstatement under 5 CFR Part 315;
  - Veterans Readjustment Appointment 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 under 31 U.S.C. § 732(g) for current and former employees of the General Accounting Office;
  - Appointment under 28 U.S.C. § 602 for current and former employees of the Administrative Office of the U.S. Courts;
  - 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.
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## **Term Employment,** Continued

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**How to  
announce for a  
term job**

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

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**Where to find  
information on  
this topic**

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

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## The *Luevano* Consent Decree

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### Background

On November 19, 1981, the United States District Court for the District of Columbia issued a consent decree in *Angel G. Luevano, et al., Plaintiffs v. Alan Campbell, Director, Office of Personnel Management, et al.* The consent decree 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 levels, had an adverse impact on the selection of African Americans and Hispanics.

The consent decree establishes two special programs, Outstanding Scholar and Bilingual/Bicultural Certification, to use as supplements to (not substitutes for) the competitive examining process in situations where adverse impact continues. The merit principle that: "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..." still applies (see 5 U.S.C. § 2301(b)(1)).

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### Agencies named in the *Luevano* case

Although OPM was the named defendant in the case, approximately 45 other departments and agencies were listed as representatives of the defendant class, which included all agencies that had ever used the PACE. Because most agencies were defendants in the *Luevano* case, whether specifically named or not, you should consult your own legal counsel to determine whether the consent decree applies and to ensure compliance with the terms of the consent decree and other provisions of the law.

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### Intent of the *Luevano* Consent Decree

The *Luevano* Consent Decree focuses on the use of recruitment to reduce adverse impact by increasing the pool of African American and Hispanic applicants. You may not make actual hiring decisions on the basis of race or national origin except in situations that meet all of the requirements established by the United States Supreme Court in *Adarand Constructors v. Peña* (1995).

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*Continued on next page*

## The *Luevano* Consent Decree, Continued

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### Occupations covered by the *Luevano* Consent Decree

The special programs established by the consent decree are used to fill jobs at only the GS-5 and GS-7 grade levels. Only those occupations that were once subject to the PACE exam are covered by the consent decree (see Appendix D, Positions Covered By the *Luevano* Consent Decree).

You may not select an individual for a covered position with the intent of moving him/her later to a non-covered position (see 5 CFR Part 330).

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### Criteria for positions covered by the *Luevano* Consent Decree

The position you are trying to fill is covered by the *Luevano* Consent Decree if, it is listed in Appendix D, and it meets **all** of the following criteria (see *Luevano* Consent Decree):

1. It is being filled at the entry level-- either GS-5 or GS-7;
  2. It is classified at a 2-grade interval; and
  3. It has a promotion potential to a GS-9, or higher.
- 

### Occupations not covered by the *Luevano* Consent Decree

Occupations in the following Professional and Administrative occupational fields are **not** covered by the *Luevano* Consent Decree:

- Accounting and Auditing;
  - Engineering;
  - Physical Sciences;
  - Biological Sciences; and
  - Mathematics.
- 

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## The *Luevano* Consent Decree, Continued

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### ***Luevano* Consent Decree reporting requirements**

The *Luevano* Consent Decree requires the collection of race and national origin (RNO) information from all applicants who apply for a position covered by the *Luevano* Consent Decree. Therefore, you must request RNO information from all individuals who apply for each position, grade and geographic area. Submission of the RNO data by applicants on the Supplemental Qualifications Statement questionnaire is voluntary.

For Outstanding Scholar applicants, you must use OPM Form 1386B, *Applicant Race and National Origin Questionnaire*, to collect RNO data. Completing this form is optional for applicants, but it is mandatory for you to provide copies of the form to applicants (*Luevano* Consent Decree and 5 U.S.C. § 1104).

You must submit two reports to OPM annually (*Luevano* Consent Decree and 5 U.S.C. § 1104). These reports are:

Type of Reports	Due Date
Cumulative summary of the prior year's applicant RNO data (OPM Form 1592). Your reports must indicate the total number of respondents by series, grade, and geographical area in each RNO category.	January
Narrative report summarizing the prior year's efforts to eliminate adverse impact on African Americans and Hispanics when hiring into occupations covered by the <i>Luevano</i> Consent Decree.	March

### **Mailing address for reports**

Submit reports to:

Deputy Associate Director  
For Strategic Human Resources Policy Division  
U.S. Office of Personnel Management  
1900 E Street, NW, Room 6500  
Washington, DC 20415

**Note:** If you process ACWA applications through OPM's USA Staffing System, the RNO data is automatically captured and will be reported by the Macon Technology Support Center to the Strategic Human Resources Policy Division at the end of each year.

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*Continued on next page*

## The *Luevano* Consent Decree, Continued

**Filling positions covered by the *Luevano* Consent Decree**

If the position you are trying to fill meets the criteria for a *Luevano* Consent Decree covered position, your first step is to fill the job through competitive examining (see note below). In addition to competitive examining, you can use the Outstanding Scholar and/or Bilingual/Bicultural Certification authority to aid in increasing the diversity of your workforce.

**Note:** To reduce adverse impact, agencies should focus their **recruiting** in a way that increases the pool of African American and Hispanic applicants in these occupations (see Outstanding Scholar and Bilingual/Bicultural in this section). Outstanding Scholar and Bilingual/Bicultural Certification are available for that purpose. These procedures, however, must be used as **supplements** to competitive examining. They should not be used unless your agency has an established pattern of competitive selection into the covered jobs (that is, same series and grade) or is currently making competitive selections into those jobs. You may not use either procedure to hire only persons from the designated minority groups.

***Luevano* Consent Decree competitive examining instruments**

For filling positions covered by the *Luevano* Consent Decree (see Appendix D) through the competitive examining process, your examining office must use approved assessment instruments (see Addendum to Interagency Agreement for Delegated Examining Authority). You may either use an OPM-developed assessment instrument or develop your own assessment. However, in addition to the requirements of the consent decree, you must adhere to the following:

<b>IF you wish to use...</b>	<b>THEN your agency must...</b>
an OPM-developed assessment instrument	sign an addendum to the Interagency Agreement for Delegated Examining Authority, and obtain test security training for test administrators and control officers.

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## The *Luevano* Consent Decree, Continued

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### *Luevano* Consent Decree competitive examining instruments (continued)

IF you wish to use...	THEN your agency must...
your own assessment instrument	notify the Department of Justice before using the instrument. You may submit your notice to:  U.S. Department of Justice Civil Division, Federal Programs 950 Pennsylvania Avenue, NW Washington, DC 20530

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#### **OPM examining instruments**

OPM has developed two types of instruments that you may use for filling positions covered by the *Luevano* Consent Decree through competitive examining. These are the:

Administrative Careers with America (ACWA) Written Tests; and  
ACWA Rating Schedules.

**Note:** If you choose to use one of the ACWA examining instruments, you are responsible for safeguarding and correctly using these materials.

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#### **ACWA written tests**

The ACWA written tests were developed for selection into entry-level GS-5 and GS-7 jobs that were previously covered by the Professional and Administrative Career Examination (PACE). Based on a job analysis, the occupations covered under the *Luevano* Consent Decree were grouped into seven job families of similar occupations. There is no written test for the seventh group. A written test was developed for each of the other six occupational groups.

The written test consists of two parts:

1. A test of job-related abilities, and
  2. An Individual Achievement Record (IAR).
- 

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## The *Luevano* Consent Decree, Continued

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**ACWA written tests (continued)** The test of job-related abilities consists of two parts: (1) verbal reasoning and (2) quantitative reasoning. A separate test was developed for each of the six occupational groups. Each test measures job-related abilities using subject matter pertinent to the occupation grouping or to general government business that any government professional would be expected to encounter. The competencies measured by the written test are Reading and Mathematical Reasoning.

The IAR is a multiple-choice questionnaire about an applicant's experience, skills, and achievements in school, employment, and other activities. The IAR is based on research on the actual characteristics of successful people in Federal professional and administrative occupations. It is designed to supplement the written test by providing an assessment of additional job-relevant characteristics.

Scores on each part of the examination are combined into a single score that serves as a basis for rating and ranking job applicants.

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**ACWA rating schedule** The ACWA rating schedules were developed to provide agencies with another option in addition to the written tests for selecting individuals for occupations covered by the *Luevano* Consent Decree. A separate rating schedule was developed for each of the 111 occupations covered by the *Luevano* Consent Decree. The rating schedules assess different competencies from the ACWA written tests and can be used either alone or in combination with the ACWA written tests or a structured interview (see section D).

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**How to request ACWA examining instruments** To request ACWA assessment instruments, your agency headquarters' Test Security and Control Officer (TSCO) must send the following information to the Strategic Human Resources Policy Division at 1900 E Street, NW, Room 6500, Washington DC 20415:

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

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## The *Luevano* Consent Decree, Continued

**How to request ACWA examining instruments (continued)**

- 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;
- A list of the occupational series for which you plan to administer ACWA assessment instruments; and
- The type of ACWA assessment you wish to administer, i.e., the written test\* or the rating schedule.

\*There is a shipping and handling fee for the ACWA Written Test.

**Prohibition on modifying ACWA written tests**

You may not modify the content of an ACWA Written Test, including the scoring values and final automated ratings. You must use the test intact, in the manner approved under the *Luevano* Consent Decree.

**Modifying ACWA rating schedules**

When using the ACWA Rating Schedules, you may modify the specialized qualification questions in Questions 1 through 5, but you may not change the rating questions. Since it is a court-approved rating schedule the following restrictions apply:

<b>Restrictions</b>
You must use the instruments intact, in the manner approved under the <i>Luevano</i> Consent Decree;
You <b>MAY NOT</b> modify the contents of the instruments or values used in the scoring process (Questions 6 through 156);
You <b>MAY NOT</b> edit, delete, renumber, or change the responses or values of the scoring keys;
You <b>MAY NOT</b> edit, delete, renumber, or otherwise change Questions 6 through 156; and
You must limit access to computerized examining records through the use of secure passwords by employees of the examining office.

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## The *Luevano* Consent Decree, Continued

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**Who can administer ACWA assessment instruments?**

Only trained test administrators may administer the ACWA Written Test. Unless test administrators and control officers have been trained in test security procedures, OPM will not release the ACWA Written Test or Rating Schedule (see Appendix E). If an ACWA assessment, i.e., written test or rating schedule, is compromised, you must notify the OPM Chicago Services Branch Director, within 24 hours, at:

U.S. Office of Personnel Management  
Chicago Services Branch  
John C. Kluczynski Federal Building, DPN 30-3  
230 South Dearborn Street  
Chicago, IL 60604  
Ph: (312) 353-6234  
Fax: (312) 353-6211  
E-mail: [Chicago@opm.gov](mailto:Chicago@opm.gov)

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**Distributing ACWA materials**

Your agency's TSCO may maintain copies of the rating schedules, scoring keys, and formulas for its delegated examining offices or it may request materials as needed from your local OPM Services Branch.

TSCOs are responsible for distributing and controlling examining materials within their organization.

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**Terminating the use of the OPM assessments**

OPM reserves the right to terminate your use of the ACWA assessment instruments at any time for violating these requirements.

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**OPM examining services**

OPM's Services Branches are available to provide examining or testing services on a reimbursable basis. Contact your local OPM Services Branch directly for more information or visit our web site at [www.opm.gov/employ/index.htm](http://www.opm.gov/employ/index.htm).

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# Outstanding Scholar

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## Introduction

The *Luevano* Consent Decree established Outstanding Scholar as a supplement to the competitive examining process for covered GS-5 and GS-7 positions. Use of this program is authorized only under the terms of the *Luevano* Consent Decree and can be used only for the specific series and job titles listed in Appendix D, Positions Covered By the *Luevano* Consent Decree.

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## Basic eligibility requirements

There are two methods for an applicant to be eligible under Outstanding Scholar. They are:

1. Grade Point Average (GPA); or
  2. Class Standing.
- 

## Eligibility based on grade point average

To qualify based on GPA, the applicant must be a college graduate with a GPA of 3.5 or higher based on a 4.0 scale for all undergraduate courses completed toward a baccalaureate degree from an accredited college or university (see *Luevano* Consent Decree).

To determine an applicant's qualification based on GPA, you must:

- Use a GPA calculated on a 4.0 scale. You must convert any other scale to 4.0 in order to determine an applicant's eligibility based on GPA;
- Determine an applicant's GPA based on grades received for **all** undergraduate courses leading to a baccalaureate degree, including accepted courses taken at schools other than the school from which the applicant obtained the degree; and
- Not include grades received for graduate courses in calculating an applicant's GPA.

**Note:** If the GPA is 3.45 or higher you may round it to 3.5 (see OPM's Operating Manual, *Qualifications Standards for General Schedule Positions* for the established procedure for rounding GPAs at [www.opm.gov](http://www.opm.gov)).

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## Outstanding Scholar, Continued

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### Eligibility based on class standing

Outstanding Scholar allows you to appoint applicants who are in the upper 10% of their baccalaureate graduating class, or of a major university subdivision such as a College of Arts and Sciences. A major university subdivision is a college or school and is not merely a department or program of study. You may determine an applicant's class standing only on the basis of certification from the applicant's college, school, or university.

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### Basic qualification requirements

In addition to satisfying the eligibility requirements, an Outstanding Scholar applicant must also meet the basic qualification requirements for the job (5 CFR Part 338). The basic qualifications are described in OPM's *Operating Manual, Qualifications Standards for General Schedule Positions*.

**Note:** In addition to the basic requirements, you may add your own job-related requirements.

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### Announcing an Outstanding Scholar job

Prior to making appointments under Outstanding Scholar, you must advertise the job, including posting it through OPM's job information system. You must announce the job because:

1. Merit system principles require fair and open competition, which demand public notice of jobs so all who are eligible may apply (5 U.S.C. § 2301);
  2. Law requires you to report to OPM and to the Department of Labor each vacant job in the agency that is in the competitive service or the Senior Executive Service for which the agency seeks applications from persons outside the Federal service (5 U.S.C. § 3327); and
  3. Regulations require that agencies report competitive jobs to OPM when accepting applications from outside the agency (including applications for temporary jobs lasting 121 or more days) (see 5 CFR Part 330 and Chapter 4, Section B, Reviewing Applications).
- 

### Order of selection for Outstanding Scholars

You **must** consider eligibles entitled to selection priority (see 5 CFR Part 330) before you may select an Outstanding Scholar candidate for a job. For example, you may not pass over a well-qualified ICTAP eligible to select an Outstanding Scholar candidate for a job (see Chapter 4, Section B, Reviewing Applications).

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## **Outstanding Scholar, Continued**

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**Appointment of Outstanding Scholar eligible** You may select an Outstanding Scholar prior to graduation. However, selectees must meet the eligibility requirements at the time they enter on duty. (See basic eligibility requirements in this section.)

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**Limitation of Outstanding Scholar Program appointments** The consent decree sets no time limit after graduation for Outstanding Scholar eligibility, nor does it set a limit on the number of times an individual can receive an Outstanding Scholar appointment.

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**References** For more information visit [www.opm.gov](http://www.opm.gov).

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## Bilingual/Bicultural

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**Basic eligibility requirements for the Bilingual/Bicultural Program**

An applicant is eligible for appointment under the Bilingual/Bicultural Certification process if he/she obtains a "passing score" on the ACWA examination (i.e., OPM ACWA written test, rating schedule, or your own agency-developed written test); and

1. The job is one in which interaction with the public or job performance is enhanced by the possession of bilingual and/or bicultural skills; and
2. You determine (e.g., through the use of a reasonable questionnaire or interview) that the applicant to whom the appointment is to be offered has the required level of oral Spanish language proficiency and/or the requisite knowledge of Hispanic culture.

**Note:** You must maintain documentation that these requirements were met.

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**Basic qualification requirements**

As mentioned above, to be eligible for appointment under the Bilingual/Bicultural Certification process, an applicant must receive a "passing score" on an OPM ACWA written test or rating schedule. The table below summarizes what constitutes a "passing score" for either type of examining instrument.

<b>IF the examining instrument is...</b>	<b>THEN an applicant obtains a "passing score" if he or she...</b>
a written test	meets the minimum qualification requirements for the position <i>and</i> receives a passing score on the written test.
a rating schedule	meets the minimum qualification requirements for the position.

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## Direct-Hire Authority

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**Direct-Hire Authority**

Section 1312 of the Homeland Security Act of 2002 (codified at 5 U.S.C. § 3304) provides you with the authority to appoint candidates directly to jobs for which OPM determines there is:

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

**How is direct-hire authority initiated**

Direct-hire authority may be initiated by:

- OPM deciding, on its own, 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**
  - An agency's written request to OPM identifying the position(s) for which it believes a severe shortage or a critical hiring need exists. The agency must include relevant evidence to support its request.
- 

**Direct-hire authority coverage**

Direct-hire 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;
  - "Rule of three;" and
  - Rating procedures.
- 

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## Direct-Hire Authority, Continued

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**Legal compliance**

Direct-hire authority must comply with:

- Public notice requirements under 5 U.S.C. §§ 3327 and 3330;
  - Career transition requirements (CTAP/ICTAP) under 5 CFR Part 330; and
  - Basic qualification requirements for the position (5 CFR Part 338).
- 

**Definition of Severe shortage of candidates**

A severe shortage of candidates for a particular position or group of positions means that an agency is unable to identify candidates possessing the competencies 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.

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**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 hiring flexibilities (see Chapter 3, Recruitment for more information concerning recruitment tools such as recruitment and retention bonuses, 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.
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## Direct-Hire Authority, Continued

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### Evidence of a severe shortage (continued)

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 an agency has a need to fill the position(s) to meet mission requirements brought about by an emergency or potential threat; to meet an 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.

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### Critical hiring need

A critical hiring need to fill the job can be brought about by an exigency such as:

- A national emergency;
  - Threat or potential threat;
  - Environmental disaster; or
  - Other unanticipated or unusual events or mission requirements.
- 

### Examples of triggers for critical hiring need

Some examples of exigencies that would justify the need for using direct-hire based on critical hiring need are:

- Requirement of law, Presidential directive, or Administration initiatives;
  - Congressional or other mandate to meet new or expanded mission requirements by a particular date.
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## **Direct-Hire Authority, Continued**

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**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 how filling the job is critical to the agency's 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 Strategic Human Resources Policy Division. You should mail or fax your request to:

Associate Director  
for Strategic Human Resources Policy  
Office of Personnel Management  
1900 E Street, NW, Room 6500  
Washington, DC 20415  
Fax: 202-606-2329

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## Direct-Hire Authority, Continued

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### 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 appointing 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 appointing 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 the “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 agency reports.

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

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### Introduction

In general, individuals are not eligible for competitive service positions solely on the basis of their past or current employment in the excepted service or Senior Executive Service (SES), or on appointments authorized by statute. In such cases, these candidates must participate in the competitive examining process (5 CFR Part 332).

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### 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 if 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;
- 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 participate in the competitive process (5 CFR Part 332).

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*Continued on next page*

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

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**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 or race.”

**Note:** The appointment of Schedule C and non-career SES employees to the competitive service warrants special attention to ensure compliance with merit principles. The record in all personnel actions must show clearly that the actions are proper and legitimate. Both OPM and agencies have an obligation to ensure that all personnel actions conform fully to the spirit and letter of Civil Service Rules and to 5 U.S.C. §§ 2301 and 2302, especially the prohibition against political consideration, either favorable or unfavorable.

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**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 ([www.opm.gov](http://www.opm.gov), under Appointments).

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## Section B

### Conduct A Job Analysis

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#### 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, 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.

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#### 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 (see Multipurpose Occupational Systems Analysis Inventory- Close-Ended (MOSAIC) Competencies, Appendix F). 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." Although they are not synonymous, they serve the same function in job analysis.

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*Continued on next page*



## Conduct A Job Analysis, Continued

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### 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 knowledge, skills, and abilities required to perform the duties and responsibilities; and
- The factors that are important in evaluating candidates (5 CFR Part 300).

In addition, the *Uniform Guidelines on Employment Selection Procedures* (1978), (29 CFR Part 1607) ([www.uniformguidelines.com](http://www.uniformguidelines.com)), provide 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* apply only when the selection procedure results in 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.

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### Why is job analysis important for selection?

A job analysis is the key to any rational approach to selecting employees. To identify the best person for the job, 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 G).

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.

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## Conduct a Job Analysis, Continued

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**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.

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**Results of job analysis**

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

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**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 that your selection methodologies are current and valid.

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## Section C

### Identify Assessment Tools

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#### 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) for your 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. The key is to use assessments that are valid measures of the competencies/KSAs so that you have useful, appropriate assessments.

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*Continued on next page*

## Identify Assessment Tools, Continued

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### Introduction (continued)

Also, 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 hurdle 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. 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.

You may choose one or more assessment options to measure a person's competencies/KSAs for a particular job.

Examples of assessment tools are:

- Structured Interview,
- Test,
- Assessment Center,
- Work Sample, and
- Crediting Plan/Rating Schedule.

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.

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### In this section

This section discusses the following topics.

Step	Action
Assessment Tools	2-C-3
Indicators of Proficiency	2-C-13

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## Assessment Tools

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### Sources of guidance

The *Uniform Guidelines on Employee Selection* 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: [www.uniformguidelines.com](http://www.uniformguidelines.com).

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).

There are several organizations that also publish guidance on the subject of testing standards, including the American Psychological Association (APA), the National Council on Measurement in Education (NCME), and the American Educational Research Association (AERA), which jointly developed *The Standards for Educational and Psychological Testing*. The *Standards* provide information on how to develop, evaluate, and use tests and other assessment procedures in employment settings. Please note that this paragraph is for informational purposes only, and is not an endorsement of that publication.

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### 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. Scores on a reliable assessment tool measure the degree to which a person has the competency and are not affected by factors such as how, where, and when the assessment tool is administered. 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.

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*Continued on next page*

## Assessment Tools, Continued

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**Understanding reliability and validity**  
(continued)

*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 better is considered more valid.

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**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 using subject matter experts 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.

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**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.

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*Continued on next page*

## Assessment Tools, Continued

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### Structured interview (continued)

Strengths	Considerations	Example of Interview Question
<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>• A structured interview usually requires involvement of management and subject matter experts for panel participation. Preparing and scheduling participants in advance will significantly reduce the resources required to conduct a structured interview. Reducing the size of the applicant pool through recruitment and/or assessment will help decrease the number of interviews needed.</li> </ul>	<p>"Describe a situation in which you identified a problem and evaluated the alternatives to make a recommendation or decision."</p>

Human resource specialists may develop a structured interview. OPM provides training on how to develop and administer a structured interview. For more information, contact your local OPM Services Branch at: <http://www.opm.gov/employ/html/SERVCNTR.HTM>.

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*Continued on next page*

## Assessment Tools, Continued

**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.

<b>Strengths</b>	<b>Considerations</b>	<b>Example</b>
<ul style="list-style-type: none"> <li>• Has better validity than most other assessment tools</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 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>	<ul style="list-style-type: none"> <li>• <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.</li> <li>• <b>Scholastic Aptitude Test (SAT)</b> – An objective test usually given to high school students that is used to make higher education selection decisions.</li> </ul>

### Using OPM tests

OPM delegated the administration of its written tests to agencies. Agency test administrators must receive training from us before administering these tests. At the request of the examining office, OPM will develop and administer tests on a reimbursable basis. Please see Appendix E, Handbook for Agency Test Administrators and Test Control Officers, for more information.

*Continued on next page*



## Assessment Tools, Continued

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**Using OPM tests (continued)**

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  
Employment Service  
Personnel Resources and Development Center  
1900 E Street, NW, Room 6500  
Washington, DC 20415

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**Specific information about using non-OPM developed assessments**

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* (see [www.opm.gov](http://www.opm.gov)). (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*.

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## Assessment Tools, Continued

### 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.

Strengths	Considerations	Example
<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 while it may be time consuming to develop and administer them, 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>One role-playing exercise 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 assistance is required when developing assessment centers.

*Continued on next page*

## Assessment Tools, Continued

**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.

Strengths	Considerations	Example
<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.

**Crediting plan/  
rating schedule**

A crediting plan/rating schedule is an evaluation of an applicant's job-related competencies/KSAs performed by a rater, or by an applicant's self-rating. It is accomplished by evaluating the factual background of an applicant (e.g., positions held, levels of responsibility, accomplishments, job-related education) against established job-related criteria.

A crediting plan/rating schedule is best used when the number of applicants is high. Because crediting plans tend to lack the ability to distinguish a top performer from an average performer, and an average performer from a poor performer, we recommend that a crediting plan be combined with another assessment tool such as a test or a structured interview.

*Continued on next page*

## Assessment Tools, Continued

### Crediting plan/ rating schedule (continued)

Strengths	Considerations	Example
<ul style="list-style-type: none"> <li>• Inexpensive</li> <li>• Can be developed quickly</li> <li>• Multiple choice crediting plan is easy to score</li> </ul>	<ul style="list-style-type: none"> <li>• Verifying the applicant's responses will help reduce the possibility of "inflated" self-ratings.</li> <li>• Multiple choice rating schedules can be scored quickly, but also limit the opportunity for an applicant to demonstrate his or her competencies.</li> <li>• Crediting plans using a narrative response format can take more time to score than rating schedules. Automating the collection and scoring of a crediting plan will reduce the resources needed.</li> </ul>	<p>An assessment where the individuals rate their own experience on job-related competencies, tasks, activities, etc.</p>

Human resource specialists and people familiar with the job being filled may develop a crediting plan. It may be useful to use measurement specialists to provide assistance in developing a high-quality plan.

#### **Example of rating schedule: The 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.

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## Assessment Tools, Continued

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**Example of rating schedule: The Behavioral Consistency Method**  
(continued)

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 (SMEs).

You should also use SMEs to assign point values to the items or benchmark examples.

The following steps describe the Behavioral Consistency Method:

Step	Action
1	Identify the competencies to be included on the rating schedule through job analysis.
2	For each competency, develop benchmarks that describe the type and level of accomplishments or achievements that represent each level of proficiency.
3	Assign each benchmark a point value.
4	Compare the information provided by the applicants about their achievements to these benchmarks to determine a rating (score).

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**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.

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## Assessment Tools, Continued

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**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/she has written) that demonstrate the competencies required by the job.

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**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.

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## Indicators of Proficiency

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### 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.

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### 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.

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>

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## Indicators of Proficiency, Continued

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### 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 question)	<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.

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## Indicators of Proficiency, Continued

### 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.

Advantages	Disadvantages	Example
Beneficial when used along with other assessment methods (e.g., in a structured interview an applicant may speak of their experiences in answering interview question)	<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.

Advantages	Disadvantages	Example
<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 question)</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.

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## Indicators of Proficiency, Continued

### 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><b>Certified Public Accountant (CPA) Certificate</b> – 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 AICPA; 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

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**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).

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**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.

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**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). For any name requests you may attach a job analysis (please see Section B), justification for using selective placement factors (see Chapter 5, Section B), proposed competencies/KSAs, crediting plan/rating schedule or other assessment tool, and completed application forms.

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## References

**Additional  
information**

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

<b>Topic</b>	<b>See</b>
Personnel actions to conform with civil service rules	5 U.S.C. §§ 2301 and 2302, 5 CFR Part 302 and Title 38 Section 4214
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 and 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 readjustment appointment	5 CFR Part 307
Career-conditional appointment	5 CFR Part 315
Reinstatement	5 CFR Part 315
Term employment	5 CFR Part 316
Temporary limited appointment	5 CFR Part 316
Reappointment on the basis of being a former temporary employee of the agency who was originally appointed from a certificate of eligibles;	5 CFR Part 316 and 5 CFR Part 333
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
Outside-the-register procedures	5 CFR Part 333
Promotion and internal placement	5 CFR Part 335
Direct Hire Authority	5 CFR Part 337
Qualification requirements (General)	5 CFR Part 338

*Continued on next page*

## References, Continued

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### Additional information (continued)

Topic	See
<i>Uniform Guidelines on Employee Selection Procedures</i>	29 CFR Part 1607 <a href="http://www.uniformguidelines.com">www.uniformguidelines.com</a>
<i>Operating Handbook, Qualifications Standards for General Schedule Positions</i>	<a href="http://www.opm.gov">www.opm.gov</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">www.opm.gov/forms</a>
OPM contact for providing training on how to develop and administer the structured interview	<a href="http://www.opm.gov/employ/html/SERVCTR.htm">www.opm.gov/employ/html/SERVCTR.htm</a>
Contact for structured interview questions	<a href="http://www.opm.gov/employ/html/SERVCTR.htm">www.opm.gov/employ/html/SERVCTR.htm</a>
<i>Adarand v. Peña</i>	93-1841, 515 US 200 (1995)
Occupations covered by <i>Luevano</i> Consent Decree	Appendix D
<i>Handbook for Test Administrators and Test Control Officers</i>	Appendix E
MOSAIC competencies	Appendix F
OPM's job analysis methodology	Appendix G

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## Chapter 3

### Recruit and Announce the Job

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**Introduction**

A request to fill a job comes into the delegated examining office. You have a general idea of what types of appointments you may use to bring someone into your agency. You have conducted the job analysis, and you know what criteria will make someone successful on the job. You also know how you will assess the applicants. You are now ready to recruit the right people to apply for the job.

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**In this chapter**

This chapter contains the following topics:

Topic	Section
Recruitment	A
What is Public Notice?	B
Create a Job Announcement	C
References	D

---

## Section A

### Recruitment

---

#### Introduction

The purpose of effective recruiting is to attract strong applicants prepared to perform successfully on the job. Recruiting is an on-going process. It is not a phase, nor is it something you do only when you need applicants.

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#### Developing a recruitment strategy

Efficient recruitment requires development and delivery of customized messages. It also requires a good understanding of how effective different recruitment strategies are in terms of producing a high quality, diverse applicant pool. Choosing the wrong strategy may produce too many or too few applications. Efficient recruitment strategies produce the required results in the shortest time.

The five (5) steps in developing a recruitment strategy are:

Step	Action
1	Become a strategic partner with your agency's managers to identify recruitment needs.
2	Analyze the future demands of your agency's workforce and identify appropriate occupations, competency requirements, and hiring strategies.
3	Research the labor market and design your message and corporate image.
4	Identify and train recruiters.
5	Establish and maintain relationships with the best sources of applicants for your workforce (e.g., colleges/universities, technical and trade schools, professional associations).

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*Continued on next page*

## Recruitment, Continued

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### Recruitment tools

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

#### **Outreach:**

- Paid advertising
- Job fairs at schools and community events
- Special internet-based recruiting web sites
- Contracted recruiting support from other Federal agencies or commercial firms (5 CFR Part 300)

#### **Special software applications that screen applicants**

#### **Monetary incentives:**

- Recruitment bonuses (5 CFR Part 575)
- Referral bonuses (5 CFR Part 451)
- Relocation bonuses (5 CFR Part 575)
- Retention allowances (5 CFR 575)
- Advance payment for new hires (5 CFR Part 550)
- Pay-setting for current or former Federal employees (5 CFR Part 531)
- Special salary rates (5 CFR Part 530)
- Student loan repayment (5 CFR Part 537)

#### **Superior qualifications appointments (5 CFR Part 531)**

#### **Performance incentives:**

- Quality Step Increases (5 CFR Part 531)
- Agency awards (5 CFR Part 451)

#### **Student Programs:**

- Career Intern (5 CFR Part 213)
- Student Career Experience (5 CFR Part 213)
- Student Loan Repayment (5 CFR Part 537)

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## Recruitment, Continued

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**Recruitment v. public notice** Recruitment is often confused with public notice. Public notice is one part of the overall recruitment process (see Section B). Public notice, or simply posting a job announcement, is not a substitute for the more focused recruiting you may need to undertake to fill positions with highly qualified applicants. Remember, recruitment is an on-going process, which requires attention even during the times when you are not "actively" seeking to fill a job.

As a result, we do not recommend that you rely solely on the job announcement as the cornerstone of your recruitment strategy. Rather, we recommend that you use all of the tools at your disposal to produce a high quality, diverse applicant pool.

For more information on public notice see Section B of this chapter.

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## Section B

### What is Public Notice?

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**Introduction**

Public notice 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.

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**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 merit system principles (5 U.S.C. § 2301), the first of which reads:

“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. There are nine merit principles, each of which is equally important, and several of which are relevant to the delegated examining process. For a complete summary of the merit system principles, and how they relate to various aspects of delegated examining, see Appendix H, Model Agency-Based Accountability Agenda.

---

**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 transmits this information electronically to State employment service offices nationwide.

There are two ways to enter job announcements into USAJOBS:

1. **OPM Web site:** Go to <http://www.usajobs.opm.gov> and follow the “Employer Services” link, and

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*Continued on next page*

## What is Public Notice?, Continued

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### Required notice via USAJOBS (continued)

2. **By email:** Send OPM an email at [usajobshelp@opm.gov](mailto:usajobshelp@opm.gov), and OPM will provide you with a template that you can use to submit job announcements by email. You can find information about the email template by logging on to [www.usajobs.opm.gov](http://www.usajobs.opm.gov). On the main page, click on the title "Employer Services." Type the word "demo" in each blank field: first name, last name, and password. Press the submit button. Next, click on the title, "Users Guide and Data Tables," to obtain a copy of the guide and the job entry template.

**Note:** Please note that we will not accept job announcements by email unless the template is used.

---

### Adequate public notice

The merit principles require that agencies provide adequate public notice of every competitive service vacancy that they are filling. Adequate public notice means that any person 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 be hired. 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 vacancy. 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 should clearly state it in the job announcement.

---

### Factors in determining length of open period

You could 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 vacancies to fill.

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*Continued on next page*

## What is Public Notice?, Continued

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### 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.

<b>IF...</b>	<b>THEN...</b>
a closing date is used to define the open period	the job announcement should clearly state whether the timeliness of submissions will be determined by the postmark, or by the date the application is received in the examining office.
the open period is defined in terms of a specific number of applications received	you should accept and process all of the applications received by close of business on the day that the specified number is reached; and the job announcement should clearly state the number of applications that will be accepted for consideration.

---

### Recommended open period

OPM suggests that you prescribe an open period of at least five business days to ensure that people who want to apply for the position have an adequate opportunity to do so.

If you prescribe an open period of fewer than five business days, you should clearly document your reasons for doing so in the examination case file (for reconstruction purposes). 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.

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*Continued on next page*

## What is Public Notice?, Continued

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### 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 that the job announcement clearly informs the applicants of the closing date. (For conditions in which a closing date is used, see *Defining the open period*.)

In addition to the closing date, you may also establish a ***cut-off date***. A cut-off date establishes an early consideration period. If a cut-off date is established, you must rate, rank, and refer to the selecting official all applications received by the cut-off date. In addition, you must consider any application received from a 10-point preference eligible who applies after the cut-off date **but** before the date that the certificate is issued (See 5 CFR Part 332). 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. 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 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 and competitor inventories (see Chapter 5, Section C). However, you should generally not use them in case examining, except where the job 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 announcement. The job 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 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 daily cut-offs so your agency can issue a certificate as vacancies arise or as qualified applicants are identified without having to wait for the next cut-off date.

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*Continued on next page*

## What is Public Notice?, Continued

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### **Application receipt procedures**

Your agency headquarters is responsible for establishing policy and procedures for accepting and processing applications from all applicants, including status applicants.

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 or Appendix H);
- Merit system principles of efficiency and effectiveness (5 U.S.C. § 2301 or Appendix H);
- Rights of preference eligibles (5 U.S.C. § 2108);
- 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 announcement is used to solicit applications for both external and internal competitions. In such a case, the job announcement must clearly specify the filing instructions and conditions for each type of applicant.

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## Section C

### Create a Job Announcement

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#### Introduction

The job announcement is one of the most powerful tools in the recruitment process. It provides an important opportunity to make a first impression on potential applicants, and may strongly influence their decision to apply for your position. Therefore, it is important to create an announcement that is clear, concise, and attractive. It should capture interest and make applicants want to apply. You should broadcast a realistic preview of the position and provide a glimpse of the organization and its culture, if possible.

---

#### What to include in a job announcement

You must include the following items in your job announcement (see 5 CFR Part 330 and Executive Order 13078):

<b>Required Items for a Job Announcement</b>
Your Agency Name
Announcement Number
Title
Series
Grade(s) and entrance pay
Open and Closing Dates (including cut-off dates, if any)
Duty Location
Number of Vacancies
Description of Duties
Qualification Requirements (KSAs/ Competencies required)
Basis for Rating:  Type of rating procedure either numeric rating or category rating; Type of assessment(s) to be used, If using interview, whether the interview is pass/fail or scored, Whether a drug test is required.
How to Apply (including point of contact, telephone number and email address, if appropriate)
What to File
Agency's Definition of "Well-Qualified" (CTAP/ICTAP)
Information on how to Claim Veterans' Preference
EEO Statement
Reasonable Accommodation Statement

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*Continued on next page*

## Create a Job Announcement, Continued

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### Additional items for a job announcement

In addition to the required public notice items, you may include additional items designed to attract job-seekers, such as information covering the following:

<b>Additional Items for a Job Announcement</b>
Alternative Work Schedules
Part-time Employment and Job Sharing Opportunities
Telecommuting Options
Employee Benefits: Insurance (life, health, long term care) Leave (vacation, medical, family, leave sharing)
Work-life Programs (e.g., on-site day care, nursing mothers program)
Employee Assistance Programs
Developmental and Training Opportunities

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### Reasonable accommodation statement

You must include language in the job announcement stating that reasonable accommodations are made for qualified applicants or employees with disabilities. The statement below complies with Executive Order 13078 and OPM's goal to increase the representation of adults with disabilities in the Federal workforce. You can use this statement or the wording of your choice, so long as you convey the message that your agency provides reasonable accommodation for applicants with disabilities:

***This agency provides reasonable accommodation to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. The decision on granting reasonable accommodation will be made on a case-by-case basis.***

For more information on OPM's Plan for Employment of People with Disabilities, you can visit our website, [www.opm.gov/disability](http://www.opm.gov/disability).

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## References

**Additional  
information**

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

<b>Topic</b>	<b>See</b>
Rights of preference eligibles	5 U.S.C. § 2108
Merit System Principles	5 U.S.C. § 2301
Civil service employment information	5 U.S.C. § 3327
Governmentwide list of vacant positions	5 U.S.C. § 3330
Career Intern	5 CFR Part 213
Student Career Experience	5 CFR Part 213
Contracted recruiting support from other Federal agencies or commercial firms	5 CFR Part 300
Rights of surplus or displaced employees	5 CFR Part 330
Legal and regulatory requirements, such as those concerning noncompetitive appointing authorities	5 CFR Part 315
Performance awards	5 CFR Part 451
Special salary rates	5 CFR Part 530
Quality step increases	5 CFR Part 531
Superior qualifications appointments	5 CFR Part 531
Student loan repayment	5 CFR Part 537
Advance payment for new hires	5 CFR Part 550
Recruitment bonuses	5 CFR Part 575
Relocation bonuses	5 CFR Part 575
Retention allowances	5 CFR Part 575
Reasonable accommodation	Executive Order 13078
OPM web site	<a href="http://www.usajobs.opm.gov">www.usajobs.opm.gov</a>
Plan for employment of people with disabilities	<a href="http://www.opm.gov/disability">www.opm.gov/disability</a>
Model agency-based accountability coverage agenda	Appendix H

## Chapter 4

# Accept and Review Applications

### Overview

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**Introduction** Once you have announced the job, you are ready to accept applications. This chapter offers some guidance regarding how to review and process applications for Federal employment.

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**Contents** This chapter contains the following topics:

<b>Topic</b>	<b>See Section</b>
Accepting Applications	A
Reviewing Applications	B
References	C

---

## Section A

# Accepting Applications

---

**Introduction** This section provides guidance regarding the receipt of job applications.

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**Contents** This section contains the following topics:

Topic	See Page
Application Forms	4-A-2
Receiving Applications	4-A-5
Incomplete Applications	4-A-8

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## Application Forms

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**Introduction**

There are a variety of applications forms. These include:

- Résumé;
  - OF 612, *Optional Application for Federal Employment*;
  - Any other form chosen by the hiring agency (see “Designing your own application forms,” below); or
  - Any other form of the applicant's choosing, unless the job announcement indicates that specific forms are required.
- 

**Electronic applications**

While OPM encourages agencies to take full advantage of technology by accepting on-line applications, you may not restrict individuals who do not have Internet access from being able to apply. You may require submission of applications in a particular format or form, but you may not require only electronic submission. Job announcements may encourage and should encourage electronic filing, but you must provide information about alternative methods or a contact for those who do not have Internet access.

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**Filing forms electronically**

You may use OPM-developed procedures exclusively for applicants to file applications or you may also direct applicants to your own agency-specific procedures. One method is to allow applicants to file their applications electronically, provided:

- the procedures for doing so are consistent with applicable law and regulations, and
  - you give applicants who cannot apply online a point of contact for assistance.
- 

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## Application Forms, Continued

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### Filing forms electronically (continued)

Examples of commonly used electronic forms:

**On-line Occupational Questionnaire:** The on-line occupational questionnaire is an electronic version of OPM 1203 FX Qualifications and Availability, Form C, which collects an applicant's biographic data, employment information, and responses to job-related questions. Examining offices may allow applicants to file their job-related questionnaire through a link on the USAJOBS web site. To do so, applicants must first retrieve the appropriate job announcement and follow the instructions for completing the questionnaire either on-line or by hard copy. Applicants who file an occupational questionnaire electronically must do so by midnight, Eastern Standard Time, of the closing date of the announcement. You may make arrangements with your local OPM Services Branch to take advantage of this feature of USAJOBS; or

**On-line Résumés:** When you post a job announcement into USAJOBS, you should indicate whether you will accept electronic résumés. Job-seekers can then use USAJOBS' on-line résumé feature to create, save and edit résumés and transmit them to you electronically. On-line résumés must be submitted during the announcement open period to receive consideration. You may either process the résumés manually, or integrate them into your automated application receipt and/or processing systems.

---

### Designing your own application forms

You must obtain approval from the Office of Management and Budget (OMB) before you may use your own application form to collect information from members of the public. Generally, OMB will approve such forms only if you have unique, specialized requirements or use an automated rating system (see 5 CFR Part 1320).

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### Supplemental documents

You may also require necessary supplemental documents from applicants, such as college transcripts, answers to competency/KSA statements, and copies of licenses where appropriate.

**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).

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*Continued on next page*

## Application Forms, Continued

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**Restricting  
applications to  
résumés only**

You may restrict applications to résumés. However, you may not restrict the types of sources that applicants may 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, as long as the résumé meets your requirements for format, content and length (you must clearly specify any such requirements in the job announcement).

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## Receiving Applications

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**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. This will allow for a reasonable period in which to receive applications postmarked by the closing date.

Any application that bears a timely postmark should 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 on or before the closing date. When you grant such an extension, you should 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 should delay the issuance of the certificate of eligibles (see Chapter 6) until either:

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

## Receiving Applications, Continued

### Accepting late applications

Applications from persons who are entitled to file late 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 selecting official. If you amend the certificate based on the selecting official's request, then you should refer all applications received on the same date and earlier.

Please see chart below for how to handle preference eligible applicants.

IF the applicant...	THEN the applicant...
is a 10–point preference eligible	may file an application at any time for any position for which a: <ul style="list-style-type: none"> <li>• Register is about to be established (5 CFR Part 332);</li> <li>• non-temporary appointment has been made in the preceding three years (5 CFR Part 332); or</li> <li>• list of eligibles currently exists but is closed to new applicants (5 CFR Part 332).</li> </ul>
is a preference eligible	<ul style="list-style-type: none"> <li>• is entitled to be entered on an existing competitor inventory if he or she applies within 90 days after furlough or separation without delinquency or misconduct from a career or career-conditional appointment, provided that he or she is otherwise qualified for the position (5 CFR Parts 5.1 and 332);</li> <li>• may enter an existing inventory if he or she <i>has successfully appealed a furlough or discharge</i> from a career or career-conditional appointment, and is otherwise qualified for the position (5 CFR Parts 5.1 and 332); and</li> <li>• is entitled to be re-entered on each existing inventory (or its successor) on which he or she was previously listed, provided that he or she applies within 90 days after <i>resignation</i> without delinquency or misconduct from a career or career-conditional appointment (5 CFR Parts 5.1 and 332).</li> </ul>

Continued on next page



## Receiving Applications, Continued

### Accepting late applications (continued)

<b>IF the applicant...</b>	<b>THEN the applicant...</b>
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 Part 332).
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 Part 332).
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 Part 332).
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 Part 332).

## Incomplete Applications

---

**General rule**

An application is incomplete if an applicant:

- Does not submit a required form or other material, as specified in the job announcement;
- Fails to respond to questions that he or she must answer before any action can be taken; or
- Submits insufficient information concerning education or experience.

You may rate incomplete applications based on the information provided, or you may ask the applicant to furnish the missing information. Whichever option you choose, however, *you should apply it consistently for all applicants* for any specific position or competitor inventory.

---

**Applicants who fail to provide a college transcript**

For entry-level jobs with positive education requirements, a transcript may be critical for examining purposes. A list of courses, grades earned, completion dates, and quarter and semester hours earned can be a substitute for a transcript at the time of application. If applicable, applicants should also be asked to provide information about their grade point average (GPA) to verify eligibility for higher grade levels.

For certain other categories of positions, such as those at the higher grade levels, a college transcript is normally not a significant examining factor. As a rule, you should not consider a transcript an absolute requirement unless it is necessary to determine basic qualifications.

By the time of appointment, however, an appointee should provide an official college transcript, so that you may verify the degree and/or grade-point average that he or she reported on his or her application.

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## Incomplete Applications, Continued

**Applicants who are on active military 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. Prior to appointment, you should verify:

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

You can find eligibility information, including a list of campaigns and expeditions qualifying for veterans' preference, in the *Federal Employment Policy Handbook: Veterans and the Civil Service (VetGuide)* on OPM's web site at [www.opm.gov/veterans](http://www.opm.gov/veterans).

**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 submitted proof of...</b>	<b>THEN...</b>						
<b>5-point preference</b>	service in a war, campaign, or expedition.	see chart below.						
<table border="1"> <thead> <tr> <th><b>IF proof of military service is...</b></th> <th><b>THEN...</b></th> </tr> </thead> <tbody> <tr> <td>received</td> <td>grant tentative 5-point preference.</td> </tr> <tr> <td> <ul style="list-style-type: none"> <li>• not received or</li> <li>• insufficient to support 5-point preference</li> </ul> </td> <td>do not grant 5-point preference.</td> </tr> </tbody> </table>			<b>IF proof of military service is...</b>	<b>THEN...</b>	received	grant tentative 5-point preference.	<ul style="list-style-type: none"> <li>• not received or</li> <li>• insufficient to support 5-point preference</li> </ul>	do not grant 5-point preference.
<b>IF proof of military service is...</b>	<b>THEN...</b>							
received	grant tentative 5-point preference.							
<ul style="list-style-type: none"> <li>• not received or</li> <li>• insufficient to support 5-point preference</li> </ul>	do not grant 5-point preference.							

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## Incomplete Applications, Continued

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How to handle applications from applicants who are on active military duty (continued)

<b>IF an applicant is on active duty and claims...</b>	<b>AND IF the veteran submitted proof of...</b>	<b>THEN...</b>								
<b>10-point preference</b>	<ul style="list-style-type: none"> <li>• a letter from the military branch of service or</li> <li>• a letter from the Department of Veterans Affairs (DVA) dated within 12 months from the date of application.</li> </ul>	see chart below.								
	<table border="1"> <thead> <tr> <th><b>IF proof of claim is...</b></th> <th><b>THEN...</b></th> </tr> </thead> <tbody> <tr> <td>Received</td> <td>grant 10-point veterans' preference.</td> </tr> <tr> <td>insufficient to support 10-point preference</td> <td>grant tentative 5-point preference if the applicant meets the veterans' preference requirements.</td> </tr> <tr> <td>not received</td> <td>do not grant preference.</td> </tr> </tbody> </table>		<b>IF proof of claim is...</b>	<b>THEN...</b>	Received	grant 10-point veterans' preference.	insufficient to support 10-point preference	grant tentative 5-point preference if the applicant meets the veterans' preference requirements.	not received	do not grant preference.
<b>IF proof of claim is...</b>	<b>THEN...</b>									
Received	grant 10-point veterans' preference.									
insufficient to support 10-point preference	grant tentative 5-point preference if the applicant meets the veterans' preference requirements.									
not received	do not grant preference.									

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*Continued on next page*

## Incomplete Applications, Continued

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How to handle applications from applicants who are on active military duty (continued)

<b>IF an applicant is on active duty and claims...</b>	<b>AND IF the veteran submitted proof of...</b>	<b>THEN...</b>
<b>10-point preference on the basis of receiving a Purple Heart</b>	<ul style="list-style-type: none"> <li>- copy of the orders awarding the Purple Heart,</li> <li>- award citation, or</li> <li>- some reasonable or tangible proof that the applicant has in fact received this award</li> </ul>	grant 10-point tentative preference.

---

**Applicants who fail to sign their application**

A signature is no longer required on an 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. See OPM's Suitability Processing Handbook for more information on the OF 306.

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## **Section B**

### **Reviewing Applications**

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**Introduction** This section provides guidance on how to review applications based on career transition programs, veterans' preference, and other requirements.

---

**Contents** This section contains the following topics:

<b>Topic</b>	<b>See Page</b>
Career Transition Assistance Program Requirements	4-B-2
Citizenship, Veterans' Preference, Age, and Other Requirements	4-B-5
Qualifications Requirements	4-B-8
Suitability	4-B-10

---

## Career Transition Assistance Program Requirements

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**Introduction** 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, but should instead refer them separately.

---

**Career Transition Assistance Plan (CTAP)** Under CTAP, you must notify employees who are surplus or have been displaced from your agency of vacancies that your agency plans to fill in their local commuting area. With few exceptions, you must select a “CTAP eligible” candidate who applies and is well-qualified before you can appoint any other eligible from within or outside your agency (see 5 CFR Part 330 and Appendix I). 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.

---

**Where to find records of all potential CTAP eligibles** Because CTAP eligibility results from an agency-issued notice, your agency should have records of all potential CTAP eligibles at any given time and locale. If your agency has no CTAP eligibles in the commuting area in which the vacancy is located, CTAP posting is not required. However, regular merit promotion procedures and other priority programs, such as the Reemployment Priority List (RPL) and the Interagency Career Transition Assistance Plan (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.

---

**Special note** **Department of Defense (DOD):** DOD agencies do not provide agency selection priority through CTAP. Instead, DOD uses the 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.

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*Continued on next page*

## Career Transition Assistance Program Requirements, Continued

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

You are required to maintain a Reemployment Priority List (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 vacancy is located.

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

---

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

The Interagency Career Transition Assistance Plan (ICTAP) is 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 I).

Under ICTAP, an agency must publicize its job vacancies 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 vacancy are entitled to selection priority if they are well-qualified and can provide proof that they were displaced by their former agency.

ICTAP gives a well-qualified eligible selection priority over almost any other applicant from outside the agency. Under ICTAP, for example, a Department of Defense employee with a reduction-in-force (RIF) notice could apply for a Department of Education competitive service vacancy 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, order of selection, and exceptions see 5 CFR Part 330.

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*Continued on next page*



## Career Transition Assistance Program Requirements, Continued

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**Special note**      **Department of Defense (DOD):** DOD agencies must apply ICTAP procedures when filling vacancies.

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**Other priority placement programs**      There is another category of eligibles who may have selection priority for jobs equal to the priority of well-qualified ICTAP eligibles:

Category	Description	Reference
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) as a result of the “contracting out” of functions pursuant to 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 Part 330

## Citizenship, Veterans' Preference, Age, And Other Requirements

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**Introduction**

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.

---

**Citizenship requirement**

No individual may compete for a civil service job unless the individual is a citizen or national of the United States (see 5 CFR section 7.4, 5 CFR Part 338 and 8 U.S.C. § 1408). For more information on citizenship requirements visit: [www.opm.gov](http://www.opm.gov).

---

**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 U.S. citizen (see 5 CFR section 7.4.) Therefore, you may not accept applications from non-citizens. If there is a question about an applicant's citizenship (e.g., the applicant failed to answer this question on the application form), the application *may* be accepted and processed. If the individual is subsequently referred on a certificate, you should annotate his/her name with instructions to verify citizenship before appointment. **You must verify citizenship before appointment (5 CFR Part 338).**

---

**When is an applicant entitled to veterans' preference?**

Specific instructions for adjudicating veterans' preference and the use of special hiring authorities (e.g., Veterans' Readjustment Act (VRA), Veterans' Employment Opportunities Act (VEOA), 30% compensable veteran, etc.) are contained in OPM's *Federal Employment Policy Handbook: Veterans and the Civil Service* (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 [www.opm.gov/veterans](http://www.opm.gov/veterans).

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*Continued on next page*

## Citizenship, Veterans' Preference, Age, and Other Requirements, Continued

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### Designated veterans' preference codes

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 compensable preference based on a service-connected disability of 30% or more;
- CP** - 10-point compensable preference based on a service-connected disability of 10% or more, but less than 30%;
- XP** - 10-point (other) preference; granted to recipients of the Purple Heart, persons with a non-compensable service-connected disability (less than 10%), widow/widower or mother of a deceased veteran, or spouse or mother of a disabled veteran;
- TP** - 5-point preference; and
- NV** - designates a non-veteran (this is an optional code that delegated Examining Offices may use; a blank space is also used to designate non-veterans).
- 

### When is proof of veterans' preference status required?

Proof of veteran 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 veteran was selected over other eligibles based on his or her eligibility for veterans' preference.
- 

### 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.

Age may be a factor, however, 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.

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*Continued on next page*

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

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**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 CFR Part 300). For more information about registering with the Selective Service visit: [www.sss.gov/regist.htm](http://www.sss.gov/regist.htm).

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## Qualifications Requirements

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### Introduction

Once you have determined which applicants meet the eligibility requirements described in the previous pages, you can then review the applicants' qualifications.

The purpose of qualifications review is to identify those applicants who meet the minimum requirements necessary to perform satisfactorily on the job. 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).

---

### General Schedule positions

In performing qualifications review for General Schedule (GS) positions, you must apply either:

- 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 announcement (see 5 CFR Part 338 and 5 CFR Part 330).

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 the internet at [www.opm.gov/qualifications](http://www.opm.gov/qualifications).

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## Qualifications Requirements, Continued

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**Wage Grade positions**

In performing qualifications review for Wage Grade (WG) positions, you must apply either job elements:

- Set forth in the *Job Qualification System for Trades and Labor Occupations Handbook*, or
- That you have developed, 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 WG positions, see [www.opm.gov/qualifications/x118-c](http://www.opm.gov/qualifications/x118-c).

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**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 should notify the applicant of your determination. An applicant who does not meet the qualification requirements may not receive further consideration for the position.

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## **Suitability**

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### **Suitability**

Suitability refers to identifiable character traits and conduct which are sufficient to determine whether or not an individual is likely to be able to carry out the duties of a Federal job with integrity, efficiency, and effectiveness. Suitability is distinguishable from a person's ability to fulfill the qualification requirements of a job, as measured by experience, education, competencies/KSAs.

It is important to understand the difference between determining an applicant's suitability and determining his qualifications. A person who is well qualified for a position may nonetheless be deemed unsuitable for Federal employment due to a criminal record, drug use, or other consideration.

For more information on suitability, please refer to OPM's Suitability Processing Handbook.

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## References

**Additional  
Information**

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

<b>Topic</b>	<b>See</b>
Competitive service; recommendations of Senators or Representatives	5 U.S.C. § 3303
Competitive service; maximum-age entrance requirements; exceptions	5 U.S.C. § 3307
Nationals but not citizens of the United States at birth	8 U.S.C. § 1408
Citizenship	5 CFR Section 7.4
Employment general	5 CFR Part 300
Agency Career Transition Assistance Plans (CTAP) for local surplus and displaced employees	5 CFR Part 330
Interagency Career Transition Assistance Plan (ICTAP) for Displaced Employees	5 CFR Part 330
Positions restricted to preference eligibles	5 CFR Part 330
Reemployment priority lists (RPL)	5 CFR Part 330
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">www.opm.gov/qualifications</a>
Registering with Selective Service System	<a href="http://www.sss.gov/regist.htm">www.sss.gov/regist.htm</a>
<i>Federal Employment Policy Handbook: Veterans and the Civil Service (VetGuide)</i>	<a href="http://www.opm.gov/veterans">www.opm.gov/veterans</a>
CTAP/ICTAP Charts	Appendix I



## Chapter 5

# Assess Applicants

### Overview

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**Introduction** 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 will be presented.

---

**Contents** This chapter contains the following topics:

Topic	See Section
Requirements for Competitive Employment	A
Rating the Applicants	B
Establishing an Inventory	C
References	D

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## Section A

# Requirements for Competitive Employment

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### Introduction

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.

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### 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, age, handicapping condition, national origin, partisan political affiliation, or other non-merit grounds; and
- Insure to the candidate 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 Job Analysis). The job analysis identifies:

- The basic duties and responsibilities;
- The competencies/knowledge, skills, and abilities (KSAs) required to perform the duties and responsibilities; and
- The factors that are important in evaluating candidates.

Part 300 also requires that selection procedures comply with the standards established by the *Uniform Guidelines on Employee Selection Procedures* (29 CFR Part 1607).

See [www.uniformguidelines.com](http://www.uniformguidelines.com) to review the complete procedures.

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## Section B

### Rating the Applicants

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#### Introduction

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
- Required at entry into the position.

Here are the basic steps in the rating and ranking process:

Step	Action
1	Determine minimum qualifications.
2	Identify and apply selective factors and quality ranking factors (if applicable).
3	For applicants who meet minimum qualifications and selective factors requirements, apply the assessment tool to determine the applicant's numerical score/rating.
4	Adjudicate veterans' preference.
5	Rank eligibles in the order of their augmented rating (earned rating plus any veterans' preference).

---

#### Contents

This section contains the following topics:

Topic	See Page
Minimum Qualification Requirements	5-B-2
Selective Factors	5-B-3
Quality Ranking Factors	5-B-5
Rating Procedure	5-B-6
Documenting the Rating Process	5-B-9

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## Minimum Qualification Requirements

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### Introduction

There are items that are required, at a minimum, for hiring or promoting an individual into a job under the competitive process. They are typically expressed in terms of job-related years of 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.

Applicants are first screened to determine whether they meet the minimum qualification requirements. This is called an "in" or "out" decision, or a "screen out". Applicants who pass this initial screening continue on in the assessment process.

When it is required that an applicant pass a written test, the examining office has the option as to when it wants to screen the applicants.

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

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### Where to find the current qualifications standards

The current minimum qualification standards are published on OPM's web site at [www.opm.gov/qualifications](http://www.opm.gov/qualifications) and [www.opm.gov/qualifications/x-118c/index.htm](http://www.opm.gov/qualifications/x-118c/index.htm).

For General Schedule positions, the minimum qualification standards are located in the *Operating Manual for Qualification Standards for General Schedule Positions*.

For Wage Grade positions, the minimum qualification standards are located in the *Job Qualification System for Trades and Labor Occupations Handbook*.

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## Selective Factors

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**Introduction** In addition to the minimum qualification requirements, selective factors are important for the job. These are required when the person starts the job.

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**Characteristics of a selective factor** Characteristics of a selective factor include:

- Extensive training or experience to develop;
- Essential for successful performance on the job, i.e., if individuals do not have the selective factor, they cannot perform the job;
- Almost always are geared toward a specific technical competency/KSA; and
- Cannot be learned on the job in a "reasonable" amount of time.

When using selective factors, you should specify the required proficiency level. Based on their characteristics, selective factors can be used as a "screen out" – that is, if an applicant does not meet a selective factor he/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 second 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 applicant consideration. For more information on establishing a proficiency level, see Chapter 2, Indicators of Proficiency.

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*Continued on next page*

## Selective Factors, Continued

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### **Documenting selective factors**

You may establish selective factors for any position without OPM's approval except when using a single gender as a selective placement factor (see [Chapter 6, Section A, Positions Restricted to One Gender](#).) However, you should establish and document these selective factors through the job analysis process (see Appendix G) 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 (optional).

If you cannot document a selective factor as enhancing the candidates' ability, you can use it as a quality ranking factor (see Quality Ranking Factors).

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## Quality Ranking Factors

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**Introduction** Quality ranking factors are competencies/KSAs that are expected to enhance performance in a position. But unlike selective factors, they are not used as "screen out" factors.

You should plainly identify quality ranking factors in the job announcement to make applicants clearly understand the basis on which they are being rated.

---

**Identifying characteristics of a quality ranking factor** You may rank applicants with higher proficiency levels above those with lower proficiency levels 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** Typically, the assessment process will involve measuring between four and eight competencies or KSAs. This process results in a score that is used to rank order and identify applicants who are most likely to be the best performers on the job. Applicants who pass the initial minimum qualifications and selective factor(s) screen outs are rated on the quality ranking factors to produce a rank ordered list of eligible candidates.

You may use a selective factor as a quality ranking factor as well, if applicants have varied levels of proficiency on the selective factor.

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**Documentation** Like selective factors, your quality ranking factors should be identified and documented through the job analysis process (see Appendix G).

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## Rating Procedures

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### Introduction

You have two numerical rating procedures available for rating applicants:

A-C-E or Quality Level Rating, and  
Generic Rating.

You also have an alternative rating procedure for rating applicants:

Category Rating.

---

### 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 knowledge, abilities or skills that are important for successful performance of the duties of the position. There are three quality levels used in this procedure.

---

### 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 = Assigned to applicants at the "C" quality level
- 70 points = Typically equated with minimum qualification, "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.

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*Continued on next page*



## Rating Procedures, Continued

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### **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.

You may use quality ranking factors to break tied scores by assigning points based on the applicant's proficiency levels on the competencies/KSAs. However, 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, Section B for Tie Breaking Procedures).

---

### **GENERIC RATINGS**

The second 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 quality ranking factor to assess specialized training or experience relevant to the position to assign additional points within a quality level.

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*Continued on next page*

## Rating Procedures, Continued

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**Maximum number of allowable points per quality level**

Both numeric rating procedures allow the same maximum number of additional points 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 "E" and "C", 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.

---

**Applying veterans' preference**

After you determine the final earned rating of the applicant, you then add veterans' preference points for the final numerical rating. For information on ordering eligibles on a certificate, see Chapter 6, Order of Certification.

---

**CATEGORY RATING**

The **Category Rating** system is an alternative to traditional numeric rating, ranking, and selection procedures. Candidates are evaluated based on job-related criteria and placed in two or more pre-determined quality categories.

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**Definition of category rating**

Category rating is a process of evaluating qualified eligibles by quality categories rather than by assigning individual numeric scores. You assess candidates against job-related criteria and then place the candidates into two or more pre-defined categories.

Category rating is synonymous with alternative rating as described in 5 U.S.C. § 3319.

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*Continued on next page*

## Rating Procedures, Continued

### Comparison to other rating methods

Category rating is very similar to the A-C-E or quality level rating method. The table below describes the differences between the traditional numeric and category rating methods.

Rating Method	Ranking is determined...
Traditional numeric rating	by quality and veterans' preference points.
Category rating	by quality and all preference eligibles are listed at the top of the quality categories.

### Definition of quality categories

Quality categories are groupings of individuals with similar levels of job-related knowledge, skills, abilities, or competencies.

### Characteristics of quality categories

Quality categories are defined to differentiate between the relative quality of the candidates in each category. The categories are based on the KSAs/competencies required to perform the job. As in A-C-E, each quality category is defined in terms of increasing levels of difficulty or complexity. Some factors to consider when developing categories may include:

- Breadth and scope of knowledge, skill, and ability or competency;
- Increased levels of difficulty or complexity (more is better);
- Successful performance on the job; and
- Level of the job.

Note: There are certain factors where “more is not better.” These types of factors should not be used to define categories. (See Example 3 – Category Rating Used Inappropriately).

*Continued on next page*

## Rating Procedures, Continued

### Examples of quality levels

Categories are established relative to how qualified an applicant is. You may not establish a “not qualified” category in category rating. Only those found qualified will be placed in a category.

Sample 1	Sample 2	Sample 3
<u>OK</u>	<u>OK</u>	<u>NOT OK</u>
Best	Highly Qualified	Qualified
Better	Qualified	Not Qualified
Good		

### Example 1 of category rating (simplified)

Human Resource Specialist (policy), GS-201-14.

- Highly qualified – Senior HR Specialist (policy office) with experience in writing regulations or other agency policy or guidance on staffing, classification, and compensation.
- Qualified – Senior HR Specialist, operations experience in staffing, classification, and compensation.

### Example 2 of category rating (amplified version)

The following illustrates how you can create quality categories. The methods described are very similar to the methods you use to place candidates under the A-C-E or quality level rating method.

### Step 1

This illustration shows how you can create your quality categories for an Accountant, GS-12 using category rating.

**The following four KSA/competencies were identified through the job analysis process:**

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

*Continued on next page*

## Rating Procedures, Continued

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### Step 2

**Identify the indicators of proficiency for each KSA/competency.** The following are indicators of proficiency for the KSA/competencies identified in Step 1.

1. Oral Communication
    - Makes presentations;
    - Influences others; and
    - Answers technical questions.
  
  2. Technical Knowledge
    - Financial analysis; and
    - Certification.
  
  3. Project Management
    - Manages multiple tasks simultaneously;
    - Reviews budget cycles; and
    - Uses project management software.
  
  4. Interpersonal Skills
    - Shows tact, empathy, and concern;
    - Develops and maintains relationships; and
    - Shows understanding of others.
- 

### Step 3

#### Example A

**Identify level of proficiency based on grade level (Benchmark).**

The following are three examples for creating quality categories.

**Example A:** Create quality categories based on *demonstrating possession only* of the KSA/Competency (Applicants either have it or they don't; they simply have to demonstrate that they have the KSA/Competency; it doesn't matter how proficient they are).

Category	KSA/competencies from Step 1
Best	1,2,3,4
Better	1,2,3
Good	2,3

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*Continued on next page*

## Rating Procedures, Continued

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### Step 3 Example B

OR

**Example B:** Create quality categories based on the *specific level of proficiency* in each of the KSA/Competencies. (Applicants have to demonstrate a specific level of the KSA/Competency; their level of proficiency matters.)

#### Oral Communication

Category	Benchmark	Benchmark Definition
Best	5	Communicates or explains <i>complex</i> ideas or information clearly (e.g., Explains new regulations; Presents technical information at conferences).
Better	3	Communicates or explains <i>moderately complex</i> ideas or information clearly (e.g., Explains changes in regulations; Describes available services to individuals).
Good	1	Communicates or explains <i>basic ideas</i> or information clearly (e.g., Explains non-technical procedures or routine information).

**Note:** Use this format to develop specific levels of proficiency for the remaining three KSA/competencies (i.e., Technical Knowledge, Project Management, and Interpersonal Skills).

After all the KSA/competency levels have been defined, the “BEST” quality category could consist of applicants with all “5s” in all four KSA/competencies, for example.

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*Continued on next page*

## Rating Procedures, Continued

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### Step 3 Example C

**OR**

**Example C:** Create quality categories using a combination of A and B.

Best = Specific Levels

Better = Specific Levels

Good = 2, 3 (Applicants either have it or they don't.)

---

### Example 3 Category Rating used inappropriately

As previously indicated, there are factors where more is not better, and should not be used to define categories.

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.

---

### Rating candidates

You may place the eligibles in the appropriate quality category based on your assessment of their competencies or knowledge, skills, abilities or competencies directly related to the job.

The candidates assigned to categories are not given individual numeric ratings; therefore, preference eligibles **DO NOT** receive points, as prescribed by 5 U.S.C. 3309.

---

### Ranking eligibles

Within each category, you must place all preference eligibles at the top of the category.

For positions other than professional and scientific at the GS-9 level and above, however, compensably disabled preference eligibles (i.e., CPS and CP) are placed at the top of the highest quality category.

*Note: When preparing your list for the selecting official, you may list the eligibles within the quality category in any order (such as alphabetical order, date of birth, telephone number). Keep in mind, however, that preference eligibles must be listed above non-preference eligibles.*

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*Continued on next page*

## Rating Procedures, Continued

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### Order of certification under category rating

You must use these categories in preparing a Certificate of Eligibles for most jobs and grade levels. Under category rating, the eligibles are ranked in the following order:

1. Interagency Career Transition Assistance Program (ICTAP) eligibles
  2. Eligibles who lost consideration due to erroneous certification
  3. Eligibles in highest quality category, then other quality categories, as needed.
- 

### Number of Names referred

When referring a list of eligible candidates to the selecting official, you may:

- Certify all eligible candidates in the highest quality category; or
- Certify all eligible candidates in the highest quality category and the next lower category, if there are fewer than three eligible candidates in the highest quality category.

*Note: A Human Resource Specialist has the option to merge the top two quality categories before issuing the certificate if there are fewer than three eligible candidates in the highest quality category. Merging is not mandatory, however.*

---

### Selections

An appointing official may select candidates from:

- the highest quality category; or,
- if fewer than three candidates have been assigned to the highest quality category, from a merged category consisting of the highest and the second-highest quality categories.

An appointing official 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. 3317(b) or 3318(b), as applicable, are satisfied.

*Note: An appointing official has the option to merge the top two quality categories if there are fewer than three eligible candidates in the highest quality category. Merging is not mandatory, however.*

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### Auditing a certificate

See Chapter 6, Section C, Audit a Certificate.

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## Rating Procedures, Continued

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**Reporting  
requirements  
for category  
rating**

Any agency that uses category rating must report to Congress pursuant to 5 U.S.C. § 3319. Agencies must submit to OPM a copy of the report that it submits to Congress.

The report to must include the following information:

1. The number of employees hired under the system;
2. The impact that system has had on the hiring of veterans and minorities, including those who are American Indian or Alaska Natives, Asian, Black or African American, and native Hawaiian or other Pacific Islanders; and
3. The way in which managers were trained in the administration of that system.

You must mail the report to:

Associate Director  
For Strategic Human Resources Policy Division  
U.S. Office of Personnel Management  
1900 E Street, NW, Room 6500  
Washington, DC 20415

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## Documenting the Rating Process

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### Introduction

It is a good work practice to document your entire rating process. Documentation provides the rationale for the rating procedure and sufficient information to enable reconstruction of the process used in conducting the rating procedure. You should 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.

Most documentation occurs while developing a rating procedure, so you should 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 (SMEs) who were involved in the rating process. You can 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.

---

### Materials for documenting the file

Your documentation file should include the following information:

<b>Materials for Documentation</b>
<ul style="list-style-type: none"> <li>• Position descriptions or any other material gathered to identify the task and competency requirements of the position;</li> <li>• The job analysis results (i.e., tasks, competencies/KSAs, and task-competency linkages), the quality level definitions, 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;</li> <li>• 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 J, Transmutation Tables for General Schedule Positions);</li> </ul>

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*Continued on next page*

## Documenting the Rating Process, Continued

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### Required materials for documentation (continued)

<b>Materials for Documentation</b>
<ul style="list-style-type: none"><li>• Reference to the OPM qualification standard applied or a copy of the OPM-approved standard if it is different from the OPM qualification standard. Raters' initials and dates of qualification determinations for each applicant;</li><li>• 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));</li><li>• Tie-breaking method developed from job-related criteria, if used; and</li><li>• Identification of those SMEs and human resource professionals who participated in the development and application of the examining plan (i.e., name, title, series, and grade).</li></ul>

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## Section C

### Establishing an Inventory

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#### Introduction

There are two types of examining processes available for use by an agency when filling a job. You may fill a job either by announcing the position through "case examining" or through a competitor inventory.

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 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 job</li> <li>• Applicants are available because they applied for the specific job</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 consideration for recurring jobs</li> </ul>	<ul style="list-style-type: none"> <li>• High applicant unavailability rate over a period of time</li> <li>• Continual maintenance is required</li> </ul>

---

#### Contents

This section contains the following topics:

<b>Topic</b>	<b>See Page</b>
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Competitor Inventory	5-C-4
Maintaining a Competitor Inventory	5-C-9
Terminating or Combining Inventories	5-C-11
Issuing Notices of Results	5-C-14
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## Case Examining

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### **Introduction**

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**

You must ensure a 10-point preference eligible's entitlement under 5 U.S.C. § 3305 to file an application at anytime for an examination for any position to which an appointment was made within the preceding three (3) years.

In addition, 5 CFR Part 332 identifies the conditions for accepting an application from a 10-point preference eligible. 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 preference eligible's application, 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 the preference eligible applies for a specific position, meets the qualifications of the position, and is within reach for referral for the position, the examining office must ensure that the preference eligible is referred on the certificate as soon as possible.

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*Continued on next page*

## Case Examining, Continued

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### **Special handling of a preference eligible's application** (continued)

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

---

### **Issuing certificates**

Case examining procedures involve a one-time-only action with no expectation of filling other vacancies at a later date. You have the option of sending the selecting official:

- The minimum number of eligibles, (i.e., three eligible names);
- All the qualified eligible names; or
- An appropriate number of eligible names based on past experience with the occupation (more than three names per vacancy but less than all).

The number of eligibles to be certified is flexible. If the selecting official needs additional names to consider, you may send all the remaining names or the next three eligible names (see Chapter 6, Section B, Creating a Certificate of Eligibles or Number of Names Certified).

---

### **Three considerations**

If an eligible was considered and nonselected from a certificate from which three valid selections were made, you may eliminate the eligible from further consideration on that certificate. 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.

---

### **Documentation**

To ensure a complete audit trail, you should document the case file or card file/automated system 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.

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*Continued on next page*

## Case Examining, Continued

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**Documentation** (continued)      When the established retention period has expired, you may dispose of applications in accordance with records disposition instructions in Appendix C, Records Retention and Disposition Schedule.

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## Competitor Inventory

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### Introduction

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 competitor 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 meet 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 who 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 basic qualifications, applications are rated only when a certificate is requested for a specific job. Typically, the rating is valid only for that specific position.

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*Continued on next page*



## Competitor Inventory, Continued

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### Requirements for establishing a competitor inventory

When establishing a competitor inventory, you should 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 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 announcement is open.

<b>IF a job 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 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 consideration is determined.

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*Continued on next page*

## Competitor Inventory, Continued

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**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 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 should 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 and symbol (CP, CPS, XP, 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;
- Examination number. This is the public notice or announcement number;
- Identification number. If the applications are filed numerically, record the application number. Record each applicant's social security number, if it will be used to break ties;
- Date of entry (registration date) onto the competitor inventory;
- Other eligibilities. When separate 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;

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## Competitor Inventory, Continued

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**Pre-rated  
inventory**  
(continued)

- 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 to show the reason for acceptance, e.g., "Reopened" or "Delayed."
- 

**Deferred-rated  
inventory**

You may use an automated or electronic file 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) if applicable;
  - Application number if you will file the qualifications statements numerically;
  - Examination/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).
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## Competitor Inventory, Continued

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**Notice of receipt of application**

We suggest sending a notice or letter to each applicant confirming your examining office's receipt of the applicant's application. 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.

It 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 general screening and rating of qualifications. You should include this determination/rating in the notice of receipt of application.

---

## Maintaining a Competitor Inventory

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### **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 (recompeting) 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/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 set the reexamining and recompetition policy and procedures. This policy, however, should be clearly stated and documented in your standard office procedures manual.

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*Continued on next page*

## Maintaining a Competitor Inventory, Continued

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**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 added to one application and not the other. You should combine the applications, 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 should 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/she was selected. The individual retains eligibility for all other series and grades for which he/she qualifies.

When an eligible is selected for a temporary or term position, he/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/she applies within 90 calendar days after separation; and
  - An employee separated (voluntarily or involuntarily) during probation without delinquency or misconduct.
-

## Terminating or Combining Inventories

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### **When to terminate/combine inventories**

Before you establish a new inventory covering the same positions (as when a new qualification standard or rating schedule is issued), you should either terminate the old inventory or combine it with an equivalent new inventory. You should terminate:

- Old inventories if one examination has a written test and the other does not, unless OPM authorizes another procedure, and
  - 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 should terminate the old inventory when qualification requirements or rating schedules 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 should issue a new notice of results.
- 

### **Maintaining a case file**

You should maintain sufficient information in the 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.
- 

*Continued on next page*

## Terminating or Combining Inventories, Continued

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### Retaining applications for extended consideration

If you do not establish a new inventory but you expect to fill future vacancies through case examining, you should 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 or failed to receive bona fide consideration (see Chapter 6, Section E, Priority Consideration).

---

### Notification of termination

Whenever you plan to terminate an existing inventory, you should notify all active eligibles in writing if one of the following circumstances occur:

<b>IF you use...</b>	<b>THEN you should...</b>
a new examination to establish a new inventory	tell the eligible applicants the open dates and the procedures to follow if they wish to apply; or
case examining	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 consideration or 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.
- 

*Continued on next page*



## **Terminating or Combining Inventories, Continued**

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**Combining inventories**  
(continued)

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., erroneous consideration, CTAP/ICTAP, priority referrals) on the old inventory retain their preferred standing on the combined inventory.

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**Disposition of records**

Schedule applications for disposal according to Appendix C, Records Retention and Disposition Schedule. Attach terminated register cards or equivalent records to your reconstruction sheet for disposition.

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## Issuing Notices of Results

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### **Introduction**

It is a good business practice to keep applicants informed of the status of their application. Thus, upon completing the rating process, you should notify applicants of their eligibility for appointment. In addition to keeping applicants informed, a written notification also serves as the applicant's record in case he/she chooses to challenge or appeal a rating, and may effectively prevent later inquiries.

---

### **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;
  - 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 selecting official 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 placement factor," or "salary of the job was below the minimum acceptable level stated in your application" (if eligible); and
  - Length of eligibility and the procedures for extending that eligibility (for standing inventories only).
-

## Reconsideration of Rating

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### Introduction

Examining decisions made by your office are subject to reconsideration upon reasonable demonstration that a review is necessary. You must establish a written procedure for the processing of an applicant's request for reconsideration 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 Part 300).

You should make your reconsideration procedure available to applicants who wish to challenge an assigned rating.

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### 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;
- 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 unduly 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. **There is no further appeal to OPM.**

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## Reconsideration of Rating, Continued

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**Rating changes** If a reconsideration request 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 10-point veterans' preference but after reviewing the final documents, the applicant was not entitled to this 10 points preference); or
  - Rating error was the result of the rater/examining office (see Chapter 6).
-

## References

**Additional  
information**

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

<b>Topic</b>	<b>See Reference</b>
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 from certificates	5 U.S.C. § 3318
Employment (General)	5 CFR Part 300
Appeals, grievances and complaints	5 CFR Part 300
Temporary and term appointments	5 CFR Part 316
Period of competition and eligibility	5 CFR Part 332
Recruitment and selection through competitive examination	5 CFR Part 332
Category Rating	5 CFR Part 337
Controlling paperwork burdens on the public	5 CFR Part 1320
<i>Uniform Guidelines on Employee Selection Procedures</i>	29 CFR Part 1607 <a href="http://www.uniformguidelines.com">www.uniformguidelines.com</a>
OPM delegated examining web page	<a href="http://www.opm.gov/deu">www.opm.gov/deu</a>
<i>Job Qualifications System for Trades &amp; Labor Occupational Handbook</i>	<a href="http://www.opm.gov/qualifications/x-118c/index.htm">www.opm.gov/qualifications/x-118c/index.htm</a>
<i>Operating Manual for General Schedule Positions</i>	<a href="http://www.opm.gov/qualifications">www.opm.gov/qualifications</a>
Records retention and disposition schedule	Appendix C
Transmutation tables for general schedule positions	Appendix J

## Chapter 6

### Certify Eligibles

#### Overview

---

**Introduction** 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 arranging the eligibles on the Certificate of Eligibles.

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**Contents** This chapter contains the following topics:

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Create a Certificate of Eligibles	B
Audit a Certificate	C
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## Section A

### Criteria Outlined in the Job Announcement

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**Introduction** The most important information used in creating a Certificate of Eligibles is generated from the criteria you publicized in the job announcement. The criteria that you identify in the job announcement, such as, series, grade, whether the position is temporary or part-time, and duty location(s), are part of the screening process in identifying who will be on the certificate.

In this section, we will discuss other topics to consider beyond the basic series and grade.

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**Contents** This section contains the following topics:

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## Geographic Area of Consideration

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**Basic rule**

In the competitive examining process, qualified and available applicants should be considered for employment referral regardless of their place of residence. It is clear that in almost all cases, residency is a non-merit factor and violates the merit principles of open competition and job relatedness. As a non-merit factor, residency as an examination requirement is prohibited in 5 CFR Part 300.103(c).

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**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.

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**Excessive number of well-qualified applicants**

When an excessive number of well-qualified applicants compete for a job, you are permitted to require applicants to choose a reasonable number of locations for which they will be given referral consideration.

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## Interdisciplinary Positions

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### Definition

An interdisciplinary position is a position involving duties and responsibilities closely related to more than one **professional** 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.

Professional positions by definition are positions which require academic credentials from an accredited college or university. When classifying an interdisciplinary position, the classifier uses **only professional** 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.

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### Interdisciplinary categories

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

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

The first category of positions involves a specific combination of competencies/KSAs characteristic of two or more occupational series. Such positions involve performing some duties that are characteristic of one series and other duties that are characteristic of another series.

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## Interdisciplinary Positions, Continued

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### 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 either the Civil Engineering Series, GS-810, or Nuclear Engineering Series, GS-840.

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### Category 2

The second category of positions involves competencies/KSAs with characteristics of either of two or more series or academic disciplines. These positions include work that is substantially identical to work performed in either the professional occupations or academic disciplines involved.

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### 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.

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### Creating the certificate for interdisciplinary positions

You should create and issue **only one** certificate of eligibles for a single interdisciplinary position. When creating a interdisciplinary certificate you should:

1. Evaluate all applicants based on the appropriate qualification standard for the series in which they are applying;
  2. Develop the rating schedule (crediting plan) using the competencies/KSAs identified for the position;
  3. Apply the rating schedule 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 score order with the series for which each eligible qualified noted next to their names.
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*Continued on next page*

## **Interdisciplinary Positions, Continued**

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**Documentation** In both categories, the position description should show clearly that the position is interdisciplinary and indicate the various series in which the position could be classified. The final classification of the position is determined by the qualifications of the person selected to fill it.

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## Dual Certification

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**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.

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**Two alternative methods of certifying eligible candidates**

Under the amended regulation (Federal Register Vol. 67, No. 32, February 15, 2002), you have the option of using one of the two alternative methods of certifying eligibles for competitive appointments. In most circumstances, you can use these methods when filling multiple jobs at multiple grade levels and/or geographic 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 on the certificate; 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 vacancy certification at multiple grade levels**

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

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**Example of single vacancy certification at multiple grade levels**

A job 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 numerical rating is within reach for referral for each grade level.

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## Dual Certification, Continued

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**Exception to single vacancy certification at multiple grade levels**

There are situations where you may choose not to dual certify. However, the decision not to dual certify should 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.

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.

Under Federal Register Vol. 67, No. 32, February 15, 2002, you **must** notify all applicants of your intent to single certify candidates. One way to satisfy this requirement is to include a statement in your job announcement.

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**Multiple grade levels**

When a position is announced at multiple grade levels, you should 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.

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**Example of dual certification for positions at multiple grades**

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

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**Multiple specialties**

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

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**Example of multiple dual certification for positions with multiple specialties**

A job announcement is posted for Clerical positions that include Clerks, Typists, Receptionists, and Stenographers. 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 and stenography skills required for the other jobs. In this situation, you may refer the applicant to jobs for which the applicant is qualified, i.e., Clerk and Receptionist.

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## Dual Certification, Continued

### Multiple geographic locations

When a job 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. After determining the applicant is qualified, you should certify the eligible to each geographic location selected by the applicant if his/her numerical rating is within reach for certification for that location.

### Example of dual certification for positions at multiple geographic locations

A job announcement is open for three geographic locations, i.e., San Francisco, Miami, and New York City. An applicant submits an application for all three locations and is qualified for the position with a numerical score of 91. You issue three certificates but you refer the applicant only on the certificates for Miami and New York City because the lowest score reached for both locations was 89. For the San Francisco location, the applicant's score was not high enough for referral since the lowest score reached for the location was 99.

### Quick Reference

Below is a quick reference guide on how to handle multiple categories.

<b>IF an announcement is announced for multiple...</b>	<b>AND the applicant applies for ...</b>	<b>THEN you should refer the applicant for...</b>
grades	all grades	the lowest grade he/she will accept to the highest grade qualified.
specialties	all specialties	only the specialties for which he/she is qualified.
geographic locations	all geographic locations	only the geographic location for which his/her score is within reach for certification.

## Positions Restricted to Veterans

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**Introduction** 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).

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**Types of jobs** The types of jobs restricted to preference eligibles are:

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

**Definition of Custodian**

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; or
- 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/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**

An individual whose primary duty is the running of 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.

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*Continued on next page*

## Positions Restricted to Veterans, Continued

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**Definition of Messenger**

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.

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**Definition of Guard**

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; 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 veterans**

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

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**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 eligible, you may refer non-preference eligibles for employment consideration. (5 U.S.C. § 3310).

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## Positions Restricted to One Gender

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**Introduction** 5 CFR Part 332 generally prohibits an appointing officer from restricting employment consideration to candidates of one gender. However, OPM may authorize exceptions to this prohibition in unusual circumstances.

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**How to request an exception** To obtain an exception to the general prohibition against gender-based restrictions, you must:

- Before the job is announced, contact OPM's Human Capital Leadership and Merit System Accountability Division at:

U.S. Office of Personnel Management  
Human Capital Leadership and Merit System Accountability Division  
1900 E Street, NW.  
Washington, DC 20415

- Submit a written explanation as to why you believe such a restriction is warranted.
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## Section B

### Creating a Certificate of Eligibles

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**Introduction**

You screened all the applicants based on what you publicized in the job 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;
  - Apply tie breaking procedures;
  - Identify the number of names for a full certificate; and
  - Determine time limits on a certificate.
- 

**Contents**

This section contains the following topics:

Topic	See Page
Ranking the Eligibles	6-B-2
Tied Ratings	6-B-6
Number of Names Certified	6-B-8
Create a Certificate of Eligibles	6-B-9

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## Ranking the Eligibles

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### Introduction

After completing the rating process, you are now ready to rank order each eligible in score order and in the order of his or her entitlement; then refer the names to the Human Resource Office and the selecting official. By ranking each eligible, you are establishing what we call the “order of selection.” For all eligibles listed on the Certificate of Eligibles, you must follow the order of certification set forth in 5 U.S.C. § 3313 and 5 CFR Part 330.

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 rule that applies generally as well as how to order eligibles applying for professional and scientific positions at GS-9 and above and positions restricted to preference eligibles. Lastly, this section outlines whether you are obligated to rate and rank eligibles if there are three or fewer of them.

---

### General Rule

You must use these categories to order a Certificate of Eligibles for most jobs and grade levels. The 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)	Eligibles who lost consideration due to erroneous certification
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 score order

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### Order by entitlement

Within each entitlement group, eligibles may be ranked in the order of their numerical rating, including veterans’ preference points, or in alphabetical order. Once an eligible is identified, the selecting official must select the eligible over any other eligible for the vacancy in the local commuting area. (5 CFR Part 330)

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## Ranking the Eligibles, Continued

### 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 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 who scored a 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 score order. For this purpose there is no difference between CPS and CP veterans. 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)	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 may be ranked in the order of their numerical rating, including veterans' preference points, or in alphabetical order. Once an eligible is identified, the selecting official must select the eligible over any other eligible for the vacancy in the local commuting area. (5 CFR Part 330)

*Continued on next page*

## Ranking the Eligibles, Continued

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**Special note** Within each of the above groups, eligibles are ranked in the order of their numerical ratings, including veterans' preference points. 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) For a list of professional and scientific positions see Appendix K, Professional and Scientific Position.

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**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. An interim list of professional and scientific positions can be found in Appendix K, Professional and Scientific Positions.

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**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)	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

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## Ranking the Eligibles, Continued

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### Restricted to preference eligibles (continued)

Order	Entitlement
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-veterans were allowed to compete)

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### 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-veterans 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, and TP), then non-preference eligibles. If tied scores occur, you should apply a tie-breaking procedure. (See Tied Ratings)

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### Unrated eligibles

When there are three or fewer eligibles and they are either all veterans or all non-veterans, 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 with veterans and non-veterans, you must assign a numerical score and place the eligibles on the certificate in score order.

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## Tied Ratings

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**Introduction** There may be instances where tied ratings occur among eligibles in the same preference category (e.g., CPS and CP). When this happens, you need to use a method to break the sub-group ties on a consistent basis.

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**Four methods of breaking tied rating** 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 selecting official 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 selecting official. If you issue a certificate with tied scores and the selecting official 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 should be based on a job related factor.

*Continued on next page*

**Tied Ratings, Continued**

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**Four methods of breaking tied rating (continued)**

<b>Type of Tie Breaker</b>	<b>Description of Method</b>
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 Instructions.

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## Number of Names Certified

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<b>Introduction</b>	<p>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 selecting official. Each eligible is entitled to three "bona fide" considerations, and the appointing official is entitled to consider three eligibles for each vacancy.</p> <p>If you have fewer than three eligible names per vacancy to be referred, you should review your public notice and recruitment efforts to determine if they were adequate. You may receive a request from the selecting official for additional names.</p>
<b>General rule</b>	<p>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 selecting official to consider at least three names for appointment to each vacancy in the competitive service. (5 U.S.C. § 3317)</p>
<b>Fewer than three eligibles</b>	<p>You may not always have three eligible names to refer to the selecting official. If there are less than three eligibles for a particular position, you may refer the names to the selecting official or readvertise the position to attract additional candidates for consideration.</p>
<b>Additional names</b>	<p>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 decline or fail to respond to an inquiry of availability or interview.</p>
<b>Certification of eligibles under case examining</b>	<p>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 selecting official in rank order.</p>

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## Create A Certificate of Eligibles

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### Introduction

Once you rank the eligibles in score order within their entitlement, you are ready to prepare the Certificate of Eligibles. This list contains the best qualified eligibles as a result of your public notice and recruitment efforts. It is the list from which the selecting official will make a selection.

When creating a certificate of eligibles, whether it be for case examining or a competitor inventory, you need to consider the type of appointment (career-conditional, temporary or term), grade level, any specialty or travel that is required, and any other conditions of employment that makes your job unique. These are the same factors that you used in the job announcement to attract applicants to apply for the position.

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### Required items on a Certificate of Eligibles

The information on the Certificate of Eligibles or an equivalent form identifying what job you are referring qualified eligibles:

<b>Information for a Certificate of Eligibles</b>
Certificate number:
Title of the job:
Series of the position:
Grade of the position:
Duty location:
Eligibles' names:
Rating of each eligible certified, including their veterans' preference points:
Appropriate veterans' preference symbol of each eligible: CPS, CP, XP, TP 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):

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*Continued on next page*

## Create A Certificate of Eligibles, Continued

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**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.

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](http://www.opm.gov)).

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**Eligible's name on a certificate**

We also recommend that each eligible's address and phone number(s) (home and work) be included with his/her name 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).

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**Documenting a returned certificate**

Once the selecting official returns the certificate, you should ensure that the case file is documented 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. You may continue to use these symbols.

When the Certificate of Eligibles is returned, it should be signed and dated by the selecting official as documentation for the file. An electronic signature is acceptable.

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## Section C

### Audit a Certificate

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#### Introduction

Auditing is the process of certifying the action taken on a returned certificate of eligibles by the selecting official to comply with legal and regulatory selection procedures.

You have three basic responsibilities in the audit process:

1. Determine that all documentation required for declination and other removals from consideration is in order;
2. Determine that all selections were made according to the “rule of three,” category rating, and veterans' preference procedures; and
3. Determine that all applications, except those from selected eligibles, are returned.

It is important 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. A prompt audit will catch these errors early; and
  2. If the certificate is issued from a competitor inventory 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.
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This section contains the following topics:

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Applying the Rule of Three	6-C-6
Applying Category Rating	6-C-12
Documenting the Personnel Action	6-C-17

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## Preparing the Certificate for the Audit

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**Introduction** 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 Human Resource Office or selecting official should return it to you promptly.

---

**Documenting the selecting official's action** Once you receive the completed Certificate of Eligibles, you are responsible for assuring that all actions taken on each of the eligibles certified is documented. Appropriate documentation should be included for all eligibles who were removed from consideration (e.g., for failure to respond). The applications of all eligibles, except the eligibles who were appointed, should accompany the certificate.

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**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](http://www.opm.gov).

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**Eligible selected (A)** If an eligible is reported A for Selected, you should annotate the certificate for documentation for reconstruction purposes.

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**Documenting declinations (DD)** The preferred documentation for a declination is a written statement from the eligible. If the declination was taken verbally, the official who received the declination should prepare a written summary of the eligible's decision. Verbal declinations must come from the eligible, not from another individual.

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## Preparing the Certificate for the Audit, Continued

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### **Documenting failure to respond (FR)**

You may choose how to contact an eligible (by letter, electronic mail, or telephone) to determine his or her availability. 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 should document failure to respond “**FR**” for that eligible and no longer consider that eligible for the position. No additional written documentation or notification is required.

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 applied uniformly and consistently.

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### **Documenting failure to report for an interview**

If an eligible fails to appear for a pre-employment interview, he/she may be treated as an **FR** (eliminated from consideration) when:

1. You sent a written notice to the eligible that he/she would be removed from further consideration for the position if he/she failed to appear for an interview; 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. 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).

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## Preparing the Certificate for the Audit, Continued

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### **Documenting mail returned unclaimed (CRU)**

When a properly addressed, written availability inquiry is returned by the Postal Service because it was undeliverable, the envelope (preferably unopened) is adequate documentation. You should use “**CRU**” as your 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;
- Higher grade;
- Duty location; and
- Type of appointment.

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 selecting official, if known.

---

### **Non-Selected (NS or NN)**

If the selecting official decides not to select an eligible, you should use the code non-selected **NS** or **NN**. The application is then returned to the case file.

---

### **Objection or passover**

If an eligible is the subject of an Objection/Passover 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 describes the type of Objection/Passover submitted by the selecting official:

- Removed from Certificate (RM) - Medical (5 CFR Part 339)
- Removed from Certificate (RQ) - Other (5 CFR Part 332)

For more information about the Objection or Passover process, see Section D of this Chapter.

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*Continued on next page*

## Preparing the Certificate for the Audit, Continued

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**Improper  
removal**

If an eligible's name was removed improperly from consideration, the selecting official's action code must be changed to "not selected" before auditing begins.

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**Removal from  
consideration  
only for  
preference  
eligibles**

If any preference eligible was certified and was given three bona fide considerations, the preference eligible's consideration may be discontinued. However, you must notify the preference eligible in advance of the discontinuance of certification. (5 U.S.C. § 3317)

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## Applying the Rule of Three

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### Introduction

By applying the "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 a selecting official to eliminate an eligible that has been considered for three separate appointments from the same or different certificates for the same position. (5 CFR Part 332)

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### Procedures in applying the "rule of three"

You should observe the following steps in determining the order of selection:

Step	Action																		
1	<p data-bbox="448 1068 1442 1209">Disregard all eligibles that were legitimately removed from consideration, i.e., declination (<b>DD</b>); failure to respond (<b>FR</b>); mail returned unclaimed (<b>CRU</b>); currently employed by the agency (<b>CE</b>); and objections or passover requests that were sustained (<b>RM</b> or <b>RQ</b>).</p> <p data-bbox="448 1251 1341 1318">Example: Certificate of Eligibles - The certificate below will be used throughout this process.</p> <table border="1" data-bbox="578 1325 1398 1698"> <thead> <tr> <th data-bbox="578 1325 1008 1394">Appointing Official's Action</th> <th data-bbox="1013 1325 1398 1394">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="578 1400 1008 1434">A</td> <td data-bbox="1013 1400 1398 1434">95.0 TP Armstrong</td> </tr> <tr> <td data-bbox="578 1440 1008 1474"><del>DD</del></td> <td data-bbox="1013 1440 1398 1474"><del>93.0 Baker</del></td> </tr> <tr> <td data-bbox="578 1480 1008 1514">A</td> <td data-bbox="1013 1480 1398 1514">90.0 Carter</td> </tr> <tr> <td data-bbox="578 1520 1008 1554">NS</td> <td data-bbox="1013 1520 1398 1554">89.0 Davis</td> </tr> <tr> <td data-bbox="578 1560 1008 1593"><del>FR</del></td> <td data-bbox="1013 1560 1398 1593"><del>89.0 Evans</del></td> </tr> <tr> <td data-bbox="578 1600 1008 1633">NS</td> <td data-bbox="1013 1600 1398 1633">85.0 Farmer</td> </tr> <tr> <td data-bbox="578 1640 1008 1673">A</td> <td data-bbox="1013 1640 1398 1673">82.0 Green</td> </tr> <tr> <td data-bbox="578 1680 1008 1713">NS</td> <td data-bbox="1013 1680 1398 1713">82.0 Hamilton</td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	A	95.0 TP Armstrong	<del>DD</del>	<del>93.0 Baker</del>	A	90.0 Carter	NS	89.0 Davis	<del>FR</del>	<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																		
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NS	89.0 Davis																		
<del>FR</del>	<del>89.0 Evans</del>																		
NS	85.0 Farmer																		
A	82.0 Green																		
NS	82.0 Hamilton																		

*Continued on next page*

## Applying the Rule of Three, Continued

### Procedures in applying the “rule of three” (continued)

Step	Action								
2	<p>Determine who the first three available eligibles are by considering only those who were appointed (A) and not selected (NS). 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" style="margin-left: auto; margin-right: auto;"> <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;">1 A</td> <td style="text-align: center;">95.0 TP Armstrong</td> </tr> <tr> <td style="text-align: center;">1 A</td> <td style="text-align: center;">90.0 Carter</td> </tr> <tr> <td style="text-align: center;">1 NS</td> <td style="text-align: center;">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>								
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 job 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" style="margin-left: auto; margin-right: auto;"> <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;">2 1 A</td> <td style="text-align: center;">90.0 Carter</td> </tr> <tr> <td style="text-align: center;">2 1 NS</td> <td style="text-align: center;">89.0 Davis</td> </tr> <tr> <td style="text-align: center;">2 NS</td> <td style="text-align: center;">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								

*Continued on next page*

## Applying the Rule of Three, Continued

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### Procedures in applying the “rule of three” (continued)

Step	Action								
5	<p>Confirm that the selectee is within the second group of three and whether he or she is a preference eligible or non-preference eligible appearing above non-selected, preference eligibles on the certificate. If the selectee meets these criteria, then the selection is valid. If the selectee does not meet the above criteria, then the selection is invalid.</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>								
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 job 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" data-bbox="581 1037 1401 1226"> <thead> <tr> <th data-bbox="581 1037 992 1110">Appointing Official's Action</th> <th data-bbox="992 1037 1401 1110">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="581 1110 992 1150">3 2 1 NS</td> <td data-bbox="992 1110 1401 1150">89.0 Davis</td> </tr> <tr> <td data-bbox="581 1150 992 1190">3 2 NS</td> <td data-bbox="992 1150 1401 1190">85.0 Farmer</td> </tr> <tr> <td data-bbox="581 1190 992 1226">3 A</td> <td data-bbox="992 1190 1401 1226">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								

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*Continued on next page*

## Applying the Rule of Three, Continued

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### Procedures in applying the “rule of three” (continued)

Step	Action								
7	<p>Confirm that the selectee is within the third group of three and whether he or she is a preference eligible or non-preference eligible appearing above non-selected, preference eligibles on the certificate. If the selectee meets these 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, 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 job to be filled. Draw a line through Davis' name to indicate that he received three considerations as shown below.</p> <table border="1" data-bbox="581 852 1399 1041"> <thead> <tr> <th data-bbox="581 852 993 926">Appointing Official's Action</th> <th data-bbox="1000 852 1399 926">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="581 934 993 968">3 2 1 NS <del>3</del></td> <td data-bbox="1000 934 1399 968"><del>89.0 Davis</del></td> </tr> <tr> <td data-bbox="581 976 993 1010">3 2 NS</td> <td data-bbox="1000 976 1399 1010">85.0 Farmer</td> </tr> <tr> <td data-bbox="581 1018 993 1041">NS</td> <td data-bbox="1000 1018 1399 1041">82.0 Hamilton</td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	3 2 1 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								
3 2 1 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.								

*Continued on next page*

## Applying the Rule of Three, Continued

**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>DD</b>); failure to respond (<b>FR</b>); mail returned unclaimed (<b>CRU</b>); currently employed by the agency (<b>CE</b>); and objections or passover requests that were sustained (<b>RM</b> or <b>RQ</b>).</p> <p>Example: Certificate of Eligibles - The certificate below will be used throughout this process.</p> <table border="1" data-bbox="578 884 1330 1108"> <thead> <tr> <th data-bbox="578 884 914 957">Appointing Official's Action</th> <th data-bbox="919 884 1330 957">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="578 963 914 995">NS</td> <td data-bbox="919 963 1330 995">99.0 CPS Bill Smith</td> </tr> <tr> <td data-bbox="578 1001 914 1033">NN</td> <td data-bbox="919 1001 1330 1033">98.0 CP Randy Newman</td> </tr> <tr> <td data-bbox="578 1039 914 1071">A</td> <td data-bbox="919 1039 1330 1071">92.0 TP John Brown</td> </tr> <tr> <td data-bbox="578 1077 914 1108"><del>DD</del></td> <td data-bbox="919 1077 1330 1108"><del>90.0 XP Candy Noles</del></td> </tr> </tbody> </table>	Appointing Official's Action	Score and Name of Eligible	NS	99.0 CPS Bill Smith	NN	98.0 CP Randy Newman	A	92.0 TP John Brown	<del>DD</del>	<del>90.0 XP Candy Noles</del>
Appointing Official's Action	Score and Name of Eligible										
NS	99.0 CPS Bill Smith										
NN	98.0 CP Randy Newman										
A	92.0 TP John Brown										
<del>DD</del>	<del>90.0 XP Candy Noles</del>										
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 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 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>										

*Continued on next page*

## Applying the Rule of Three, Continued

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**Finding an improper audit**

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, if possible.

There are several options for correcting an improper appointment depending on the circumstances (see Chapter 6, Section E for 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.

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## Applying Category Rating

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**Selections under category rating**

When selecting from a certificate of eligibles under category rating, an appointing official makes a selection from among the eligibles in the highest quality category. Remember, an appointing official may not select a non-preference eligible over a preference eligible only if the appointing official follows the procedures set forth in 5 U.S.C. 3317(b) or 3318(b), as applicable.

---

**Veterans' Preference rule**

OPM retains exclusive authority to:

- Make medical qualification determinations pertaining to preference eligibles (you must submit your pass over request with supporting documentation to OPM's Strategic Human Resources Policy Division); and
  - Grant or deny an agency's request to pass over a preference eligible with a compensable service-connected disability of 30 percent or more. You must submit to the OPM Human Capital Officer for your agency an SF-62, *Agency Request to Pass Over a Preference Eligible or Object to an Eligible* along with supporting documentation explaining the reasons for requesting the pass over ([5 U.S.C. § 3318 \(b\)\(2\)](#)).
- 

**Procedures in making a selection under category rating**

You are now ready to audit a certificate under category rating. When there are no preference eligibles in the highest quality category, an appointing official is free to select any candidate in that category.

---

**Selection with preference eligibles**

When you have a combination of preference and non-preference eligibles in the highest quality category, all preference eligibles rise to the top of the quality category. The appointing official may not select a non-preference eligible over a preference eligible unless he or she follows the procedures set forth in 5 U.S.C. 3317(b) or 3318(b), as applicable. (See [Chapter 6, Section D -Object to An Eligible](#)).

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*Continued on next page*

## Applying Category Rating,

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**Illustration** The following example illustrates this point.

<p>Six eligible candidates were identified and placed in the highest quality category based on your pre-defined quality categories. Of the six eligibles, three are preference eligibles and three are non-preference eligibles. The appointing official selected a preference eligible for the one vacancy announced.</p> <p>In this situation, the appointing official selected a preference eligible (Levin) for the single vacancy.</p>	
<b>Appointing Official's Action</b>	<b>Highest Quality Level</b>
NS	CPS Oscar
NS	CP Post
A	TP Levin
NS	Caruso
NS	Bosco
NS	Andrew

---

**Finding an improper audit**

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, if possible.

There are several options for correcting an improper appointment depending on the circumstances (see [Chapter 6, Section E – Priority Consideration](#)).

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## Documenting the Personnel Action

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**Introduction** 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*.

---

**Authority codes** The following are authority codes for your use as a guide for Human Resource Offices in coding their SF 50's.

<b>IF ...</b>	<b>THEN the authority code is...</b>
you examine under delegated examining authority	BWA
OPM examines under a reimbursable agreement	ACM
you make an appointment under the Outstanding Scholar Program	AYM-ABK
you make an appointment under the Bilingual and/or Bicultural Certification	AYM-ABL

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## Section D

### Object to An Eligible

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#### Introduction

A selecting official may object to any eligible certified. As a delegated examining office, 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).

However, OPM retains exclusive authority to:

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

We will guide you through each objection and passover process in this section.

---

#### Contents

This section contains the following topics:

Topic	See Page
Objecting to an Eligible	6-D-2
Passover of a Preference Eligible	6-D-7

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## Objecting to An Eligible

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### Introduction

When selecting from a certificate of eligibles, an appointing official must select from the three highest ranking eligibles available for appointment. (5 CFR Part 332) Additionally, an appointing official may not pass over a preference eligible to select a lower-ranking nonpreference eligible without the requisite approval.

On occasion, an appointing official 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 official may wish to eliminate an eligible from consideration.

---

### Definition

An **objection** is an agency's request to remove an eligible from consideration on a particular certificate.

---

### Objection based on proper and adequate reasons

An objection may only be sustained if it is based on proper and adequate reasons. The following list details various grounds for objecting to candidates. The list does not cover all bases on which objections may be made, nor are the decisions suggested by this Handbook necessarily binding 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.
Age	Generally, age alone is not a sufficient basis for eliminating an eligible from consideration. The selecting official 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.

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*Continued on next page*

## Objecting to An Eligible, Continued

### Objection based on proper and adequate reasons (continued)

Type	Description
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.
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 selecting official may object to an eligible on the basis of material, intentional false statement or deception in fraud on examination or appointment.
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 <u>before</u> an announcement is issued.
Habitual Use of Alcohol	A selecting official may object to an eligible on the basis of alcohol abuse 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 selecting official 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/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.

*Continued on next page*

## Objecting to An Eligible, Continued

### Objection based on proper and adequate reasons (continued)

Type	Description
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 selecting official 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 selecting official 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 selecting official may object to an eligible whose religion prevents working on a day included in the regular tour of duty

*Continued on next page*

## Objecting to An Eligible, Continued

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### Objection based on proper and adequate reasons (continued)

Type	Description
Security Clearance	If your agency cannot grant a security clearance to an eligible for whatever reason, you should sustain the agency's objection to that applicant. Since the legal responsibility for granting the security clearance is with the agency, it is not necessary for the selecting official to provide you with the reasons why an eligible does not meet its security requirements.

---

**Required action** An eligible that is objected to by an appointing official may be removed from consideration on a certificate **only after the objection has been sustained**. Appropriate action codes are explained on the reverse side of the SF 39, *Request for Referral of Eligibles*. You can locate a copy of this form on our web site [www.opm.gov](http://www.opm.gov).

---

**Forms used in an objection or passover** Objections are usually submitted by the Human Resource office on an SF 62, *Agency Request to Pass Over a Preference Eligible or Object to an Eligible* or any equivalent documents. A copy of this form can be found on OPM's website at [www.opm.gov/forms](http://www.opm.gov/forms).

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*Continued on next page*

## Objecting to An Eligible, Continued

### How to handle an objection to eligible

The following are four steps in the process of objecting to an eligible (5 CFR Part 332):

<b>Step</b>	<b>Who</b>	<b>What Happens</b>						
1	Appointing Official	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"> <thead> <tr> <th><b>IF the objection is...</b></th> <th><b>THEN the Examining Office...</b></th> </tr> </thead> <tbody> <tr> <td>sustained</td> <td>agrees with the appointing official's reasons for removing the eligible from consideration.</td> </tr> <tr> <td>not sustained</td> <td>disagrees with the appointing official's reasons for removing the eligible from consideration.  The eligible's name remains on the Certificate for consideration or selection.</td> </tr> </tbody> </table>			<b>IF the objection is...</b>	<b>THEN the Examining Office...</b>	sustained	agrees with the appointing official's reasons for removing the eligible from consideration.	not sustained	disagrees with the appointing official's reasons for removing the eligible from consideration.  The eligible's name remains on the Certificate for consideration or selection.
<b>IF the objection is...</b>	<b>THEN the Examining Office...</b>							
sustained	agrees with the appointing official's reasons for removing the eligible from consideration.							
not sustained	disagrees with the appointing official's reasons for removing the eligible from consideration.  The eligible's name remains on the Certificate for consideration or selection.							
3	Examining Office	Notifies the appointing official of its decision in writing.						
<b>Step</b>	<b>Who</b>	<b>What Happens</b>						
4	Appointing Official	Takes the following action on the objection.						
<table border="1"> <thead> <tr> <th><b>IF the objection is...</b></th> <th><b>THEN the appointing official...</b></th> </tr> </thead> <tbody> <tr> <td>Sustained</td> <td>removes the eligible from consideration for the job.</td> </tr> <tr> <td>not sustained</td> <td>has two options: <ul style="list-style-type: none"> <li>challenge the decision by submitting additional information to support a favorable decision, or</li> <li>consider/select the eligible for a job.</li> </ul> </td> </tr> </tbody> </table>			<b>IF the objection is...</b>	<b>THEN the appointing official...</b>	Sustained	removes the eligible from consideration for the job.	not sustained	has two options: <ul style="list-style-type: none"> <li>challenge the decision by submitting additional information to support a favorable decision, or</li> <li>consider/select the eligible for a job.</li> </ul>
<b>IF the objection is...</b>	<b>THEN the appointing official...</b>							
Sustained	removes the eligible from consideration for the job.							
not sustained	has two options: <ul style="list-style-type: none"> <li>challenge the decision by submitting additional information to support a favorable decision, or</li> <li>consider/select the eligible for a job.</li> </ul>							

## Passover of a Preference Eligible

---

<b>Definition</b>	A <b>passover request</b> is an objection filed against a preference eligible that results in the selection of a nonpreference eligible.
<b>Basic rule in passing over a preference eligible</b>	In competitive examining procedures, an appointing officer may not pass over a preference eligible to select a lower-ranking non-preference eligible, unless he or she submits reasons to you that are sufficient to warrant the passover.
<b>How to handle a passover of a preference eligible</b>	The procedure for passing over a preference eligible is the same as the process for objecting to an eligible; except for passovers on 30% or more preference eligibles (see How to Handle a Passover of a CPS Eligible). A passover request may be sustained only if such a request is based on a “proper and adequate reason.” (5 U.S.C. 3318)
<b>CPS eligible passover request</b>	OPM retains authority to rule on the proposed passover of a 30 percent or more compensably disabled veteran (CPS) (5 U.S.C. § 3318 (b)(2)).
<b>Regulatory requirement of a passover of a CPS</b>	Under 5 U.S.C. § 3318 (b)(2), a CPS preference eligible is entitled to advance notice of a <b>proposed passover</b> . The CPS veteran has the right to respond to the appointing official's reasons for passover. The veteran must submit a response to OPM within 15 days of the notification.

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*Continued on next page*



## Passover of a Preference Eligible, Continued

### How to handle a proposed passover of a CPS eligible

There are four steps in processing a proposed passover of a compensable disabled preference eligible of 30 percent or more (5 U.S.C. § 3318).

Step	Who	What Happens
1	Appointing Official	<p>Must notify the CPS veteran of a proposed passover. The notification must include:</p> <ul style="list-style-type: none"> <li>• Notice of proposed passover, including the agency, title/series/grade of the job, duty location, and certificate number;</li> <li>• An explanation of the reasons for the proposed passover; and</li> <li>• Notice of the right to respond to those reasons to OPM within 15 days of the notice.</li> </ul> <p>We recommend as a good business practice that you include in the notification the address of the appropriate OPM office:            U.S. Office of Personnel Management            Human Capital Leadership and Merit System Accountability Division            1900 E Street, NW            Washington, DC 20415</p>
2	Appointing Official	<p>Must send a copy of the proposed passover request to the OPM's Human Capital Leadership and Merit System Accountability Division at the above address.</p>

*Continued on next page*

## Passover of a Preference Eligible, Continued

### How to handle a proposed passover of a CPS eligible (continued)

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.</li> <li>• Must notify the appointing official and the veteran of its decision in writing.</li> </ul>						
<table border="1"> <thead> <tr> <th>IF the passover request is ...</th> <th>THEN the appointing official...</th> </tr> </thead> <tbody> <tr> <td>Sustained</td> <td>removes the preference eligible from consideration for the job.</td> </tr> <tr> <td>not sustained</td> <td>           has two options:           <ul style="list-style-type: none"> <li>• challenge the decision by submitting additional information to support a favorable decision; or</li> <li>• consider/select the preference eligible for a job.</li> </ul> </td> </tr> </tbody> </table>			IF the passover request is ...	THEN the appointing official...	Sustained	removes the preference eligible from consideration for the job.	not sustained	has two options: <ul style="list-style-type: none"> <li>• challenge the decision by submitting additional information to support a favorable decision; or</li> <li>• consider/select the preference eligible for a job.</li> </ul>
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Sustained	removes the preference eligible from consideration for the job.							
not sustained	has two options: <ul style="list-style-type: none"> <li>• challenge the decision by submitting additional information to support a favorable decision; or</li> <li>• consider/select the preference eligible for a job.</li> </ul>							

#### Passover requests based on a medical condition

You may consider a preference eligible medically disqualified when he/she has a physical or medical (including mental) condition that will prevent him/her from performing the full range of essential duties and responsibilities of the position safely and efficiently.

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.

*Continued on next page*

## Passover of a Preference Eligible, Continued

### How to handle a request for medical passover

There are four steps in processing a proposed request for medical passover of a preference eligible (5 CFR Part 339).

Step	Who	What Happens						
1	Appointing Official	Must submit a proposed request with supporting documentation to OPM at:  U.S. Office of Personnel Management Strategic Human Resources Policy Division 1900 E Street, NW, Room 6500 Washington, DC 20415						
2	OPM Official	<ul style="list-style-type: none"> <li>• Reviews the proposed request for a passover 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>						
3	Appointing Official	Takes the following action on the passover decision.						
<table border="1"> <thead> <tr> <th>IF the passover request is...</th> <th>THEN the appointing official...</th> </tr> </thead> <tbody> <tr> <td>sustained</td> <td>removes the preference eligible from consideration for the job.</td> </tr> <tr> <td>not sustained</td> <td>has two options: <ul style="list-style-type: none"> <li>• challenge the decision by submitting additional information to support a favorable decision; or</li> <li>• consider/select the preference eligible for a job.</li> </ul> </td> </tr> </tbody> </table>			IF the passover request is...	THEN the appointing official...	sustained	removes the preference eligible from consideration for the job.	not sustained	has two options: <ul style="list-style-type: none"> <li>• challenge the decision by submitting additional information to support a favorable decision; or</li> <li>• consider/select the preference eligible for a job.</li> </ul>
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## Section E

### Priority Consideration

---

**Introduction**

Priority consideration is a special placement priority that is given to an eligible who was previously denied consideration due to an administrative error or a law or regulatory violation. It is important to remember that there is no situation where an eligible must be selected, except for the special selection priority of a well-qualified eligible in the Interagency Career Transition Assistance Program (ICTAP) (5 CFR Part 330) .

This section explains how and what to do to complete the certification process to include priority consideration.

---

**Contents**

This section contains the following topics:

<b>Topic</b>	<b>See Page</b>
Lost Consideration Due to Erroneous Certification	6-E-2
Lost Employment Consideration	6-E-4
Lost Certification	6-E-8

---

## Lost Consideration Due to Erroneous Certification

---

**Definition** An erroneous certification is an inadvertent misranking, noncertification, or failure to give bona fide consideration to an eligible in connection with a competitive certificate. The erroneous certification must be the result of an administrative error for the remedies listed in the following section to apply.

Cases of knowing or intentional manipulation of the examining system are handled based on their unique characteristics and will typically be referred to the Office of Special Counsel.

---

**Two types of erroneous certification** Erroneous certification occurs when an eligible does not appear in the correct order on the certificate (i.e., was misranked on a certificate or did not appear on the certificate at all) or when an eligible appeared on the certificate but did not receive appropriate consideration.

There are two principal types of erroneous certification, those that:

1. Involve a violation of law (e.g., “rule of three” or Veterans’ Preference Act, and
  2. Do not involve a violation of law (e.g., an administrative error).
- 

**Correcting an erroneous appointment** In the case of erroneous certification, you always have the option of regularizing the appointment by removing the incumbent, if the selectee enters on duty before the error is discovered. (See [Error of the Commission Principle](#) below).

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*Continued on next page*

## **Lost Consideration Due to Erroneous Certification, Continued**

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**Error of the  
commission  
principle**

This principle was first explained in a 1917 Attorney General's decision (Civil Service - Erroneous Certification, April 19, 1917.31 U.S. Op. Att. Gen. 110, 1917. WL 729 (U.S.A.G.)). In this decision, the Attorney General concluded that regularizing appointments from an erroneous certificate was unduly harsh to the selectee and contrary to the intent of Congress.

The error of the commission is intended to correct administrative errors on the part of the examining office. The examining office must consult with their headquarters in the resolution of the erroneous action.

---

**Notification**

If an erroneous certification is discovered and an eligible is affected, you should notify the eligible immediately, particularly if the error was due to a legal violation.

---

**Documentation**

In all cases of erroneous certification, the case file should be documented with the facts of the case. Follow-up action should also be taken, (e.g., review of processing procedures and additional staff training) to preclude recurrence of the problem.

---

## Lost Employment Consideration

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### Introduction

The more serious type of erroneous certification is in case where there is a violation of law (e.g., Title 5 of the United States Code and the Veterans' Preference Act of 1944.) This type of erroneous certification is known as Lost Employment Consideration or Loss of Bona Fide Employment Consideration. When considering your options for correcting any lost employment consideration actions, you should be mindful of any hiring restrictions of other placement assistance programs (e.g., CTAP, ICTAP, RPL), for the geographical areas.

---

### Conditions for a legal violation

In order for there to be a legal violation, **all** four conditions must be met:

1. A selection must be made from the erroneous certificate;
  2. When the erroneous certification is corrected, the misranked eligible must move within reach of selection;
  3. When the erroneous certification is corrected, the selectee must move out of selection range; and
  4. The misranked eligible must meet all the qualification requirements for the job.
- 

### Correcting the violation

You should take the following steps to correct an erroneous certification where there has been a legal violation, i.e., all four criteria were met.

Step	Action
1	If you discover the erroneous certification before a selection is made, you should contact the selecting official immediately and inform him or her not to extend any selection offers until the certificate is amended to add or rerank the eligible.

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*Continued on next page*

## Lost Employment Consideration, Continued

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### Correcting the violation (continued)

Step	Action
2	<p>If you determine that an eligible lost consideration on a certificate, the selecting official can make a voluntary offer of non-competitively appointing 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><b>Note:</b> If the eligible accepts or declines one of the appointment offers described above, no further action is necessary.</p>

---

### Mandatory action for lost employment consideration

If either a) the selecting official declines to make any of the voluntary offers listed above or b) the eligible declines a position because it is not in either the same location or in one which he or she indicated was acceptable, then the following steps are mandatory:

1. Eligible must receive priority consideration for the next appropriate position (see chart below) announced under competitive procedures; and
2. Eligible would be listed on a certificate of eligibles as the first eligible candidate for consideration under the “rule of three.”

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*Continued on next page*



## Lost Employment Consideration, Continued

**Options for lost employment consideration** The appointing official has the option of offering the eligible either or both of the following. (**Note:** Option 1 applies only for 10-point preference eligibles.)

Option	Description
1	Offer employment to any equivalent job (same grade, same promotion potential and same tenure) within the agency for which the eligible is <b>minimally</b> qualified in any geographic area that the eligible deems acceptable.
2	Offer employment to any 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.

**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 the case examining and competitor inventory environment.

IF...	THEN the...
<b>case examining</b>	number of priority considerations would equal the number of selections made from the original certificate.
<b>competitor inventory</b>	eligible would continue to receive priority considerations until appointed or until the eligible has received the number of bona fide employment considerations that he/she would have received had the fault not occurred, whichever comes first.

*Continued on next page*

## **Lost Employment Consideration, Continued**

**Determining  
the number of  
priority  
considerations**  
(continued)

In cases where it is not possible 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:

- Activity of the inventory;
  - Length of time consideration was lost, and
  - Eligible's qualifications relative to others on the inventory.
-

## Lost Certification

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**Introduction** Lost certification is the second type of erroneous certification. This type of erroneous certification does not involve a violation of law (i.e., it does not meet the four criteria of a legal violation).

---

**Definition** Lost certification occurs when an eligible is misranked on or left off a certificate but correcting the error would not give the eligible real employment consideration.

---

**Lost certification example** Examples of lost certification.

Example	Description
1	An eligible was left off a certificate but would not have been within reach for selection even if he/she had received proper treatment.
2	An eligible was misranked on a certificate and is within reach when the error is corrected. The selectee also stays within reach after the adjustment is made.

---

**Correcting an erroneous certification** When there has been no legal violation, there is no obligation on the part of the selecting official or the examining office to give the eligible any priority consideration.

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**Order of selection** In cases of lost employment consideration and lost certification, well-qualified ICTAP eligibles **must** be selected before anyone on the certificate, including the eligible that is receiving priority consideration. (5 CFR Part 330)

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## References

**Additional  
information**

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

<b>Topic</b>	<b>See Reference</b>
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
Certification of names for appointment	5 U.S.C. § 3317
Competitive service; selection from certificates	5 U.S.C. § 3318
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 Plans (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 Part 332
Three considerations for appointment	5 CFR Part 332
Processing medical eligibility determinations on certificate of eligibles	5 CFR Part 339
Error of the Commission Principle	April 19, 1917. 31 U.S. Op. Att. Gen. 110, 1917. WL 79 (U.S. A.G.)
<i>OPM's Handbook of Occupational Groups and Series</i>	<a href="http://www.opm.gov">www.opm.gov</a>
<i>Guide to Processing Personnel Actions</i>	<a href="http://www.opm.gov">www.opm.gov</a>
OPM delegated examining	<a href="http://www.opm.gov/deu">www.opm.gov/deu</a>
OPM web page for forms	<a href="http://www.opm.gov/forms">www.opm.gov/forms</a>
<i>The Classifier's Handbook</i>	<a href="http://www.opm.gov">www.opm.gov</a>
Sample interagency delegated examining agreement	Appendix A

*Continued on next page*

**References, Continued**

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**Additional information** (continued)

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<b>Topic</b>	<b>See Reference</b>
Professional and scientific positions	Appendix K
Random referral instructions	Appendix L

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## Chapter 7

### Reporting and Accountability

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#### Introduction

This chapter describes the reporting and accountability requirements for delegated examining offices. Agencies must submit quarterly workload reports, conduct annual internal audits of their delegated examining operations, and submit to periodic reviews by OPM's Human Capital Leadership and Merit System Accountability Division (HCLMSA). (5 U.S.C. §1104)

---

#### Contents

This chapter contains the following sections:

Topic	Section
Safeguarding the Examining Process	A
Freedom of Information and Privacy Acts	B
Quarterly Workload Reports	C
Annual Self-Audits	D
OPM Review	E
References	F

---

## Section A

# Safeguarding the Examining Process

---

**Introduction** This section outlines the basic requirements for safeguarding examination materials.

---

**Basic security of examination materials** 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, 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
- Applications.

You must take care to ensure that restricted materials are secured at night and not left out on desks or workstations.

---

**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.

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*Continued on next page*

## Safeguarding the Examining Process, Continued

### 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>	
<b>OPM-developed examining materials</b>	<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>
<b>Written tests</b>	<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 Appendix E).</li> </ul>
<b>Rating schedules/crediting plans</b>	<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 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>

*Continued on next page*



## Safeguarding the Examining Process, Continued

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**When an examining office employee, or a close relative, intends to compete**

Employees who are involved in delegated examining activities, including subject matter experts (SMEs), 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. You should establish a procedure for monitoring or segregating such employees during the examining and certification process.

---

**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 your local OPM Services Branch. The Services Branch will in turn notify OPM's Office of General Counsel (OGC), who will request that the test materials be covered by a protective order to safeguard their confidentiality.

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## Section B

# Freedom of Information (FOIA) and Privacy Acts

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**Introduction** 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.

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.usdoj.gov/04foia/04\\_7.html](http://www.usdoj.gov/04foia/04_7.html).

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**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.

---

**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;
- Inventory (register) cards or other documentation;
- Certification history – identification of dates, jobs, and agencies for which the eligible's name was certified;

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## Freedom of Information (FOIA) and Privacy Acts, Continued

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**Material to be made available**  
(continued)

- 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 and position descriptions in the certification file; and
- Reasons, submitted by the appointing authority, in support of a proposed passover of a preference eligible must be furnished to the preference eligible, or his or her representative, upon request (see 5 U.S.C. § 3318(b)).

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 should not be disclosed to members of the public, including the applicant concerned:

- Answer keys,
  - Rating schedules/crediting plans,
  - Rating sheets,
  - Test booklets or items, and
  - Transmutation tables.
- 

*Continued on next page*

## Freedom of Information (FOIA) and Privacy Acts, Continued

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**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 in deciding what information to disclose and under what conditions.

EEO officials are usually allowed to review all documentation, 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.

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 legal counsel for decision.

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*Continued on next page*

## Freedom of Information (FOIA) and Privacy Acts, Continued

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**Disposition of records**

You should determine where you will maintain examining records (e.g., certification files and applications), and 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

# Quarterly Workload Reports

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**Introduction** You must submit quarterly workload reports to your local OPM Services Branch. These reports are due by the 15<sup>th</sup> of the month following the end of the reporting quarter (i.e., January 15, April 15, July 15, and October 15). You must submit a quarterly workload report even if your office did not conduct any delegated examining activities during the quarter. (5 U.S.C. § 1104)

---

**What to include in your quarterly workload report** You must include the following information in your quarterly workload report:

- Number of applications processed;
- Number of selections made;
- Number of preference eligibles selected;
- Number of certificates audited;
- Number of audited certificates that had preference eligibles at the top;
- Number of audited certificates that did not have preference eligibles at the top;
- Number of audited certificates that were used;
- Number of audited certificates that were unused;
- Number of certificates that were unused due to CTAP/ICTAP referral;
- Certification that the annual self-review has been completed; and
- Other certification as required by your delegation agreement.

---

**What not to include in the quarterly workload report** You should **not** include the following information in your quarterly workload report:

- Applications received or hires made under the Outstanding Scholar hiring authority;
- Applications received or selections made under either outside-the-register authority or noncompetitive authority; or
- Work produced by OPM or another Federal agency under a reimbursable contract.

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*Continued on next page*

## **Quarterly Workload Reports, Continued**

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**Instructions for  
completing the  
workload form**

See Appendix M, Instructions for Completing the Delegated Examining Quarterly Workload Report Form.

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## **Section D**

### **Annual Self-Audits**

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**Introduction** You must conduct annual “self-audits” of your delegated examining operations as prescribed by your Interagency Agreement for Delegated Examining Authority (see Appendix A, Sample Interagency Delegated Examining Agreement).

---

**Who performs the self-review?** You should use agency staff not involved in the delegated examining activities of the office being audited, to conduct the annual self-audit. These self-audits may only be conducted by persons who have received delegated examining training (see Appendix H for an example of what to review in conducting a self-audit).

---

**Exception from self-reviews** When OPM’s Human Capital Leadership and Merit System Accountability Division (HCLMSA), Merit Systems Compliance Group conduct a review of your delegated examining operation, that review may substitute for your annual self-audit (see Section E of this Chapter).

---

**Certification of self-review** You must certify annually that the required self-audit has been completed. Submit the certification to your local OPM Services Branch as specified on the attached Delegated Examining Quarterly Workload Report Form (see 5 U.S.C. § 1104 and Appendix M).

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## **Section E**

### **OPM Review**

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**Introduction** OPM’s HCLMSA’s Merit Systems Compliance Group conducts periodic reviews of delegated examining offices to ensure that they are operating in accordance with the merit system and applicable laws, regulations, and policies.

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**How to prepare for HCLMSA review** Appendix N, Oversight Review Guide, provides questions on four major categories to help you prepare for OPM's review:

- Organization and Jurisdiction;
  - Recruitment;
  - Application Processing; and
  - Certification/Selection.
- 

**Special Note** The HCLMSA review of your delegated examining office functions satisfies your annual self-audit requirement.

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## References

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**Additional  
information**

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

<b>Topic</b>	<b>See</b>
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	5 U.S.C. § 3110; 5 CFR Part 310
Competitive service; selection from certificates	5 U.S.C. § 3318(b)
Employment (General)	5 CFR Part 300
OPM delegated examining web page	<a href="http://www.opm.gov/deu">www.opm.gov/deu</a>
List of OPM's employment Services Branchs	<a href="http://www.opm.gov/employ">www.opm.gov/employ</a>
Sample interagency delegated examining agreement	Appendix A
Records retention and disposition schedule	Appendix C
<i>Handbook for Agency Test Administrator and Test Control Officer</i>	Appendix E
Test security agreement	Appendix E
Model agency-based accountability agenda	Appendix H
Instructions for completing the delegated examining quarterly workload report form	Appendix M
Oversight review guide	Appendix N

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## Glossary

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<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. An ALJ is similar to that of a trial judge conducting civil trials without a jury. In general, ALJs prepare for and preside at formal hearings required by statute, to be held under or in substantial accord with provisions of the Administrative Procedure Act, in sections 553-559 of title 5, United States Code.
<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/KSAs. An agency certification program does not have to be recognized by a professional community.
<b>Applicant</b>	A person who applies for a vacant position.
<b>Appointee</b>	The person who is ultimately appointed to a position, and who 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.

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## Glossary, Continued

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<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.
<b>Assessment Tool</b>	A device or method used to measure the degree to which an applicant possesses the competencies or KSAs necessary for successful job performance. Examples of assessment tools include rating schedules, written tests, work samples, and structured interviews.
<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.
<b>Auditing</b>	The process by which the certifying action is taken on a returned Certificate of Eligibles by the Human Resource Office to comply with legal and regulatory selection procedures.
<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.
<b>Bilingual/Bicultural Certification</b>	A special hiring program established under the <i>Luevano</i> Consent Decree to hire eligible applicants who meet the program's criteria into positions for which a proficiency in the Spanish language or knowledge of the Hispanic culture is beneficial.

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## Glossary, Continued

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<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 the certificate. Each eligible candidate is entitled to three bona fide considerations for the same appointment before he or she can be eliminated from consideration.
<b>Candidate</b>	An applicant who meets the minimum qualifications requirements 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 CFR Part 315.
<b>Career Transition Assistance Program (CTAP)</b>	A program designed by an agency to actively assist its surplus and displaced employees by providing selection priority for competitive service vacancies. Under the career transition assistance plan (CTAP), you must notify employees who are surplus or have been displaced from your agency of vacancies that your agency plans to fill in their local commuting area. (See Chapter 4 and 5 CFR Part 330).
<b>Case Examining</b>	A technique in which the job seeker applies directly 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 standing inventory of qualified applicants.
<b>Category Rating</b>	A process of evaluating qualified eligibles by quality categories rather than by assigning individual numeric scores. The agency assesses candidates against job-related criteria and then places them into two or more quality categories. Synonymous with alternative rating as described at 5 U.S.C. § 3319.

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## Glossary, Continued

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<b>Certificate of Eligibles</b>	A list of the highest-ranked eligibles in score and veterans preference order, submitted to a selecting official for appointment consideration in accordance with the competitive selection laws and regulations.
<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 announcement advertising the position.
<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.
<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 competitive examination, which is open to all applicants, may consist of a written test, an evaluation of an applicant's education and experience, and/or an evaluation of other attributes necessary for successful performance in the position to be filled.</p> <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>

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## Glossary, Continued

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<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 rank-ordered list of eligibles that meet 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 announcement such as, travel, night or shift work. A competitor inventory is an alternative to case examining.
<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."
<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 called a "rating schedule."
<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.

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## Glossary, Continued

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<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.
<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 provided in the job announcement advertising the position. (See Chapter 3)
<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 basic qualifications, applications are rated only when a certificate is requested for a specific job announcement. Typically, the rating is valid only for that specific position.
<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 Title 5 U.S.C. § 1104 and amended by Public Law 104-52, dated November 1995. (See Appendix 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.
<b>DEO 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 Appendix A).

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## Glossary, Continued

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<b>Direct-Hire Authority</b>	Authority that permits hiring without regard to the provisions of 5 U.S.C. §§ 3309 through 3318, and 5 CFR Parts 211 and 337 subpart A.
<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 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 announcement or application procedure.
<b>Education</b>	Education is 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.
<b>Elevator Operator</b>	An individual whose primary duty is the running of 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.
<b>Eligible</b>	An applicant who satisfies the minimum qualifications requirements for the position, and therefore is eligible for consideration. See also “candidate.”
<b>Erroneous Certification</b>	A certificate involving the inadvertent misranking, noncertification, or failure to give bona fide consideration to an eligible in connection with a competitive Certificate of Eligibles.

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## Glossary, Continued

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<b>Error of the Commission Principle</b>	There is a 1917 Attorney General's decision (Civil Service - Erroneous Certification, April 19, 1917.31 U.S. Op. Att. Gen. 110, 1917. WL 729 (U.S.A.G.)). The Attorney General concluded that regularizing appointments from an erroneous certificate was unduly harsh to the selectee and contrary to the intent of Congress. The error of the commission is intended to correct administrative errors on the part of the examining office.
<b>Excepted Service</b>	A term used to describe all civil service positions that are not in either the competitive service or the Senior Executive Service. (See 5 CFR Part 213)
<b>Experience</b>	Experience is an indicator of proficiency that relates to the school, home, community, voluntary or work experiences of the candidate that are related to the competencies/KSAs needed to perform in the job.
<b>Generic Rating Procedure</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.
<b>Guard</b>	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; make observations for detection of fire, trespass, unauthorized removal of public property or hazards to Federal personnel or property.
<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).

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## Glossary, Continued

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**Interagency  
Career  
Transition  
Assistance  
Program  
Program  
(ICTAP)**

The Interagency Career Transition Assistance Plan (ICTAP) is 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 Chapter 4 and 5 CFR Part 330)

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**Inter-  
disciplinary  
Position**

A position involving duties and responsibilities closely related to more than one **professional** 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 Chapter 6)

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**Job Analysis**

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.

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**Job  
Announcement**

A document that informs the public regarding a job vacancy. A job announcement describes the requirements of the job, and instructs applicants regarding how to apply for the vacancy. Job announcements must be posted on USAJOBS as a means of satisfying the public notice requirement.

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**Job-  
Relatedness**

A standard met when the competencies or knowledge, skills, and abilities (KSAs) in the rating procedure are shown through an analysis of the job to be necessary for successful job performance.

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**Knowledge**

A body of information applied directly to the performance of a function.

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## Glossary, Continued

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**KSAs** 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.

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**Lost Certification** The second type of erroneous certification that occurs when an applicant is misranked on or left off a certificate, but correcting the error would not give the eligible real employment consideration.

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**Lost Employment Consideration** A serious type of erroneous certification is the case where there is a violation of law: *Title 5 (Rule of Three)* and possibly the Veterans' Preference Act of 1944.

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***Luevano* Consent Decree** 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 *Luevano v. OPM* 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).

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**Merit Promotion Procedures** A placement made under the authority of 5 CFR Part 335, “Promotion and Internal Placement.” With certain important exceptions (e.g., VEOA) only career status employees may apply for positions that are to be filled under merit promotion procedures.

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**Messenger** 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.

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## Glossary, Continued

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**Minimum Qualifications**

Qualifications that an applicant must possess, at a minimum, to be eligible for hire or promotion under the competitive system. Minimum qualifications are typically expressed in terms of job-related years of experience or education, i.e., course credit hours or a combination of the two. Applicants who do not meet the minimum qualification requirements for the position receive no further consideration.

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**Multiple Certification**

The concurrent referral of an applicant to more than one grade, specialty, and/or geographic location. Also known as “dual certification.” (See Chapter 6)

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**National**

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, Swains Island, and the Northern Mariana Islands), or who is a child of nationals under certain circumstances, or who meets other requirements described in law at 8 U.S.C. § 1408.

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**Non-competitive Action**

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 inservice 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.

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**Notice of Results**

A letter that notifies an applicant of the status of his or her application.

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**Objection**

An objection is an agency’s request to remove an eligible from consideration on a particular certificate.

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## Glossary, Continued

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<b>Open Period</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 announcement. OPM recommends that agencies prescribe an open period of no fewer than five (5) calendar days.
<b>Outstanding Scholar</b>	A hiring program created by the <i>Luevano</i> Consent Decree. This program permits the hiring of any individual with a baccalaureate degree who has at least a 3.5 grade point average on a 4.0 scale or is in the top 10 percent of his or her graduating class (or of a major subdivision, such as a College of Arts and Sciences).
<b>Passover Request</b>	An objection filed against a preference eligible that if sustained, would result in the selection of a non-preference eligible.
<b>Preference Eligible</b>	A veteran, spouse, widow, or mother, who meets the definition provided in 5 U.S.C. § 2108. Preference eligibles are entitled to have 5 or 10 points added to their earned score on a civil service examination (See 5 U.S.C. § 3309). Preference does not apply, however, to in-service placement action such as promotions.
<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, and applications are referred to as being “pre-rated” or “front-end-rated”.
<b>Priority Consideration</b>	Special placement priority that is given to a candidate who was previously denied consideration due to erroneous or lost consideration. See Chapter 6.
<b>Professional Activity</b>	A professional activity is evidence of substantial contributions to a profession that is related to the competencies/KSAs needed to perform the job.

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## Glossary, Continued

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<b>Professional Certification</b>	A professional certification is 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.
<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.
<b>Quality Categories</b>	Groupings of individuals with similar levels of job-related knowledge, skills, abilities, or competencies.
<b>Quality Level 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 Chapter 5)
<b>Quality Ranking Factor</b>	Quality ranking factors are competencies/KSAs that are expected to enhance performance in a position. Unlike selective factors, quality ranking factors are not used as a “screen out” factor.
<b>Rating Procedure</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.
<b>Rating Schedule</b>	“See Crediting Plan.”

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**Glossary, Continued**

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<b>Reemployment Priority List (RPL)</b>	A list of employees within the local commuting area who have been separated from your 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, you must (with few exceptions) select that employee before hiring anyone from outside the agency. See 5 CFR Part 330.
<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>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.
<b>Schedule A Appointment</b>	A category of excepted service appointment that is applicable to positions that 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 apply competitive examining requirements (e.g., qualification standards). Agencies must obtain authorization from OPM to make a Schedule A appointment. (See 5 CFR Part 213)

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## Glossary, Continued

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**Schedule B Appointment** A category of excepted service appointment that is applicable to positions that 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. Candidates appointed under Schedule B authority must meet the basic qualification requirements established by OPM for the occupation and grade level. Agencies must obtain authorization from OPM to make a Schedule B appointment. (See 5 CFR Part 213)

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**Schedule C Appointment** 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.

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**Selectee** A person selected for appointment to a position.

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**Selecting Officer** See “Appointing Officer.”

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**Selective Factor** A KSA, competency, 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.

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**Senior Executive Service (SES)** 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 applies to most civil service positions. See 5 CFR Part 214.

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## Glossary, Continued

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<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 candidates possessing the competencies 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.
<b>Skill</b>	An observable competence to perform a learned psychomotor act.
<b>Standing Inventory</b>	An inventory of eligible competitors who are assigned a numerical rating and certified in score order by occupation, grade, location, etc. Standing inventories are effective when many recurring vacancies are anticipated over time.
<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>Structured Interview</b>	An assessment method in which candidate's 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, the applicant is asked the same questions in the same sequence, and his or her responses are scored according to the predetermined criteria or benchmarks.
<b>Subject-Matter Expert (SME)</b>	A person with bona fide expert knowledge about what it takes to do a particular job. First-level supervisors are normally good 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 job's requirements.

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## Glossary, Continued

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<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 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 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. (See 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.
<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.
<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.
<b>Top-of-the-register</b>	See "Rule of Three."
<b>Transmutation Table</b>	A mathematical table that is used to convert raw scores obtained by applicants to ratings between 70 and 100. (See Appendix H)

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**Glossary, Continued**

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**USAJOBS** A website that provides the public with comprehensive information regarding federal employment. Agencies must post their job vacancy announcements on USAJOBS as part of the public notice requirement.

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**USA Staffing** An automated examining system that was developed by OPM and is available to agencies on a reimbursable basis.

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**Validity** 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.

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**Veterans' Preference** A special privilege that entitles qualifying veterans to certain advantages in consideration for federal employment.

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**Well-qualified Employee** Under CTAP and ICTAP, an eligible employee whose competencies/KSAs clearly exceed the minimum qualification requirements for the position. (See 5 CFR Part 330)

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**Work Sample Assessment** 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.

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