Department of Veterans Affairs
Washington, DC 20420

VA DIRECTIVE 5005
Transmittal Sheet
April 15, 2002

STAFFING

1. REASON FOR ISSUE: To issue Department of Veterans Affairs (VA) policy regarding staffing and recruitment.

2. SUMMARY OF CONTENTS/MAJOR CHANGES: This directive sets forth policies previously contained in numerous other issuances. No substantive changes have been made.

3. RESPONSIBLE OFFICE: The Human Resources Management Programs and Policies Service (051), Office of the Deputy Assistant Secretary for Human Resources.

4. RELATED HANDBOOK: VA Handbook 5005, "Staffing."

5. RESCISSIONS: Refer to the Transmittal Sheet for VA Directive 5001, "General Introduction and Administration."

CERTIFIED BY:

John A. Gauss
Assistant Secretary for
Information and Technology

BY DIRECTION OF THE SECRETARY OF VETERANS AFFAIRS:

Jacob Lozada, Ph.D.
Assistant Secretary for Human
Resources and Administration

STAFFING

1. PURPOSE. This directive contains policy on the staffing of positions within the Department of Veterans Affairs (VA) for personnel appointed or designated under certain title 38 authorities and personnel appointed under title 5, United States Code. This directive should be used in conjunction with VA Handbook 5005, which contains mandatory guidance and procedures on staffing positions in VA.

2. POLICY

a. VA staffing programs and practices will be administered and used to support the Department's efforts to create and maintain a high-performing workforce to serve veterans and their families.

b. VA will administer staffing programs in a fair and equitable manner, consistent with applicable title 5 and title 38 provisions, Office of Personnel Management (OPM) regulations, and applicable legally binding decisions.

c. Each responsible official must assure that the administration of the Department's placement authorities is carried out in a cost-effective manner, as necessary, to recruit and retain an adequate workforce.

d. Each responsible official must assure that the rights of employees to correct and timely personnel actions are observed.

3. RESPONSIBILITIES

a. Statements of responsibility for the various staffing programs may be found in each of the separate parts or chapters of VA Handbook 5005.

b. In those instances where a specific statement of responsibility has not been listed in a specific part or chapter of VA Handbook 5005, the following officials have responsibility for making staffing determinations:

(1) The Secretary, or designee, is the approving official for staffing actions for employees occupying positions centralized to that office.

(2) Administration Heads, Assistant Secretaries, Other Key Officials, and Deputy Assistant Secretaries, or their designees, may approve staffing actions for employees occupying VA Central Office positions in their organizations that are not centralized to the Secretary and employees occupying field positions centralized to their offices.

Department of Veterans Affairs
Washington, DC 20420

VA HANDBOOK 5005
Transmittal Sheet

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PART I. RECRUITMENT/GENERAL EMPLOYMENT

CHAPTER 1. GENERAL

1. THE RECRUITMENT PROCESS. Recruitment, or more specifically, *positive recruitment,* is the proper application of the elements that comprise the planned process of identifying general and specific staffing needs and of locating, attracting, and employing the best qualified available individuals. This is achieved by properly identifying and publicizing VA needs and opportunities, by developing and cultivating general and specific sources of candidate supply, and by identifying individual prospects and accomplishing the preliminaries necessary to appoint appropriate individuals. The process requires a continuous awareness of current and projected employment market conditions in order to capitalize on the availability of persons who are best qualified to perform the work of VA. It is the proper blending of publicity; employment market contacts, including schools, colleges, universities, minority group organizations and professional placement associations; knowledge of applicant supply; and aggressive efforts to seek out the best possible applicants that characterize the positive effort, rather than the routine recruitment procedure. It also requires determining and applying the proper mix of these elements in direct response to the staffing needs of VA. Some of the more common sources of candidates, and available recruitment aids, are discussed in paragraphs 4 and 5.

2. COORDINATION OF RECRUITMENT ACTIVITIES

a. **Recruitment Activities within VA.** For recruitment purposes, there are no clear-cut boundaries between field facilities and recruitment efforts overlap in areas where two or more field facilities are each conducting recruitment activities. Coordinated efforts, therefore, should be a common goal to facilitate certain recruitment relationships among VA field facilities in proximity to each other, as well as with educational institutions and other organizations. For example, Veterans Health Administration field facilities should coordinate their efforts within the Veterans Integrated Service Network (VISN) so that a cohesive, unified and economical recruitment effort is maintained.

b. **Recruitment Activities Sponsored by Non-VA Organizations.** VA Human Resources Management (HRM) and other officials will participate, as appropriate, in recruitment activities sponsored by such organizations as the U.S. Office of Personnel Management (OPM), Federal Executive Boards, chambers of commerce, educational institutions, and professional organizations. This participation should normally be in proportion to expected benefits to VA. VA officials who are in a position to influence the content of such efforts should ensure that VA recruitment needs are adequately represented.

3. RECRUITMENT PLANNING

a. **General.** An important responsibility of the HRM Officer is to anticipate the staffing needs of the installation and, in conjunction with other field facility officials, to develop plans for meeting those needs. This requires:

(1) Understanding the nature of the work done in each segment of the installation and of its relationship to the work of other segments;

(2) Understanding the knowledges, skills, abilities, and personal attributes required to do the work of the segment most effectively;

(3) Awareness of situations, conditions, and developments which indicate future personnel needs in each program; and

(4) Active participation in committees whose actions affect staffing decisions, e.g., budget, position management, equal employment opportunity, and employment of disabled veterans and handicapped individuals.

b. **Prior Determinations.** Before recruiting for a specific position, the HRM staff must determine:

(1) That an authorized position vacancy exists, or will exist, and that appropriate approval for filling the position has been given;

(2) For title 5 positions, that the position is properly classified and if any limitation exists as to the number of employees that can be supported at a given grade level;

(3) For title 38 positions, that the functional statement and credential requirements are reviewed and are current;

(4) The type of appointment and any special conditions of employment such as hours of duty, shift arrangements, time limitations, and alternate grade levels;

(5) The appropriate qualification standard and any selective certification or quality ranking factors which may be appropriate;

(6) The appropriate recruitment sources and techniques to use and whether to use them singularly or in combination. In this regard a determination must be made as to whether there exists any applicable negotiated agreement provisions which would govern the sources and techniques to be used or the sequence of their use; and

(7) That all requirements under the VA Career Transition Assistance Program (CTAP), Interagency Career Transition Assistance Program (ICTAP), and other priority consideration programs have been met. See parts III and IV of this handbook.

c. **Selection and Training of Recruitment Officials.** An important part of the recruitment planning process is the selection and training of recruitment officials. VA personnel who contact candidates for employment or officials of recruitment sources should be those best qualified for this purpose. A favorable image presented by the recruiter can be the first step in bridging the gap between interest and employment. The selection and training of recruitment officials is, therefore, of paramount importance.

d. **Recruitment Strategies**

(1) Intensive cultivation of newspaper, radio, and television outlets for news about VA job opportunities. This includes public service announcements, cable television advertising, advertisement in professional journals and on organizational and professional web sites.

(2) Use of mailing lists of professionals in the community, schools, vocational counseling offices, and particularly of professional or other occupational associations. Such organizations may be willing to circulate information to their members about VA career opportunities.

(3) Inviting students and others to indicate their vocational interests for possible future employment. When vacancies occur, facility officials will have a ready list of candidates to contact about VA employment.

(4) Careful development of institutional relationships with teachers, editors, influential professionals, etc.

(5) Preparation and strategic distribution of well-illustrated pamphlets on specific occupations or professions, medical center fact sheets, and local Chamber of Commerce brochures, etc.

(6) Periodic visits and programs directed to college/university campuses to interest students in working for VA.

(7) Maintaining impressive and informative exhibits of VA careers at conventions, state fairs, and similar events where large numbers of persons are in attendance.

(8) Sponsoring an “open house” or “job fair.”

(9) Personalized letters to applicants who are interested in employment instead of patterned or photocopied letters.

(10) Telephone contacts, particularly by officials from those facilities actively seeking candidates, demonstrate a genuine interest in the prospect and provide for an expeditious exchange of pertinent information.

(11) Paying travel expenses for pre-employment interviews and for reporting to the first duty facility, if such actions may be authorized.

(12) Maintaining contacts with branches of the military that may be discharging persons with needed skills.

(13) Regularly informing veterans service organizations about VA staffing needs and career opportunities.

(14) Encouraging follow-up contacts when recruiting for VHA mission critical positions by using promotional items of nominal value, in accordance with the provisions of paragraph 5b(1)(h) of this chapter, and MP-4, pt. V, chap. 3, paragraph 3A.13.1a.

4. RECRUITMENT SOURCES

a. **General.** Recruitment sources are varied and numerous. The extent to which the sources will be utilized will depend on local recruiting needs and resources. The sources described below, plus any developed locally, may be used singularly or in combination as circumstances indicate.

b. **Standard Sources.** When labor market conditions are favorable, the following recruitment sources will normally produce a sufficient number of highly qualified candidates.

(1) **Vacancy Databases**

(a) Under 5 CFR 330.707, facilities must post on OPM's USAJOBS vacancy database all VA title 5 competitive service vacancies for positions which last over 120 days and for which applicants outside VA will be accepted, unless the position is filled by an ICTAP eligible. The USAJOBS posting requirement does not apply to appointments under title 5 excepted service authorities (e.g., 5 CFR, parts 213 and 307), but does cover positions of 121 days and up filled under 5 CFR, part 316 time-limited hiring authorities, even if based on excepted appointment eligibility such as VRA under 5 CFR, part 307. Facilities have the option of posting other vacancies on USAJOBS such as those in the excepted service of title 5 or any in the title 38 excepted service.

(b) VHA's Health Care Staff Development and Retention Office (HCSDRO/10A2D) operates the VA Vacancy Database in an internet version available to applicants for title 38 positions. The VA intranet version provides VA employees access to vacancies in both title 5 and title 38 which facilities have posted. Facilities may post vacancies on the VA Vacancy Database after obtaining a password and instructions from the HCSDRO by calling 504-589-5267.

(2) **Civil Service Certificates of Eligibles.** Before, after or concurrently with consideration of candidates identified through inservice placement activities, the primary recruitment sources for filling competitive service positions are certificates of eligibles obtained from a VA or other Federal delegated examining unit or an OPM Service Center. (Ref: 5 U.S.C. 1104 and VA-OPM Interagency Agreement # VA-1 on delegated examining)

(3) **Outside-the-Register List of Eligibles.** Each HRM office making temporary appointments outside civil service registers (i.e., selecting from a self-generated list of eligibles vs. using a certificate of eligibles issued by a delegated examining unit or an OPM Service Center) will follow the requirements established in 5 CFR, part 333.

(4) **Reemployment Priority List.** Former VA employees on the facility's reemployment priority list will be given consideration as required by 5 CFR 330.201 – 330.209 and 5 CFR 351.803 and part IV of this handbook.

(5) **Surplus and Displaced Employees.** Surplus and Displaced employees of VA and other Federal agencies will be given employment consideration as required by 5 CFR, part 330 and part IV of this handbook.

(6) **Applicant Supply System.** An applicant supply system may also be used to maintain applications from persons having eligibility for excepted or noncompetitive appointment. Any applicable vacancy announcement requirements must be met.

c. **Other Sources.** When the above recruitment sources fail to supply a sufficient number of well-qualified candidates, other sources such as the following should be explored. Candidates identified through outside recruiting sources, such as the following, must be considered for Federal employment in accordance with applicable VA and civil service regulations, requirements and procedures, including veteran preference.

(1) **Colleges and Universities.** Through its close ties with medical and other schools, VA is associated on a day-to-day basis with these potentially productive recruitment sources. From a recruitment standpoint, professional contacts by line and staff officials with their academic counterparts are invaluable and should be cultivated and maintained. Such contacts, however, do not assure that these recruitment sources are being fully utilized. Therefore, VA field facilities will conduct a long range, general VA employment information program at local colleges and universities. Positive recruitment efforts are necessary to fully capitalize on these sources. HRM Officers should assume a leadership role in coordinating these efforts. Central Office staff officials who develop similar programs for specific positions pertinent to their functions will attempt to maintain the same alignment of local schools and field facilities. General instructions to field facilities concerning such separate programs will be coordinated with the Deputy Assistant Secretary for HRM prior to issuance. Similarly, VA field facility officials participating in local, State, or regional college recruitment programs will, if feasible, do so in affiliation with the local schools.

(2) **Other Educational Institutions.** Appropriate efforts should be conducted at educational institutions below the bachelor's degree level. Junior colleges, trade and technical schools, and high schools may prove to be productive sources of candidates for specific local recruitment needs. To some extent, the value of these efforts must be judged in terms of long-range objectives attained through career orientation and motivation of students.

(3) **VA Employees.** One of the most productive recruitment sources for a field facility is its own employees. To capitalize on this source, responsible officials need to keep employees informed about VA recruitment needs. This may be accomplished by the use of e-mail and other electronic communication systems such as the internet and/or VA intranet (e.g., the VA Vacancy Database referred to in paragraph 4b(1)(b) of this chapter; conspicuous posting of local and VA-wide employment opportunities on employee bulletin boards; publicity in facility newsletters; and staff meeting announcements). For positions which are included in exclusively recognized units, facility management may consider seeking the assistance of the labor organization which holds exclusive recognition for that unit in the facility's recruiting effort. Employee assistance in recruitment can be encouraged by granting appropriate incentive awards, including cash awards, to those employees whose efforts result in the appointment of a candidate to a hard-to-fill position. (See VA Handbook 5017, Employee Recognition and Awards.)

(4) **State Employment Services.** Local offices of the various State employment services are equipped to give advice regarding labor market conditions, publicize position vacancies, and screen and refer applicants. Many of these offices are organized to provide recruitment assistance for professional occupations, as well as for skilled and unskilled workers.

(5) **Outside Recruiting Assistance from Commercial Recruiting Firms and Nonprofit Employment Services.** Profit-making commercial recruiting firms and professionally sponsored nonprofit employment services are legitimate sources in recruiting for hard-to-fill positions. The services are provided via written contract and typically include publicizing an employer's vacancies and referring resumes of any interested applicants who appear to meet the basic qualification requirements. See 5 CFR 300.401 – 300.408 and Appendix I-A for applicable regulatory and procedural requirements. Participation in professional associations' conventions and meetings, many of which feature on-site placement operations, also often pays recruitment dividends. In addition to these formal approaches, informal contacts with professional associations at the national, regional, State, and local levels are often productive. Line and staff officials can play an important role in recruitment activities of this type.

(6) **Competing Organizations.** Contacts with other Federal, State, county and municipal agencies and private institutions employing the same types of personnel as VA are sometimes productive – not to recruit their staff but to invite referrals of personnel who may have declined their offers or are surplus to their staffing needs.

(7) **Career Days.** Career days, job fairs, and other similar events can serve as productive sources. Such events are sponsored by educational institutions, chambers of commerce, civic groups, and other organizations.

(8) **Student Educational Employment.** This source yields graduates who tend to be more immediately productive as they are already familiar with the working environment of VA or another Federal agency. (See 5 CFR 213.3202 (a) and (b) and section C of chapter 2, this part.)

(9) **Allied Health Training.** This source includes VA-funded allied health trainees, such as those established in social work, dietetic and psychology disciplines.

(10) **Normally Unemployed Persons.** Workers in seasonal industries within the local area may be available for off-season work in VA. Also, the possibility may be explored of obtaining services from members of the local population who normally are not employed, such as students, homemakers, and retired persons. Appropriate consideration should be given to establishing part-time positions to capitalize on the skills and motivation of such individuals.

(11) **State Licensing Bodies.** State licensing organizations will often furnish names and addresses of newly licensed individuals who may consider employment with VA.

(12) **Special Interest Groups.** Community action groups, women's organizations, fraternal societies, welfare groups, rehabilitation organizations concerned with training and placement of persons with disabilities, and similar organizations will often provide placement assistance.

(13) **Organizations Representing Minorities or Applicants With Disabling Conditions**

(a) **Minority Applicants.** A program to recruit minority applicants should include ongoing relationships with historically black colleges and universities, the Hispanic Association of Colleges and Universities, alumni associations, and other organizations involved in the placement of minority applicants.

(b) **Applicants With Disabling Conditions.** Efforts to recruit applicants with disabling conditions should include contacts with the local Equal Employment Opportunity specialists; rehabilitation agencies connected with State, county, municipal or private health care facilities; local, State or national offices of professional, veterans or other associations furthering employment opportunities for people with disabilities; and colleges, universities and other schools with candidates for employment in occupations found in VA.

(14) **Veterans Organizations and U.S. Military Services.** In addition to other sources listed, to reach the work-ready veteran population, including disabled veterans, information about vacancies may be communicated to Veterans Benefit Administration vocational rehabilitation counselors, VA Vet Centers and veterans organizations. When feasible, recruitment contacts may also be made with military separation centers.

(15) **VA Placement Service.** The Veterans Health Administration's Health Care Staff Development and Retention Office (HCSDRO/10A2D), 1555 Poydras Street, Suite 1971, New Orleans, LA 70112, maintains placement and referral services for physicians, dentists, physician assistants, occupational therapists, physical therapists, and pharmacists. Those filing application forms with the VA Placement Service are referred, based on their geographic preference and specialty, to medical centers requesting lists of candidates. Applicants may obtain registration materials or additional information by calling the HCSDRO toll-free on 1-800-949-0002. VA facilities may request Placement Service referrals for a vacancy via the same toll-free number.

(16) **VA Central Office Program Officials.** When health care facilities have been unsuccessful in recruiting for vacancies, they may request informal advice and assistance from the appropriate Service Director or other appropriate program official on VA Central Office staff. Contacts should reference all pertinent information on the assignment involved. For physicians, the contact should identify the specialty, required qualifications, and intended assignment.

(17) **Supplemental Sources.** Potentially productive sources also include the public interest programs for such individuals as enrollees of Federally funded economic opportunity programs, people with disabilities, rehabilitated public offenders, and others.

(18) **VA Central Office Assistance.** The Human Resources Management Programs and Policies Service (051) and the Office of Diversity Management and Equal Employment Opportunity (06) are available to assist in the development of recruitment programs.

5. AIDS TO RECRUITMENT

a. **Recruitment Incentives.** Several incentives are available for use in enhancing VA's ability to recruit, particularly for hard-to-fill positions. Plans for recruitment should capitalize on these provisions to the maximum extent necessary. Among these incentives are:

(1) **Higher Salary Rates**

(a) **Special Salary Rates for Recruitment and Retention.** Special salary rates and ranges are established under the provisions of 5 U.S.C. 5305 for certain occupations and grade levels for which there are significant recruitment or retention hindrances. (See 5 CFR 530.301 – 530.307, and VA Handbook 5007, Pay Administration.) Recruitment officials must be aware of these rates in order to conduct effective recruitment and be alert to situations which might justify requesting approval of these rates for other occupations on either a local or nationwide basis.

(b) **Above Minimum Rates for Candidates With Superior Qualifications.** Under the provisions of 5 U.S.C. 5333, certain persons may be appointed to positions at a salary rate above the minimum rate for the particular grade level on the basis of the candidate's superior qualifications. (See 5 CFR 531.203(b) and part II, chapter 3, paragraph 4 of VA Handbook 5007, Pay Administration.)

(c) Above Minimum Rates for Occupations Involving Direct Patient-Care Services. Under the provisions of 38 U.S.C. 7408(b), individual appointments above the minimum rate of the grade may be made in General Schedule and title 38 occupations which provide direct patient-care services or services incident to patient-care services. (See part II, chapter 3, paragraph 3 of VA Handbook 5007, Pay Administration.)

(2) **Travel and Transportation to First Post of Duty.** Authority exists for the payment of travel and transportation expenses for appointees to report to their first post of duty. (See 5 CFR, part 572 and MP-1, pt. II, ch. 2.) Where such expenses may be paid, this possibility should be communicated to prospective employees so that it will have the maximum favorable effect on recruitment.

NOTE: *Travel expenses that can be paid for new employees are limited in scope. Refer to MP-1, part II, chapter 2 before informing prospective employees. (There is a related service obligation agreement requirement.)*

(3) **Travel Expenses for Visits of College Officials.** VA field facilities may pay travel expenses of educational institution officials for the purposes of consulting with them on VA employment opportunities and on recruitment problems and techniques. VA officials should consider capitalizing on these provisions in instances where they sponsor or participate in career day programs, host open house events, or host student groups for tours of field facilities for long-range recruitment purposes. (See MP-1, pt. II, ch. 2.)

(4) **Travel Expenses for Pre-employment Interviews.** Payment of travel expenses for pre-employment interviews may be a useful and necessary approach for ascertaining an applicant's qualifications for a position. (See 5 CFR, part 572, and MP-1, pt. II, ch. 2.)

(5) **Recruitment Bonuses.** Authority exists for the payment of a recruitment bonus as a lump-sum payment of up to 25% of basic pay to an employee newly appointed to a position that would otherwise be difficult to fill. In return, the employee must sign an agreement to fulfill a period of service with VA. (See 5 CFR, part 575, subpart A and VA Handbook 5007.) Where such a bonus may be paid, this possibility should be communicated to prospective employees so that it will have the maximum favorable effect on recruitment.

(6) **Relocation Bonuses.** Authority exists for the payment of a relocation bonus as a lump-sum payment of up to 25% of basic pay to a current employee who must relocate to a position in a different commuting area that would otherwise be difficult to fill. In return, the employee must sign an agreement to fulfill a period of service with VA. (See 5 CFR, part 575, subpart B, and VA Handbook 5007.) Where such a bonus may be paid, this possibility should be communicated to prospective employees so that it will have the maximum favorable effect on recruitment.

NOTE: *Information on retention allowances can be found in 5 CFR, part 575, subpart C and VA Handbook 5007.*

b. **Recruitment Techniques**

(1) **Publicizing VA Recruitment Needs.** Publicizing VA recruitment needs will normally be initiated by HRM officials in collaboration with line and staff officials. When non-HRM officials take such initiative, their activities will have the prior concurrence of the HRM Officer for the field facility or of the Deputy Assistant Secretary for HRM in Central Office, as appropriate. To supplement the vacancy databases covered in paragraph 4b(1) of this chapter, there are several added means of making VA employment opportunities known to recruitment sources. Among these are:

(a) **Advertising**

1. VA regulation in 38 CFR 2.4 delegates authority to the following officials to order paid advertising for recruitment purposes: Administration Heads; Assistant Secretaries; Other Key Officials (the General Counsel, the Inspector General, the Chairman, Board of Veterans' Appeals, the Chairman, Board of Contract Appeals, and the Director, Office of Small and Disadvantaged Business Utilization); Deputy Assistant Secretaries; the Deputies of such Officials; the Deputy Assistant Secretary for HRM; Associate Deputy Assistant Secretary for HRM; and field facility directors.

2. Prior Central Office approval is not required in placing recruitment advertisements having a local or State-wide audience or for advertising regarding title 38 positions; and there are no restrictions on the type of advertising media used, e.g., newspapers, periodicals, radio, or television. Paid advertisements for positions in the competitive service having a nation-wide audience or area of publicity will require the prior approval of the Deputy Assistant Secretary for HRM (05). When a number of field facilities request approval to advertise nationwide for a particular position, consideration will be given to utilizing a larger VA-wide advertisement placed by the Office of HRM or other central office component in lieu of the smaller advertisements requested by the field facilities. All advertisements should be in good taste and appear in media that are appropriate in terms of the type and location of the positions involved.

3. A file for each advertisement will be established and maintained for 2 years. The file will include such pertinent information as a copy of the advertisement, media used, cost, and a concise assessment of the results achieved. This information will be evaluated to determine the effectiveness of advertisements and to plan any needed improvements in future advertising efforts. Upon request, this information will be forwarded through channels to the Deputy Assistant Secretary for HRM (05) for review and analysis.

(b) **Vacancy Reporting and Recruitment Bulletin.** One means of publicizing position vacancies both within and outside VA is through the Department of Veterans Affairs Recruitment Bulletin. This system provides for the reporting of vacant positions by field facilities and Central Office, the consolidation and publication of the reported vacancies in a monthly recruitment bulletin, and the distribution of the bulletin throughout VA and to certain external organizations. The HRM Officer is the official responsible for determining the need for publicizing positions in this publication. (See appendix III-B of VA Handbook 5001, General Introduction and Administration.)

(c) **Recruitment of Minorities and Women.** Recruitment activities will be designed to reach and attract job candidates from all segments of society. Where appropriate, these activities should be tailored to improve their effectiveness among members of special groups. The following techniques may be helpful in this respect:

1. Participation in recruitment activities and outreach contacts of program coordinators for employment of Hispanics, women, disabled veterans and other people with disabilities, and students/graduates of the Hispanic Association of Colleges and Universities and of Historically Black Colleges and Universities, or other EEO representatives;

2. Spanish translation of job announcements, fact sheets, pamphlets, and other recruitment literature;

3. Use of the Spanish language to reach the Hispanic public via the various media (radio, television, newspapers, and magazines);

4. Pictures of Hispanic and other minority employees and women in recruitment literature and exhibits; and

5. Identification of specific positions in which the employment of bilingual, bicultural persons would enhance VA's responsiveness to the unique needs of a large segment of the population which it serves.

(d) **Recruitment Literature.** Recruitment literature developed by VA Central Office or by OPM is usually designed to support recruitment efforts on a VA-wide basis. This literature may be supplemented by additional material identified or developed by field facilities.

(e) **Recruitment Exhibits.** Several professionally prepared recruitment exhibits are available from Central Office for use by field facilities on special occasions. Requests for these exhibits should be made through channels to the Deputy Assistant Secretary for Administration (032) or, for some healthcare occupation portable exhibits, to the Under Secretary for Health, HCSDRO (10A2D). These exhibits may be supplemented by ones developed locally.

(f) **VA Fact Sheets.** These are descriptive summaries of VA field facilities, their mission and special programs, and the community and surrounding areas, which are used to inform and interest prospective applicants in employment. Photographs are used to show facility features and activities, as well as historical and recreational items of interest. Fact Sheets are developed by the field facility with the advice and assistance of the Deputy Assistant Secretary for HRM (051).

(g) **Open House Activities.** An effective means of publicizing VA recruitment needs is through local open house activities. Such activities are usually held in conjunction with Veterans Day, National Hospital Week, or similar observances; and they present excellent opportunities to publicize local, as well as VA-wide employment possibilities. Presentation of exhibits, distribution of recruitment literature, showing of film and similar recruitment messages can often be used effectively during activities of this type.

(h) **Promotional Items of Nominal Value in Recruiting for VHA Positions.** Under 38 U.S.C. 7423(f), VA organizations and facilities may expend appropriated funds to purchase items of nominal value for use in recruiting individuals for employment in positions filled under 38 U.S.C. chapter 74 in the Veterans Health Administration (VHA). Promotional item use will be limited to recruitment for occupation(s) considered mission critical based on the need to interest qualified applicants given current and anticipated job market conditions. (The companion Finance policy is in MP-4, pt. V, chap. 3, paragraph 3A.13.1a, dated June 18, 1993.)

1. An item whose total cost (including any taxes and related fees) amounts to no more than $5.00 per individual recipient is considered to be of nominal value. Note that suitable items are usually available for a small fraction of the $5.00 maximum. Purchase requests for such items will document the justification for the expenditure level in keeping with the criticality of the recruitment need.

2. The item's purpose of serving as a recruitment aid must be evident on the item itself. To serve as a recruitment aid, the item will include a permanent display of:

a. The Department's VA logo and/or the name of either the Department of Veterans Affairs or the VHA facility purchasing the item.

b. A telephone number and/or address (e-mail, mailing, and/or web site) to provide potential applicants with a VA point of contact for recruitment follow-up.

c. Space permitting, a recruitment slogan or message.

3. The entire item's design is to be professional and tasteful, and to reflect favorably on VA as a preferred employer.

(2) **Recruitment on an Individual Basis.** The approach to be used in recruiting for a specific position should be tailored to fit local needs and circumstances existing at the time. There are some fundamental principles, however, that apply across-the-board in all recruitment activities. Some of these principles are discussed below.

(a) **Communicating With Prospects.** One of the most important stages in the recruitment process is the initial contact with a potential applicant. Whether by telephone, written communication, or otherwise, the initial contact represents the point in the recruitment process at which an individual either loses interest in VA employment or becomes an interested candidate.

(b) **Interviews.** An equally important stage in the recruitment process is the employment interview, whether at the initial contact stage or at the selection consideration stage. Officials with responsibilities in this area should be thoroughly trained in the techniques of conducting successful interviews. In tight labor market situations, consideration should be given to publicizing and conducting interviews after normal working hours and during weekends, either on-site or at locations more convenient to prospective candidates. Other field facilities located closer to an applicant's home should be utilized to the maximum extent possible to conduct personal interviews.

(c) **Administrative Requirements.** Application procedures and subsequent processing requirements should be accomplished with the prospect's convenience in mind at all times. The objective should be to make it as easy as possible for a prospect to make application, be interviewed, have a physical examination conducted if required, and be appointed.

6. EVALUATING THE RECRUITMENT PROGRAM. The effectiveness of the recruitment program must be reviewed and evaluated on a continuous basis. The objectives and evaluation standards and procedures outlined in VA Handbook 5001 will be followed.

CHAPTER 2. SPECIAL RECRUITMENT PROGRAMS

SECTION A. VETERANS EMPLOYMENT PROGRAMS

1. EMPLOYMENT OF DISABLED VETERANS, VIETNAM ERA VETERANS AND OTHER QUALIFIED VETERANS. Field facilities are to make on-going efforts to employ and advance disabled veterans and Vietnam era veterans. All facilities should use these key techniques:

a. Demonstrated support from each facility's top management.

b. Productive recruitment outreach activities, including liaison with VA Counseling Psychologists and/or Vocational Rehabilitation Counselors, State employment service offices, State rehabilitation agencies, OPM service centers, veterans organization representatives, etc.

c. Effective use of available special appointing and training authorities.

d. Full implementation of the field facility affirmative action program plans for employment of disabled veterans and other persons with disabilities.

e. Assurance that these veterans have full access along with other employees to promotion, training, and advancement opportunities.

f. Periodic evaluation of facility progress. A report which should provide some basis for these internal reviews is the quarterly statistical Disabled Veteran and Vietnam Era Veteran Employment Report (computer-generated COIN PAI 204 Report).

2. SPECIAL APPOINTING AND TRAINING AUTHORITIES

a. **Authorities for Appointment and Training of Veterans.** There are a number of title 5 authorities specifically covering appointment and training of veterans and/or preference eligibles. These authorities cover: appointment under the amended Veterans Employment Opportunities Act (VEOA); Veterans Readjustment Appointments (VRAs); time-limited appointment of VRA eligibles; noncompetitive appointment of disabled veterans with a service-connected disability of 30 percent or more; unpaid training/work experience and possible subsequent noncompetitive appointment of service-disabled veterans (see subparagraph b below); and appointment of Congressional Medal of Honor recipients. Additional details on these authorities are located in part II, chapter 2 of this handbook.

b. **Unpaid Training/Work Experience for Service-Disabled Veterans.** VA policy is to promote maximum use of authority granted by 38 U.S.C., chapter 31 to provide unpaid training for certain service-disabled veterans and by 5 CFR 3.1 and 315.604 to noncompetitively appoint such veterans to continuing positions and then convert them to career-conditional (or career). Facility heads will assess areas appropriate for chapter 31 training and advise the rehabilitation and employments staffs of servicing VA regional offices of these opportunities so that trainees may be referred.

(1) **Utilization and Training.** There are two means through which Federal agencies may provide on-the-job training for disabled veterans under Chapter 31 authority—as paid employees via a regular appointment and as Chapter 31 unpaid trainees. Chapter 31 unpaid trainees will not replace or be used in lieu of regular employees for whom funds and ceiling have been provided. This training is to be provided on a host-enrollee basis for which an agreement, VA Form 22-1904, Agreement to Train On-the-Job Disabled Veterans, is required. WOC (without compensation) appointments are inappropriate.

(2) **Noncompetitive Appointments.** Special emphasis will be directed toward full utilization of the 5 CFR 315.604 noncompetitive appointment authority to enhance employment opportunities for disabled veterans who complete training. Every effort will be made to place Chapter 31 unpaid trainees who successfully complete training. This should include close coordination with Veterans Benefits Administration (VBA) rehabilitation and education staffs, referral for employment consideration to other VA facilities, and referral to other Federal agencies if employment opportunities are not available within VA.

c. **General.** Authorities specifically covering appointment and training of veterans are referred to above. Numerous other hiring or training authorities, while not specifically aimed at the veteran population, also often prove useful for those veterans who meet the applicable eligibility requirements. Examples include: the various authorities for appointing persons with disabilities (see 5 CFR, part 213 and part II, chapter 2, section C, this handbook); the time-limited appointment authorities (see 5 CFR, part 316), and part II, chapter 2, section B, this handbook); and such programs as Student Educational Employment Program (SEEP), traditionally known as Cooperative Education (see 5 CFR, part 213 and part II, chapter 2, section C, this handbook) and VA Alcohol and Drug Abuse Rehabilitation Counseling (see part II, chapter 2, section C, this handbook). See also 5 CFR, part 330, subpart D for information on positions restricted to preference eligibles (custodian; guard; messenger; and elevator operator). In addition, 38 U.S.C. 4214(g) authorizes the Secretary to accord preference for employment in VA of qualified Vietnam era veterans and certain disabled veterans as veterans benefits and psychological readjustment counselors, veterans claims examiners, outreach personnel, and veterans' representatives at educational institutions.

3. EMPLOYMENT OF VETERANS WITH MEDICAL MILITARY OCCUPATION SPECIALTIES

a. **Statutory Basis.** Section 201 of the Veterans Health Care Expansion Act of 1973 (Public Law 93-82) amended section 7302 of title 38, United States Code, which now requires VA to ". . .carry out a major program for the recruitment, training, and employment of veterans with medical military occupation specialties as (A) physician assistants; (B) expanded-function dental auxiliaries; and (C) other medical technicians . . . include[ing] measures to advise all [such] qualified veterans . . . and members of the armed forces about to be discharged or released from active duty . . . of employment opportunities with the [Veterans Health] Administration . . ." The phrase "other medical technicians" includes all the positions associated with the direct health care of patients, as well as research and other medical related professional, technical, and assistant or aid type career fields.

b. **Employment Information.** The VA Recruitment Bulletin is published monthly and lists vacant positions for which VA facilities need recruitment assistance beyond their local labor market. It is sent on a regular basis to U.S. Military Education (Discharge) Centers. Other recruiting materials for

specific occupations are sent to these centers as part of the initial distribution process, and are also available upon request.

c. **Field Facility Actions**

(1) VA HRM offices and veterans assistance offices will use the VA Recruitment Bulletin with veterans having medical military occupation specialties. Veterans who request information as a result of computer generated letters (FL 20-680) will be provided the bulletin along with other appropriate recruitment literature.

(2) When outside recruitment is appropriate, the recruitment process will include notification of the vacancy, with a summary of the qualifications needed, to be furnished to the appropriate VA Vet Center and State Employment Service office. Positive efforts will be made to employ applicants referred by these offices.

(3) VA HRM officers will review the monthly Specialty Discharge Listing furnished by the VA Automation Center, Austin, Texas. Those veterans identified as possible applicants for present and anticipated vacancies will be contacted promptly to explore their interests in VA employment.

(4) Chiefs, HRM at VHA facilities will maintain liaison with appropriate offices of military installations to the extent feasible in meeting the objectives of the law.

d. **Reports.** Periodic reports are generated through the PAID system to provide information to Central Office officials on VA progress in employing veterans with medical military occupation specialties. To identify such employees for reporting purposes through the PAID system, the Special Identifier Code "1" for Medical MOS must be entered on OLDE screens A120/A220, as indicated on page 6D-141 of MP-6, Part V, Supplement No. 1.5.

SECTION B. SELECTIVE PLACEMENT PROGRAMS

1. AFFIRMATIVE EMPLOYMENT PROGRAM PLANS. Affirmative employment program plans for people with disabilities and disabled veterans are required by section 501 of the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. These plans are developed in accordance with instructions issued by the Equal Employment Opportunity Commission and the Office of Personnel Management. Internal VA instructions for plan preparation and submission are issued by the Office of Diversity Management and Equal Employment Opportunity.

2. PLACEMENT REQUIREMENTS

a. **General.** In many instances, a specific disability bears no relationship to the actual abilities, skills, and knowledges required for successful performance of a specific job. It is essential therefore, that each appointing officer and selecting official consider the individual capabilities of each disabled veteran or other person with disability(ies) in relation to the actual physical, mental, and emotional requirements of the position. Particular attention will be given to the degree to which the applicant or employee with disability(ies) has compensated for any impairment by the development of special skills or methods, by the use and sharpening of unimpaired senses, or by the use of prosthetic devices. If there is a history of emotional or mental disturbance, the degree of restoration which has been attained will be given special consideration. In addition, sound job redesign techniques should be employed to facilitate the placement and retention of other qualified people with disabilities. Reasonable accommodation such as relatively minor work flow adaptations, worksite modifications or job restructuring will often enable people with disabilities to function effectively in positions for which they otherwise might appear to be unsuitable. Appointing officers and selecting officials should explore the full range of placement flexibilities available in efforts to make effective placements of disabled veterans and people with disabilities. This should include seeking professional advice and assistance from appropriate resources, including VA expertise, when necessary in making sound placement decisions. In particular, the guidance of counseling and rehabilitation specialists at VA regional offices and medical care facilities should be fully considered. People with severe physical disabilities appointed under 5 CFR 213.3102(u) in Schedule A may be afforded concurrent consideration with competitive service employees under merit promotion procedures. Such an approach may significantly improve upward progression opportunities for employees with severe physical disabilities. (See paragraph 12 of part III, chapter 3, this handbook.)

b. **Physical Examinations.** Physical standards for title 5 positions are covered in part II, chapter 2, section D, this handbook. For title 38 positions, see part II, chapter 3, section A, this handbook. As a general rule, people with disabilities will have their fitness for employment for initial assignments and, as necessary, position changes, determined through the use of SF 78, Certificate of Medical Examination, to make sure that their placements are proper, effective, and compatible with their impairments. Only those functional requirements and environmental factors applicable to the specific job are to be designated. The Occupational Health Physician/Occupational Health Care Provider (VA Handbook 5019, Occupational Health Services) will review the health qualification findings for the purpose of recommending employment where the abilities of the individual are predictive of successful performance in the position without hazard to the individual or others.

c. **Written Tests.** Where written tests are required by the Office of Personnel Management or approved for use by the Deputy Assistant Secretary for HRM (051), appropriate arrangements will be made for applicants with physical impairments to demonstrate pertinent knowledges, skills, and abilities by testing methods adapted to their special needs and circumstances. This includes those who are blind, deaf, and all others who may have difficulties in taking an examination in the normal manner.

d. **Placement Evaluations.** Special attention will be given to the 90-day placement follow-up and the probationary (trial) period certification as one means of ensuring that the employee with disability(ies) is properly placed and has full opportunity to succeed. Should another assignment be indicated or if termination cannot be justifiably avoided, appropriate personnel action will be taken. (Title 5 references: In this handbook, part II, chapter 2, see requirements in section A, paragraph 10 on placement follow-up, and in section C, paragraph 5h on trial period. In VA Handbook 5021, Employee/Management Relations, see part III, chapter 2 for separations during trial period.)

3. SPECIAL TITLE 5 APPOINTING AUTHORITIES. In addition to the special appointing authorities specifically for disabled veterans listed in paragraph 2, section A, this chapter, there are a number of title 5 excepted appointment authorities which may be used to facilitate employment of either disabled veterans or other persons with disabilities. These authorities cover appointment of: people with severe physical disabilities; people with psychiatric disabilities; people with mental retardation; readers for employees who are blind; interpreters for employees who are deaf; and personal assistants for employees with disabilities. Details on these authorities are located in part II, chapter 2 of this handbook.

4. HANDICAP SELF-IDENTIFICATION PROCEDURE. HRM Officers will ensure that new appointees have the opportunity to voluntarily self-identify any medical condition they may have by completing an SF 256, Self-Identification of Handicap. Since an employee's handicap status may change, facilities will annually encourage employees to keep their handicap identification code current by visiting the HRM office to update their identification when necessary. Appointees and employees alike should be assured that the privacy of their handicap identification will be preserved. Handicap code data does not appear on their individual personnel records. These data are used only for statistical reports to reflect the level of support for, and the effectiveness of, VA's affirmative employment program for people with disabilities. (Similarly, employees who may be disabled veterans should also be encouraged annually to ensure that their personnel records reflect their disability preference status.)

SECTION C. STUDENT EMPLOYMENT PROGRAMS

1. POLICY

a. All VA establishments are encouraged to participate in the employment of students under the title 5 Student Educational Employment Program (SEEP) and under title 38 authorities, especially when such participation will contribute to VA-wide employment objectives or facilitate recruitment for shortage category positions at individual field facilities. Facility use of such student employment features as the title 5 Student Career Experience Program (SCEP), which allows noncompetitive conversion to competitive positions, is an effective means of furthering equal employment opportunity objectives. Particular attention will be given to providing opportunities for Vietnam era veterans, disabled veterans, and students with disabilities. Details on student employment authorities are in part II of this handbook in chapter 2 for title 5 and chapter 3 for title 38.

b. Health care facilities will take full advantage of the staffing flexibility offered by VA training programs in health care administration by appointing trainees in such programs under the Student Career Experience Program (SCEP) agreement option of the Federal Student Educational Experience Program. Upon successful completion of their SCEP programs, these trainees may be converted to career-conditional or career appointments, as appropriate.

2. REFERENCES

a. 5 CFR 213.3202

b. 38 U.S.C. 7405(a)(1)(D)

CHAPTER 3. GENERAL EMPLOYMENT

SECTION A. APPLICATION FORMS

1. TITLE 5 EMPLOYMENT APPLICATIONS

a. **General**

(1) Individuals not currently employed by VA may choose the written format for presenting their qualification and general eligibility data when applying for VA title 5 positions. Applicants will provide information needed to make suitability determinations separately on a form for that purpose. For positions whose qualification standard requires a credential (i.e., certification, licensure or registration (CLR)), the Federal Government-wide suitability questions may be supplemented by additional VA questions regarding required credential(s).

(2) To facilitate compliance with Veterans Health Administration (VHA) credentialing and privileging and other similar requirements, applicants for CLR occupations and other positions in VHA for which clinical privileges may be granted, will be required to respond to related supplementary questions.

(3) VA employees will apply for VA positions using specified application forms.

b. **Employment Applications From Outside Applicants**

(1) **Employment Applications.** The Standard Form 171, Application for Federal Employment, no longer serves as a Federal Government-wide standard employment application form. Applicants from outside VA may provide their qualifications and general eligibility background data for title 5 VA positions in a written format of their choosing. Among the acceptable formats are the Optional Form 612, (Optional Application for Federal Employment), resumes, and existing copies of the expired SF 171.

(2) **Federal Employment Declarations.** In developing new application procedures for Federal employment, the Office of Personnel Management has separated qualification information from suitability data. Suitability and various other questions previously on the SF 171 are now contained on the Optional Form 306, Declaration for Federal Employment. In VA, the following time frames have been established for an applicant's submission of the OF 306:

(a) Applicants for the following occupations/positions will submit a completed OF 306 with their initial application, except as provided in paragraph 1b(2)(c) below. (An occupation/position may be covered in multiple categories.)

1. All current Testing Designated Positions in VA (see VA Handbook 5021).

2. All positions whose qualification standard requires a credential, i.e., certification, licensure, or registration (CLR). (See also paragraph 1b(2)(d).) Current CLR positions as of this handbook's issuance are:

Chaplain, GS-060	Diagnostic Radiologic Technician/Technologist, GS-647
Psychologist, GS-180 (VHA only)	Therapeutic Radiologic Technician/Technologist, GS-648
Social Worker, GS-185	Dental Assistant, GS-681
Nuclear Medicine Technologist, GS-601	Dental Hygienist, GS-682
Dietitian and Nutritionist, GS-630	General Attorney, GS-905
Motor Vehicle Operator, WG –5703	Air Conditioning Equipment Mechanic, WG -5306

3. Veterans Health Administration (VHA) positions for which clinical privileges may be granted consistent with medical facility by-laws, such as Audiologist/Speech Pathologist, GS-665, and Orthotist/ Prosthetist, GS-667. (See also paragraph 1b(2)(d).)

4. All positions filled by VA delegated examining units.

5. Additional occupations/positions which local officials determine control significant VA funds and/or materiel resources, e.g., Accountant, GS-510; Agent Cashier, GS-530; and positions in other General Schedule series such as 1101, 1102, and 2001.

6. Positions determined to warrant initial receipt of the OF 306 for early review at the documented discretion of a Central Office Administration/Staff Office Head or designee, or the local facility Director or designee, for those positions within their respective jurisdictions.

(b) Other outside applicants are to submit a completed OF 306 in time to allow for review of the OF 306 and final eligibility determinations prior to referral of a list of candidates to the selecting official.

(c) Exception to early OF 306 Declaration submission as provided in paragraph 1b(2)(a): At the discretion of a Central Office administration/staff office head or designee, or the facility Director or designee, for those positions within their respective jurisdictions, the OF 306 submission can be required from all applicants for a given position vacancy or occupation **subsequent** to the initial application, if determined beneficial to attracting sufficient applicants and provided the requirements of paragraph 1b(2)(b) are met.

(d) A supplemental credentials questionnaire will be submitted with the OF 306 by applicants for CLR positions in VHA and any other VHA positions for which clinical privileges may be granted.

c. **Employment Applications From Internal Applicants**

(1) **Employment Applications.** With the expiration on December 31, 1994, of the Standard Form 171, Application for Federal Employment, as a Federal Government-wide standard employment application form, VA employees will apply for VA title 5 vacancies by submitting a completed Optional Form 612, Optional Application for Federal Employment, to the VA Human Resources Management

Office responsible for staffing the specific vacancy. This policy is modified by the following exceptions:

(a) An SF 171 may be substituted for the OF 612 if the employee so chooses.

(b) VAF 4078, Application for Promotion or Reassignment, may be substituted by local facility employees when acceptable at that VA facility.

(c) Until national union contracts citing the SF 171 are amended, those contract provisions continue in effect for positions of the appropriate bargaining unit(s).

(2) **Federal Employment Declarations.** Upon applying for initial entry into positions covered by paragraph 2b, employees will be required to submit the OF 306 and the supplemental VHA credentials questionnaire, as applicable.

d. **References**

(1) 5 U.S.C. 1104, 1302, 3301, 3304, 3320, 3361, 3393, 3394 and 8716.

(2) 38 U.S.C., chapters 73 and 74.

(3) 5 CFR, chapter 1, parts 110, 210-4, 250, 293-4, 297, and all 300's.

(4) ***Federal Register*** Vol. 59, No. 241, dated December 16, 1994.

2. TITLE 38 EMPLOYMENT APPLICATIONS

a. **Application Forms.** Candidates seeking employment under 38 U.S.C., chapter 73 or 74, must complete one of the following application forms:

(1) VA Form 10-2850, Application for Physicians, Dentists, Podiatrists, and Optometrists;

(2) VA Form 10-2850a, Application for Nurses and Nurse Anesthetists;

(3) VA Form 10-2850b, Application for Residency;

(4) VA Form 10-2850c, Application for Associated Health Occupations;

(5) Standard Form 171 and 171A, Application for Federal Employment, or Optional Form 612, Optional Application for Federal Employment, and Optional Form 306, Declaration for Federal Employment. These forms are to be used by applicants for whom none of the above forms is appropriate; primarily, this includes applicants for medical support or nonmedical consultant appointments.

b. **Application Review**

(1) The HRM Officer or designee will thoroughly review each employment application to assure that all questions are answered and that additional information is provided where required. Applicants are to be asked to account for any gaps in their work history. This information shall be documented on the employment application, and, along with reference checks and other information obtained in the credentialing process, considered in the selection process. Incomplete applications are to be returned and applicants notified that they will not be considered for employment until their application has been fully completed. The HRMO will review applications for compliance with administrative and regulatory requirements. Applicants who do not meet appointment requirements should be so notified.

(2) For designated occupations, the appropriate officials at VHA's Health Care Staff Development and Retention Office (HCSD&RO/10A2D) will review each employment application to assure all questions are answered and that additional information is provided where required. This does not abrogate the HRMO's responsibility for review of the applicant's application prior to appointment as indicated in subparagraph 2b(1).

SECTION B. PART-TIME CAREER EMPLOYMENT PROGRAM

1. GENERAL. The Federal Employees Part-Time Career Employment Act of 1978 (PL 95-437, approved October 10, 1978) requires each agency to establish by regulation a program of part-time career employment. The Act expanded on the President's memorandum of September 16, 1977, which called for an increase of permanent part-time employment opportunities in the Federal Government. 38 CFR 1.891 through 1.897 form the basis for this program and provide the general guidelines for operating a part-time career program in VA.

2. PROGRAM DESCRIPTION

a. The Act defines part-time career employment as permanent employment with a scheduled tour of duty of between 16 and 32 hours per week. The Office of Personnel Management (OPM) regulations further define this type of part-time employment as that performed by individuals in tenure groups I and II. Thus, this program covers employees who have permanent-type appointments, in either title 5 competitive or excepted service, whose regularly scheduled tour of duty is between 16 and 32 hours per week.

b. The Act permits each agency head to make certain exceptions as necessary to carry out the agency's mission. OPM has determined that this exception permits an agency to employ individuals for 1 to 15 hours per week, but does not permit such employment in excess of 32 hours per week.

c. OPM regulations prohibit an agency from employing someone under a permanent-type appointment on a regularly scheduled tour of more than 32 hours per week. Consequently, anyone employed on a part-time basis under title 5 authority for more than 32 hours per week can be given only a nonpermanent, time-limited appointment (such as temporary, NTE 1 year), or be utilized on an intermittent basis.

d. A part-time employee on the rolls prior to April 8, 1979, may continue to work the same regular tour of duty, regardless of length. A part-time employee on the rolls prior to April 8, 1979, may also have a tour of duty adjusted, including adjustments to tours in excess of 32 hours per week. On or after April 8, 1979, however, no one can be appointed under title 5 authority on a permanent part-time basis, nor can an employee change from full to part-time, if, in either case, the employee's tour of duty will exceed 32 hours per week.

e. Individuals employed under the authority of 38 U.S.C., ch. 74 are not subject to the 32 hour per week OPM regulatory limitation described above. According to the Veterans Canteen Service Policy Letter #94-25 (HR) regarding VCS-1, Pt. III, Chapter 522.02, paragraph 03, an intermittent appointment is to be used for 38 U.S.C., ch. 78 positions of less than 16 hours per week.

f. The Act did not change appointment authorities or procedures for filling part-time positions. Except as otherwise restricted by the provisions of this chapter, existing appointment and placement policies and procedures continue to apply.

g. 38 CFR 1.897 permits the Secretary, or designees, to except positions from inclusion in this program as necessary to accomplish the Department's mission. Accordingly, field facility heads may except any position, or group of positions, over which they have appointment authority. Centralized positions may be excepted by the appropriate administration or staff office head. They will also exercise this authority for central office positions, except for positions centralized to the Secretary. This exception provision may also be used in a similar manner to appoint individuals for less than 16 hours per week.

h. An employee's hours may be extended beyond the 32-hour limitation for short periods of time to accommodate unexpected workloads or to provide necessary training. Generally, an employee should not be assigned extra hours for more than 4 pay periods. If it appears necessary to provide full-time coverage for an extended period, management should consider establishing a temporary or permanent full-time position.

3. REVIEWING POSITIONS

a. VA regulation 38 CFR 1.892 requires that full-time positions be reviewed when they become vacant to determine whether they can be converted to part-time. Along with considering whether a vacant position should be filled at all and its proper classification, and reviewing appropriate methods by which to fill it, management should also consider whether the duties of a position could be performed on a less-than-full-time basis. If the duties of a position require full-time coverage, consideration should also be given to restructuring the job. Job restructuring techniques include:

(1) **Dividing the Duties of a Position Into Distinct Parts When the Duties Are at the Same Grade Level.** Part-time workers would be responsible for only those duties that are assigned to their part. For example, a mail and file clerk job could become two part-time jobs: a mail clerk and a file clerk. If a job is divided in this manner, separate position descriptions are required, and each position must be separately classified according to the appropriate classification standard.

(2) **Dividing the Workload of a Position.** Part-time workers would perform all the duties of a position, but only for that portion of the time they actually worked. This technique is more commonly known as job-sharing.

(3) **Dividing the Duties of a Job Into Different Levels.** One part-time employee would handle that portion of a job which covers the more technical or difficult duties, while another would handle the less difficult duties. As with jobs that are split as described in paragraph 3a(1) above, separate position descriptions are required. The duties must also be appropriately classified.

b. In addition to reviewing them when they become vacant, positions should also be reviewed for possible conversion to part-time as part of the normal position management review. Positions need not be reviewed, however, if:

(1) A position or group of similar positions has been reviewed for any reason within the previous 6 months.

(2) A determination has been made that the present mix of full-time and part-time positions within a group of positions is most appropriate for accomplishing the facility's mission.

c. The following should be considered when reviewing positions:

(1) The duties of a supervisory position are generally more difficult to perform effectively on a part-time basis.

(2) Reduced staffing levels may inhibit establishing additional part-time positions. On the other hand, reduced employment ceilings may increase the need for additional part-time workers to make the most effective use of available resources.

(3) There may or may not be an adequate supply of qualified candidates willing to work part-time.

(4) Jobs with routine duties are often easier to fill on a part-time basis. However, some higher level professional, technical, and administrative positions at entry, middle, and upper grades can be effectively utilized as part-time as well.

(5) Part-time employees can be used effectively to cover peak work periods during the day.

(6) Part-time employees may enable a facility to extend its hours of service to beneficiaries who may be unavailable during normal duty hours. Part-time staff, for example, might be used to keep an activity open 1 to 2 nights per week and on Saturday mornings where there is a demonstrated need for such extended services.

d. The grade level of a position should not be the principal determinant of whether it can be converted to part-time. Its relationship to the organization, the actual workload of the position, and the availability of interested candidates are more important considerations.

4. PUBLICIZING VACANCIES

a. Part-time vacancies should be publicized in the same manner as full-time vacancies.

b. One objective of the program is to increase employment opportunities for older people, students, parents, and individuals with disabilities. Organizations which serve or represent these groups should be provided information on part-time vacancies when the need is indicated. Information on part-time vacancies should also be provided to groups representing or serving disabled and other veterans, women, and minorities, as appropriate.

c. Hard-to-fill part-time vacancies, particularly for technical, professional or administrative positions, should be included in the VA Recruitment Bulletin. (See paragraph 5b(1)(b) of chapter 1, this part.)

SECTION C. TEMPORARY ASSIGNMENT OF EMPLOYEES UNDER THE INTERGOVERNMENTAL PERSONNEL ACT (IPA)

1. GENERAL

a. This section contains VA policies to be followed in implementing the Intergovernmental Personnel Act (IPA) Mobility Program. Office of Personnel Management (OPM) regulations and instructions are contained in title 5 Code of Federal Regulations (CFR), part 334, "Temporary Assignment of Employees Between Federal Agencies and State, Local, and Indian Tribal Governments, Institutions of Higher Education, and other Eligible Organizations." Additional information and guidance on interpretation may be found in OPM's A Handbook on the Intergovernmental Personnel Act Mobility Program.

b. Only permanent, full-time title 5 and title 38 employees will be considered for temporary assignments. Employees serving on time-limited, temporary or term, non-career (SES), excepted service, or noncompetitive appointments are excluded from participation in the IPA Mobility Program. Additionally, students employed in research, graduate, or teaching assistant positions are not eligible to participate in the IPA Mobility Program.

c. IPA assignments are intended to strengthen Federal, State, and local government management capabilities and should involve issues of mutual concern and benefit. The goal of the IPA Mobility Program is best served when employees with unique skills and knowledge participate. In general, the IPA Mobility Program is intended for persons holding appointments without limitations. Therefore, it is inappropriate to consider VA employees serving on Schedule C appointments, non-career executive assignments, or time-limited appointments (e.g., term appointments). In order to appoint to a limited term non-VA IPA-assignee to a career SES position, VA Central Office must first obtain authority from OPM.

d. No individual or organization may participate in the IPA program if they are listed on the Department of Health and Human Services (HHS) Inspector General's Exclusionary List. This restriction ensures compliance with the Balanced Budget Act of 1997 (Public Law 105-33) which specifies that no excluded individual or entity may receive payments from any Federal health care program for services furnished. (For additional information on the HHS Exclusionary List, see part II, chapter 1, section B of this handbook.)

2. POLICY

a. VA will cooperate with State and local governments, institutions of higher education, Indian tribal governments, and other outside organizations in carrying out the provisions of the Act. Indian tribal governments and organizations are included in the term "State and local governments" when used in this directive. Before a VA or State/local government employee enters into a temporary assignment, a determination must be made that such action will contribute to more effective intergovernmental relations and programs. There must also be assurance that such assignments are filled by highly qualified employees. The temporary assignment of a VA employee must not impair VA services to veterans and their beneficiaries.

b. Assignments may be made on an intermittent, part-time, or full-time basis. No assignment should be made for more than 2 years initially. A single assignment may not exceed 4 years. An employee may not participate in additional assignments without a 12-month break in service. VA employees would return to their respective VA position and non-VA employees would return to their non-Federal organization. Successive assignments without a break of at least 60 calendar days are regarded as continuous service. Federal employees may not serve more than 6 years on IPA assignments during their career. This limitation does not apply to private sector employees.

c. Within VA, the majority of IPA agreements are approved to support VHA research projects through the use of affiliated university staff. Under no circumstances should IPA agreements be used as a mechanism for hiring clinical staff or as a substitute for scarce medical specialist, sharing, commercial item, or other clinical services contracts. Nor is it appropriate to use IPA agreements for administrative and support positions. In general, IPA agreements should not be used to circumvent restrictions on hiring due to budget constraints, reductions-in-force, freezes on grade levels, or ceiling allocations. Temporary assignment agreements for employees of State and local governments, institutions of higher education, and other outside organizations, who are detailed or appointed to VA, will be made in accordance with guidance provided in 5 CFR 334.106. Non-VA employees may exercise supervision over VA employees. Non-VA employees must be employed in a permanent position by their organization for at least 90 days to be eligible for an IPA assignment. Details of these employees may be made on a reimbursable, nonreimbursable, or a shared cost basis. VA employees may be detailed or placed in leave without pay status, to a State or local government or institution of higher education. In either case, non-VA and VA employees remain employed by their original organization and retain the rights, benefits, and obligations associated with their original appointment.

NOTE: *A non-VA employee assigned by detail to a CLASSIFIED position in VA is entitled to earn the basic rate of pay, including any locality payment, which the duties of the assignment position would warrant under the applicable classification and pay provisions of VA. If the assignee's non-Federal salary is less than the minimum rate of pay for the VA position, VA must supplement the salary to make up the difference. Supplemental pay may vary because of changes in the rate of pay of the VA position. Supplemental pay cannot be paid in advance or in a lump sum and is not conditional on the completion of the full period of the assignment. Supplemental pay may be paid directly to the employee or reimbursed to the non-Federal organization.*

d. If an agreement involves nonprofit organizations, certification must be obtained before the assignment agreement can be approved. Authority for certification of VA nonprofit research corporations, who are members of the National Association of Veterans' Research and Education Foundations (NAVREF), has been delegated to the Chief Research and Development Officer (12). All other requests for certification must be approved by the Secretary (see appendix I-C for submitting requests for Secretarial approval). A centralized list of Federally-approved certifications of nonprofit organizations is maintained by the Office of the Deputy Assistant Secretary for Human Resources Management, Human Resources Management Programs and Policies Service (051). If an organization has been certified by another Federal agency, that certification may be accepted or the VA facility requesting the agreement can choose to recertify through VA's certification process.

NOTE: *This policy does not change any relationships that VA has or may establish with medical, professional, and other schools affiliated with VA for training purposes.*

e. Cost-sharing arrangements for mobility assignments are negotiated between participating organizations. Normally, the larger share of the costs should be absorbed by the organization benefiting most from the assignment. Exceptions might occur if an organization's resources do not permit costs to be shared on a relative benefit basis.

f. A VA employee given a temporary assignment of 90 days or less may be placed on leave without pay status or detailed, with the assignment being made on a reimbursable, or shared-cost basis. (However, because of the VA Appropriation Act limitations, any detail of VHA employees involved in the examination of other than VA beneficiaries, must be on a reimbursable basis.) For a temporary assignment over 90 days, an employee may be placed on a leave without pay status or he/she may be detailed. Any VA expenditures for assignments over 90 days may be fully reimbursable and credited to the VA appropriation from which payment is made. Exceptions to this policy may be approved by the person having approval authority for filling the position.

g. A non-VA employee may be detailed or appointed on a reimbursable, nonreimbursable, or shared-cost basis. If appointed for more than 1 year on a continuing appointment, the appointee is eligible for within-grade increases. Usually, an IPA-assignee is appointed at the minimum rate of the grade. However, if desired and properly negotiated, an advanced step rate for a position at GS-1 through GS-15 may be conferred, based upon superior qualifications.

h. Non-VA detailees are not eligible to enroll in the Federal Employees Health Benefits program, group life insurance, or the Federal Employee Retirement System. Non-VA appointees are not covered by any Federal retirement system or by the Federal Employees Group Life Insurance Program. They are not eligible for enrollment in the Federal Employees Health Benefits program unless their appointment with VA results in loss of health coverage from their non-Federal health benefits system.

i. Costs associated with an IPA assignment must include pay provisions with specific salary rate(s), any provisions for cost-of-living adjustments (COLA), fringe benefits, travel and relocation expenses, and income derived from certain private consulting work (usually considered as part of the pay of university employees).

j. The hours of duty must be cited, along with any additional requirements for additional work hours anticipated. Non-Federal detailees usually have the same workweek and hours of duty as other employees of the organization assigned. If the detailee is a non-Federal employee, they are eligible to participate in alternative work schedule arrangements. It is important to note which organization will be responsible for maintaining time and attendance records. All deviations from the standard tour of duty must be reported. It is important to maintain accurate timekeeping records for audit and review purposes.

k. Details are covered under the policy of the permanent employer's leave system. The assignment agreement should specify which organization will be responsible for approving and reporting leave. The agreement should also spell out what holidays will be observed by the assignee.

l. Indirect administrative costs associated with preparing and maintaining payroll records, developing reports, negotiating the IPA agreement, office space, furnishings, supplies, staff support, and computer time are prohibited.

m. If a VA employee fails to fulfill an agreement before the expiration of the agreement or fails to complete one year of service under the agreement, whichever is less, applicable travel and transportation expenses are recoverable from the employee unless the assignment is terminated for reasons which are beyond the employee's control and are acceptable to VA. Recoveries will be returned to the paying office where VA was initially reimbursed for such expenses. The approving authority will be guided by the criteria for waiving such recovery as described in MP-1, Part II, Chapter 2, Appendix H, Employee's Agreement To Remain In The Government Service for Twenty-Four (24) Months Or To Repay The Costs Of Travel And/Or Transportation Advanced.

n. If a non-VA employee terminates an assignment before the entire period or 1 year, whichever is shorter, he/she is liable for paid travel, relocation, and per diem expenses.

o. If an organization terminates the assignment, a 30-day notice to all parties involved is advised. This notification should be in writing and include the reasons for termination. Mobility assignments must be terminated immediately whenever an assignee is no longer employed by his/her original employer.

p. VA facilities are encouraged to admit State and local government employees to training programs established for facility employees. In many instances, the training can be provided with little or no additional cost. In such cases, reimbursement from the State or local government will not be requested. As a general guide, reimbursement will usually be required only in instances where the additional costs involved in providing the training exceed $100.

q. Training shall be provided only upon written request of a State or local government. The request shall normally be made by the chief executive or other responsible official of these entities. The appropriate level of the requesting official will depend on the training requested. For example, a request from the top official of a State office in the same locality as a VA installation to add one person or a few persons to a particular course would meet the requirement. Adding a number of persons over a period of time might require a higher requesting level. In any event, appropriateness of the level of the requesting official is left to facility determination.

r. Annual reports may be required by OPM at the beginning of each calendar year. As the reporting requirements may differ from year to year, facilities will receive instructions on what information must be submitted and by what mechanism (e.g., electronic, etc.) the information should be transmitted. Generally, information on both VA and non-VA IPA-assignees will be requested.

3. RESPONSIBILITIES

a. **Facility IPA Mobility Program Coordinators.** Human Resources Management Officers will serve as IPA mobility program coordinators for their respective facilities. They will be the principal points of contact for mobility assignment matters.

b. **VA IPA Mobility Program Coordinator.** The Director, Human Resources Management Programs and Policies Service (051), Office of Human Resources Management, is the VA IPA Mobility Program Coordinator, and is the principal agency point of contact for matters relating to mobility

assignments. Any inquiries or requests, which cannot be promptly acted on at the local level, should be expeditiously referred through channels to this coordinator and staff.

4. PROCEDURES

a. Initial IPA mobility assignments are requested by the facility program official with responsibility for the IPA-related project/program or affected VA employee. The following steps should be followed to secure approvals of IPA assignments.

(1) The Optional Form 69, Assignment Agreement, issued by OPM, should be completed by the requesting official and signed by the employee. All information pertinent to the agreement including such issues as special pay conditions, who will administer leave requests and other benefits outside of the standard package should be included on the form. Cost-sharing arrangements should be negotiated between both involved organizations (lending and receiving). Reimbursement may include salary and income derived from any job-related outside consulting work and should be specified on the form.

(2) Authorizing Officials from both the lending and receiving organizations should sign the form before referring to the facility HR office (HRO) for final administrative review. The HRO will review all IPA agreements for administrative accuracy (e.g., do they meet legal requirements such as purpose, timeframes, etc.). The VA approving official may wish to designate a management representative to review and concur on the technical aspects of the request (e.g., is this a bona fide research assignment).

(3) Authority is delegated to Administration Heads, Assistant Secretaries, and Other Key Officials to initiate and approve IPA assignments under their jurisdiction. Approval authority covers the start date of the initial assignment through a period exactly 2 years later (e.g., 01-01-00 through 12-31-02). The official approving any extension beyond 2 years must be at a level higher than the official who approved the original IPA agreement. Extensions may be requested for any period of time not to exceed 2 years. No agreement may be approved for more than a total of 4 years.

(4) Once an initial or extension of assignment agreement has been approved, copies should be provided to the facility HRO, facility fiscal office, the employee, and the office that generated the request.

(5) Modifications to either the original or extended agreements should be recorded and approved in the same manner as mentioned in subparagraphs a, b, and c. Modifications include significant changes in an employee's duties, responsibilities, salary, work assignment location or schedule (e.g., part-time to full-time) or supervisory relationships.

b. Most research assignments are filled by employees of the National Association of Veterans' Research and Education Foundations. These Foundations have been previously approved by the Chief, Research and Development Officer (12). Assignment requests involving these approved organizations should be processed as noted in subparagraphs 4a(1)-(3).

c. If an assignment request involves "other" nonprofit organizations (e.g., national, regional, statewide, area-wide, or metropolitan organizations representing State or local governments; or a nonprofit organization whose primary function is to offer professional advisory, research, education, or

development services to governments or universities), such organizations must be certified by the Secretary. This certification process **must** be completed before any assignment agreements can be approved.

(1) The Office of Human Resources Management (OHRM), Human Resources Management Programs and Policies Service (051), serves as coordinator and clearinghouse on behalf of the Secretary for requests for IPA certifications submitted by non-Federal organizations who are not members of the National Association of Veterans' Research and Education Foundations (NAVREF).

(2) The procedures for requesting certification are as follows:

(a) All requests for certification packages must contain a cover letter describing why the organization wishes to participate with VA in the IPA Mobility Program and how its participation would benefit VA, copies of the organization's Articles of Incorporation, Bylaws, Internal Revenue Service Nonprofit Statement, and any other information which describes the organizations function (such as offering professional advisory, research, educational or developmental services, or related services to governments or universities concerned with the public management). All requests for certification should be sent to VACO Human Resources Management Programs and Policies Service (051).

(b) OHRM will review certification requests and route the packages to the appropriate program office for further review and concurrence. If the program office concurs, they will route the package to the Office of General Counsel (OGC) for legal review and concurrence. Once OGC concurs, the package is returned to OHRM for action. OHRM will then prepare the final package for the Secretary's approval.

(c) Upon receipt of the Secretary's approval, OHRM will implement the Secretary's decision by notifying OGC, the program office, and the requesting office. If the Secretary disapproves the request, OHRM will notify the organization directly.

APPENDIX A.
OUTSIDE RECRUITING ASSISTANCE FROM COMMERCIAL RECRUITING FIRMS AND NONPROFIT EMPLOYMENT SERVICES

1. PURPOSE. This appendix provides policy and guidance on contracting with commercial recruiting firms and nonprofit employment services to locate an additional source of applicants.

2. BACKGROUND. The Government use of commercial and nonprofit employment services is authorized in 5 CFR, part 300, subpart D. Use of commercial recruiting firms is a supplement to, not a substitute for, a VA organization's own recruiting efforts. Candidates identified through outside recruiting sources must be evaluated, considered and appointed through regular VA and Federal civil service rules and employment procedures including veteran preference.

3. POLICY

a. VA will comply with the requirements in subpart D of 5 CFR, part 300, the Federal Acquisition Regulation (FAR), and the Veterans Affairs Acquisition Regulation (VAAR) when contracting for outside recruiting assistance.

b. These regulations apply to filling positions: in the title 5 competitive service; in the title 5 excepted service under Schedules A, B, and C; in the title 5 Senior Executive Service; and in the title 38 excepted service of the Veterans Health Administration (VHA).

c. Equal Employment Opportunity (EEO) principles will be observed in the administration of this authority.

4. DELEGATIONS OF AUTHORITY

a. The authority to determine the need to contract for outside recruiting assistance is delegated to Administration Heads, Assistant Secretaries, Other Key Officials, and Deputy Assistant Secretaries. This authority is further delegated as the following indicates and shall not be delegated below the facility Director.

b. In accordance with 38 U.S.C. 8110, contracting authority in VHA is delegated to the field facility Director.

c. In VA Central Office, the authority to determine the need to contract is delegated to Administration Heads, Assistant Secretaries, Other Key Officials, and Deputy Assistant Secretaries with the concurrence of the Director, Central Office Human Resources Service (035).

d. The authority to determine the need to contract is delegated to all other facility directors.

5. PROCUREMENT. Contracts for use of outside recruiting assistance must be acquired in accordance with contract types and procedures stipulated in FAR. In order to expedite the urgent requirement for such services, establishing indefinite delivery/indefinite quantity contracts may be appropriate. Contracting activities may elect to submit solicitations to Acquisition Program Management (95A) in VA Central Office for technical/legal review if the estimated value is less than the threshold specified in VAAR 801.602-70.

6. RECORDS MAINTENANCE INSTRUCTIONS. In all instances of contracting for use of outside recruiting assistance, the basis for the determination of the need for recruiting assistance shall be documented and records pertaining to the procurement action maintained by the Human Resources Management (HRM) office in an auditable form. The records to be maintained are those necessary to determine that using commercial recruiting firms or nonprofit employment services is cost effective and has not resulted in the violation of merit system principles or the commission of any prohibited personnel practice. Upon request from the Office of Personnel Management (OPM) or VA Central Office, facilities will provide reports on the use of outside recruiting assistance.

7. RESPONSIBILITIES

a. The Deputy Assistant Secretary for Human Resources Management, Human Resources Management Programs and Policies Service (051) is responsible for providing assistance to VA HRM officials to ensure that the use of the authority is consistent with OPM regulations, and is also responsible for providing any Department-level reports to OPM.

b. The Deputy Assistant Secretary for Acquisition and Materiel Management (90) is responsible for providing assistance to VA officials concerning the procurement and contract administration processes.

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PART II. APPOINTMENTS

CHAPTER 1. GENERAL APPOINTMENT PROVISIONS

SECTION A. GENERAL

1. SCOPE

a. This chapter contains appointment provisions and requirements that apply to appointments made under both title 5 and title 38.

b. The contents of this chapter are to be used in conjunction with the policies and procedures contained in chapters 2 and 3 of this part.

2. EMPLOYEE ORIENTATION

a. All newly appointed employees must be oriented to the mission, policies, and functions of VA and their particular facility. They are also to receive information concerning human resources policies, employment benefits, performance expectations, customer service standards, conduct requirements, and, where appropriate, a copy of their collective bargaining agreement.

b. Facilities are to establish systems for orienting employees that meet the requirements of the Joint Commission on the Accreditation of Health Care Organizations (JCAHO).

SECTION B. APPOINTMENT REQUIREMENTS AND DETERMINATIONS

1. VA DRUG-FREE WORKPLACE PROGRAM

a. Certain position titles and categories have been designated as jobs that will be subject to random drug testing under the VA Drug-Free Workplace Program. Additional individual positions may also be designated for drug testing based upon the specific duties assigned.

b. Applicants tentatively selected for employment in a testing designated position may be subject to testing prior to appointment. Applicants with a verified positive test result, and those who refuse to be tested, will be denied employment with VA and may not reapply to VA for employment for a period of six months.

c. The policies and procedures for the VA's Drug-Free Workplace, including the list of jobs designated for testing, are contained in VA Directive 5383, VA Handbook 5383.1 and VA Handbook 5383.2

2. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) EXCLUSIONARY LIST

a. Section 4331(c) of the Balanced Budget Act of 1997, Public Law 105-33, amended sections 1128(a) and (b) of the Social Security Act to significantly expand the authority of the HHS Office of Inspector General (OIG) to exclude certain individuals and entities from all Federal healthcare programs. The law requires that all Federal healthcare programs ensure that no excluded individual or entity is receiving payments (including salary and wages) from any Federal healthcare program for services furnished on or after the date of the OIG exclusion.

b. In accordance with the requirements in paragraph a above, VA's healthcare program funds may not be used to make payments to excluded individuals and entities. Relevant funding sources for VA's healthcare programs include those funds provided in the Medical Care and Medical Administration and Miscellaneous Operating Expenses (MAMOE) appropriations, and any other fund programs, such as Medical Facilities Revolving Fund, General Post Fund, Supply Fund, Construction (Major and Minor) and the Parking Revolving Fund.

c. Persons and entities affected include all persons appointed to title 5 and title 38 positions and contracts that will be funded with Federal healthcare program funds. This includes all accessions to VHA, including competitive transfers or assignments between VHA facilities. It includes, but is not limited to appointments to positions as full time, part time, intermittent, permanent, temporary, term and fee basis. However, it does not apply to individuals appointed on a without compensation basis or other employment situations where there will be no payment to the individual from VHA funds. All individuals with appointing authority such as Human Resource Management Officers will be responsible for assuring that excluded individuals are not appointed.

d. Every transaction as indicated above will require that the appointment authority screen the HHS OIG List of Excluded Individuals/Entities before obligating the Agency in any binding agreement. This HHS exclusionary list can be accessed electronically at the HHS website. Information can be retrieved by searching the database on an individual's or an entity's name.

e. Where a reviewer can determine with certainty that a match exists, then no query to HHS is required. However, in the event that the individual or entity in question appears to be listed on the exclusionary list, but there is inadequate information to certify a match, the apparent match must be verified with HHS OIG prior to proceeding with the appointment/accession.

f. The validation inquiry may be forwarded to HHS OIG by e-mail to SANCTION @OS.DHHS.GOV. This query requires the individual/entity name, specialty, DOB, SSN, tax ID number (if different from SSN), and address. The reply from the HHS OIG will become a part of the appropriate recruitment/merit promotion file and will be maintained as long as the file itself is maintained.

g. In the event that the individual or entity withdraws their application, a report of contact documenting the apparent match and any subsequent conversation will be entered into the file for that transaction and maintained as a part of the file as long as the file itself is maintained.

h. It is prohibited to hire or contract with individuals or entities during the validation process. If a match is confirmed, the applicant may not be paid from Federal healthcare program funds.

i. Regulatory information is contained in 42 CFR, parts 1000, 1001, 1002, 1003, and 1005.

3. SUITABILITY

a. Suitability determinations will be made in accordance with the provisions of 5 CFR, part 731, and applicable instructions in chapters 2 and 3, this part.

b. If there is any question about an applicant's suitability, no appointment action will be taken, nor will an employment commitment be made, until the matter has been resolved.

c. Questions concerning the use of adverse information in making suitability determinations should be directed to the Regional Counsel or to the Human Resources Management Programs and Policies Service (051), as appropriate. Questions concerning the legality of adverse determinations and personal liability involvement will also be referred to the Regional Counsel.

SECTION C. EMPLOYMENT OUTSIDE THE CONTINENTAL UNITED STATES

1. GENERAL

a. This section contains the policies and procedures governing the employment of U.S. citizens at VA facilities in Manila, Republic of the Philippines; the States of Alaska and Hawaii; and the Commonwealth of Puerto Rico. It applies to all employees in the competitive and excepted civil service, including employees in the Veterans Health Administration employed under 38 U.S.C. chs. 73 and 74, (except as provided below) and also to employees in the Senior Executive Service. It does not apply to the appointment of non-U.S. citizens at the VA Regional Office Outpatient Clinic in Manila, Republic of the Philippines under 38 U.S.C. ch. 74 (see chapter 3, section G, paragraph 8, this part). It also does not apply to Veterans Canteen Service employees whose employment is authorized by 38 U.S.C. ch. 78.

b. For the purpose of this section, "continental United States" means the several States and the District of Columbia, but does not include Alaska or Hawaii. The term "tours of duty" as used in this section encompasses and is synonymous with the term "period of service" as used interchangeably in 5 U.S.C. 5728(a) and in FPMR 302-1 in 41 CFR ch. 302. The term "vacation leave" as used in this section refers to annual leave granted to eligible employees in Alaska and Honolulu, between tours of duty, in connection with a Government authorized round trip back to their actual place of residence and return to Alaska or Honolulu. To be approved for an additional tour of duty and home leave or vacation leave, an employee must sign a transportation agreement (MP-1, pt. II, ch. 2) to remain in the service of VA at the present facility for the required additional tour. The term "home leave" has the meaning given in 5 U.S.C. 6305(a) and 5 CFR 630, subpart F. The place of "actual residence" as used in this section means the employee's actual residence at the time of appointment or transfer to the post of duty outside the continental United States (Unpublished Comp. Gen. B136029, June 24, 1958; 5 U.S.C. 5728(a) and FPMR 302-1, paragraph 302-1.12(c)(3)(ii)). In connection with the same appointment, FPMR 302-1, paragraph 302-1.12(c)(3)(iii) states, "After an employee has been transferred or appointed to a post of duty outside the continental United States, the location of the place of actual residence incorporated in the official records of such employment shall be changed only to correct an error in the designation of residence."

c. This section also applies to any VA facilities that may be established in the future in foreign countries or in areas controlled by the United States that are outside the continental United States.

2. POLICY

a. All positions at Manila which are filled by U.S. citizens are centralized to the Secretary or Administration Head, as appropriate.

b. The selection of employees for positions centralized to the Secretary or to an Administration Head will be approved in accordance with the Department delegations of authority described in VA Handbook 5001, General Introduction and Administration, part II, chapter 2, paragraph 8 for title 5 and title 38 positions. For title 38 positions, also see chapter 3, this part.

c. Whenever possible, highly qualified VA employees will be selected for key positions outside the continental United States to be filled by U.S. citizens. Consideration of candidates may be limited, however, to those who apply when vacancies are announced or those who have officially indicated a willingness to accept these assignments.

d. Key positions at VA facilities outside the continental United States may be filled by appointment, or by the promotion, reassignment, or demotion of highly qualified VA employees. Appointments to these key positions from outside the Department, however, will be rare.

e. Merit principles will be followed in filling positions in the competitive service and the excepted service. Promotion actions in the competitive service will be taken under appropriate promotion plans, i.e., promotion plans for positions centralized to the Secretary or the Administration Head, or facility promotion plans.

3. RESPONSIBILITIES

a. Appointments and other employment actions involving positions centralized to the Secretary will be approved by the Secretary. Exceptions to established policies determined to be in the best interest of the service will also be approved by the Secretary or an appropriate designee.

b. Administration or staff office heads approve appointments and other employment actions for positions centralized to them; make recommendations on actions requiring the Secretary's approval; and, as appropriate, authorize additional tours of duty and extensions of tours of duty which are determined to be in the best interest of VA (see paragraph 4 below.)

c. Facility directors recommend second tours of duty or extensions thereof at Manila (see paragraph 4 a and d); approve additional tours of duty in Alaska, Honolulu, and San Juan (see paragraph 4 b below); grant home leave or vacation leave (see paragraphs 5 and 6 below); and separate employees who do not exercise their administrative reassignment rights, in accordance with the provisions of VA Directive and Handbook 5021, Employee/Management Relations.

d. For personnel actions involving centralized positions, the Deputy Assistant Secretary for Human Resources Management advises on and assists with the recruitment of personnel for assignment to such positions; coordinates movements between releasing and receiving facilities; initiates requests for security clearance, when applicable; and takes other actions necessary for assignment to, or return of the employee from, facilities outside the continental United States.

e. The Director, Office of Human Resources in the Veterans Benefits Administration, or designee, and appropriate Central Office program officials are responsible for providing necessary orientation to employees selected for assignment outside the continental United States.

4. TOURS OF DUTY

a. Assignment of VA employees recruited from the continental United States to Manila will be for a minimum of one initial 2- or 3-year tour of duty, as determined in advance by the Administration Head, and for a second tour of duty of an additional 2 or 3 years, when recommended by the facility Director

and approved by the Administration Head, not to exceed two consecutive tours of duty and a maximum of 5 years. Administration Heads are delegated authority to make exceptions to this policy concerning tours of duty except for positions centralized to the Secretary. Exceptions, however, will be approved only when clearly justified as being in the best interest of VA.

(1) Approximately 5 to 6 months prior to completion of the first tour of duty at Manila, and subject to satisfactory completion of a physical examination of the employee and family members residing with the employee, a request for an additional tour of duty may be initiated by the employee in accordance with the provisions of paragraph 4a above. If the facility Director concurs, the recommendation will be forwarded to the appropriate Administration Head for approval.

(2) Employees at Manila will not be permitted to remain beyond two consecutive tours of duty unless an exception is granted in accordance with paragraph 4a above. Employees at Manila who elect not to exercise their administrative reassignment rights will be separated in accordance with the provisions of VA Directive and Handbook 5021.

b. Assignment of VA employees recruited from the continental United States to Alaska, Honolulu, or San Juan will be for an initial tour of 3 years with subsequent tours of 2 years duration when approved by the facility Director for noncentralized positions or by the Administration Head, staff office head, or Secretary, as appropriate, for centralized positions. Administration or staff office heads are delegated authority to make exceptions to this policy concerning tours of duty except for positions centralized to the Secretary. Exceptions, however, will be approved only when clearly justified as being in the best interest of VA.

c. Employees eligible for reassignment rights (see paragraph 10) assigned to a VA facility outside the continental United States are required to complete VA Form 8207, Agreement for Assignment After Tour(s) of Duty Outside Continental United States, prior to departure from the continental United States for their post of duty.

d. Time spent in the continental United States on leave and time spent in travel to and from the United States are excluded in computing the maximum period of service outside the continental United States. Any extension after completion of the first tour of duty and the beginning of travel for home leave, vacation leave, or for reassignment, which is administratively determined to be necessary, is also excluded. Such extensions will not exceed 6 months and must be approved by the Administration Head for Manila and by the facility Director for Alaska, Honolulu, or San Juan.

5. HOME LEAVE

a. Employees assigned outside the continental United States who meet the criteria of Office of Personnel Management regulations issued pursuant to 5 U.S.C. 6305 earn home leave as a matter of law. This right to earn home leave vests even in employees transferred to Puerto Rico from the continental United States for their own convenience and at their own expense.

b. In accordance with the provisions of VA Directive and Handbook 5011, Hours of Duty and Leave, home leave is granted under the circumstances cited in 5 CFR 630, subpart F.

c. The right to earn home leave under 5 U.S.C. 6305 is separate and distinct from the right to Government paid round trip travel for the purpose of taking home leave under the provisions of 5 U.S.C. 5728(a) (see paragraph 6 below).

d. Employees transferred to Alaska or Hawaii from the continental United States are not entitled to earn home leave.

e. Employees who are residents of Puerto Rico who transfer to VA facilities in the continental United States do not earn home leave.

f. Employees serving under overseas limited appointments are not eligible for home leave or vacation leave. They are, however, eligible for regular annual leave.

g. Certain employees appointed under 38 U.S.C. ch. 73 and 74 earn and are granted leave on the same basis as employees subject to the provisions of 5 U.S.C. ch 63. (See VA Directive and Handbook 5011, Hours of Duty and Leave.)

6. TRAVEL AND TRANSPORTATION EXPENSES FOR PURPOSE OF TAKING HOME LEAVE AND VACATION (ANNUAL) LEAVE

a. Under the authority of 5 U.S.C. 5728(a), round trip travel and transportation expenses from the post of duty outside the continental United States to the place of actual residence and return, for the purpose of taking home leave or vacation leave, are payable only in those cases where transfer outside the continental United States was for the convenience of the Government, moving expenses were paid by the Government under 5 U.S.C. 5724(a), there has been an actual completion of the initial or any subsequent agreed period of service and the employee agrees to serve an additional tour of duty at the same or another post of duty outside the continental United States under a new written agreement completed before departing from the post of duty to take leave.

b. Round trip travel and transportation expenses for eligible employees covered by 5 U.S.C. ch. 63, in connection with the granting of home leave or vacation leave for the purpose of returning to their place of actual residence in the continental United States, will be approved by authorizing officials, subject to the determination that the employee's services are to be continued for an additional tour of duty in accordance with the provisions of paragraph 4a or b, as appropriate. Prior to departure for home leave or vacation leave, employees must complete a new written agreement to remain in the service of VA at the assigned facility for an additional tour of duty as prescribed in paragraph 6a above. Employees and their dependents at Manila must satisfactorily complete the required medical examination (see paragraph 4a (1)) prior to departure for home leave purpose. (See 5 U.S.C. 6305; 5 CFR 630 subpart F, for regulations pertaining to home leave; also see 5 U.S.C. 5728(a) and MP-1, pt. II, ch. 2, for regulations governing round trip travel for home leave or vacation leave purposes.)

c. Employees who are residents of Alaska, Hawaii, or Puerto Rico who transfer to VA facilities in the continental United States are not entitled to Government paid travel expenses for the purpose of returning to their place of residence on leave.

7. REQUIREMENTS AND SELECTION FACTORS

a. **Qualification Standards.** The same qualification standards used for assignment to positions in the United States will be used to determine basic eligibility for employment at facilities outside the continental United States.

b. **Personal Characteristics.** U.S. citizens assigned to Manila are considered to be representatives of the United States Government. Employees who are well regarded for competence, stability, and decorum should be encouraged to apply when vacancies are announced.

c. **Medical Requirements.** U.S. citizen employees and their dependents who will accompany them to Manila must undergo an appropriate medical examination as specified below:

(1) Dependents, for this purpose, are the employee's spouse and children, including stepchildren and adopted children who are unmarried and under 21 years of age, or regardless of age if incapable of self-support and such incapacity existed on the 21st birthday of the child.

(2) Medical examinations are mandatory upon initial assignment to Manila. Such examinations will normally be conducted by medical facilities of VA for the employee and dependents age 12 and over. Children under 12 years of age will normally be examined by the family's physician. In accordance with Department of State regulations (DOS Foreign Affairs Manual FAM 3), for each eligible person examined by a private physician, the employee is entitled to be reimbursed a reasonable cost for the examination based upon presentation of the receipted bill from the examining physician.

(3) Employees and their dependents may be required to undergo medical examinations and tests as ordered by appropriate officials at the Manila regional office when such examinations are considered pertinent to questions concerning the employee's retention in a position, eligibility for retirement, or return to duty after absence due to illness or injury. Dependents may, based on religious convictions, refuse to take medical examinations at these times, but if they do not take them they will not be eligible for the medical care provided at Government expense under the medical and health program administered by the Department of State.

d. **Security Clearance.** Certain positions at Manila filled by U.S. citizens are designated "critical-sensitive" and thus require full security clearance; the remaining positions are deemed to be "noncritical-sensitive."

NOTE: *See appendix II-A for additional instructions related to employment procedures for positions in Manila.*

8. ORIENTATION

a. Before departing from the United States for assignment to Manila, an employee will be given orientation by VA Central Office concerning employment and living conditions in that area. Further orientation may be given by the Department of State. Additional orientation will be provided for each employee upon arrival at Manila.

b. As deemed necessary, employees selected for assignment to other VA facilities outside the continental United States may be given orientation by the appropriate Administration Head and program officials.

9. U.S. CITIZENS RECRUITED IN MANILA

a. **Positions in the Competitive Service**

(1) **Authority to Appoint.** U.S. citizens recruited in Manila will be given overseas limited term appointments. The facility Director will appoint the employee after the Administration Head has approved the selection. The initial overseas limited term appointment will be for a period not to exceed 3 years and may be extended, upon approval of the Administration Head, for an additional 2 years, for a maximum period of 5 years.

(2) **Qualifications.** Each applicant must meet the qualification requirements for the position to which appointed.

(3) **Medical Requirements.** Medical requirements for those employees and their dependents are the same as those required for employees recruited in the United States (see paragraph 7 above).

(4) **Security Clearance.** These employees are subject to the same security requirements as employees recruited in the continental United States, except appointment may be authorized on the basis of an interim security clearance subject to completion of satisfactory field investigation.

b. **Positions Excepted Under 38 U.S.C. Chs. 73 and 74.** The requirements and procedures in chapter 3 of this part apply when filling these positions.

10. ADMINISTRATIVE REASSIGNMENT RIGHTS

a. **General.** The term "administrative reassignment rights," as used in this chapter, means an employee's entitlement to another continuing assignment in VA following a period of employment outside the continental United States. This right differs from statutory reemployment rights in that it is granted administratively by VA. The placement of the employee may involve promotion or demotion, as well as reassignment.

b. **Eligibility Requirements.** Administrative reassignment rights are applicable to VA employees recruited in the continental United States for employment outside the continental United States and who were transferred outside the continental United States under the conditions stated in paragraph 6a above. The employee must have completed at least one tour of duty unless ill health of the employee or a family member makes it necessary for the employee to return to the United States, or unless it is determined by VA that the employee's return would be in the best interest of VA.

c. **Competitive Service Employees.** An employee eligible for administrative reassignment will be given placement consideration as indicated in subparagraphs (1) through (4) below, as appropriate. Placement consideration will be accorded on a step-by-step priority sequence as set forth in these

subparagraphs (e.g., all efforts for placement under subparagraph (1) must be exhausted before initiating procedures under subparagraph (2); subparagraph (2) procedures completed before initiating procedures under subparagraph (3)).

(1) The returning employee will be placed in their former position if vacant, unless the employee requests another available assignment. VA approval for such an alternative assignment is required. (Every effort, however, will be made to place the employee in a vacant position, if one exists at any VA facility at the grade presently held, or with a minimum grade reduction, if the employee's present grade is higher than the one relinquished when the employee accepted employment outside the continental United States.)

(2) If the returning employee's former position is not vacant or no longer exists, the employee will be assigned to a position (existing or otherwise available) at any VA facility where there is an appropriate assignment available, at a grade not lower than the one relinquished when the employee accepted employment outside the continental United States.

(3) When management determines that there is no position available in which the returning employee can be placed, then as a last resort, if the employee is at the same or a higher grade than that held at the time of assignment outside the continental United States, the employee will be returned to the facility and position formerly held, provided the position is occupied by an employee who can be displaced under reduction-in-force regulations by the returning employee. If the incumbent of such a position formerly held by the returning employee cannot be displaced in this manner, the returning employee will be considered to be assigned to this former position for the purpose of making the "best offer" possible under reduction-in-force regulations.

(4) If the employee presently occupies a position at a lower grade than that relinquished at the time of assignment outside the continental United States, efforts consistent with appropriate merit promotion requirements will be made to place the employee in a vacant position at any VA facility at the grade level formerly held. If this is not possible, efforts will be made to place the employee in a vacant position at any VA facility at the grade level currently held. When management determines that there are no appropriate positions available, then, as a last resort, the employee will be considered to be returned to the facility to which formerly assigned in the continental United States at the grade currently held for the purpose of making the "best offer" possible under reduction-in-force regulations.

d. **Excepted Service Employees (Other Than Title 38).** Excepted service employees (other than those employed under 38 U.S.C. ch. 73 or 74) will have the same administrative reassignment rights given to competitive service employees as explained above except for assignment through reduction in force. When reduction in force is necessary, the assignment rights for the excepted service employee will be those described in part IV of this handbook.

e. **Title 38, United States Code, chapter 73 or 74 Employees.** U.S. citizen employees recruited in the United States and serving under 38 U.S.C. ch. 73 or 74 authority are entitled to return to an assignment at the same grade level currently held. The position may be at the facility from which recruited or at another VA facility.

f. **SES (Senior Executive Service) Employees.** After satisfactorily completing their agreed tour(s) of duty outside the continental United States, employees in the Senior Executive Service will be reassigned to another Senior Executive Service position in VA.

g. **Employees Recruited in Manila.** Employees recruited in Manila do not have administrative reassignment rights to positions in the United States. U.S. citizen employees serving under overseas limited term appointments may, however, be considered for such assignments. To be considered, they must be eligible for competitive appointment and the facility Director must certify that their work and conduct have been satisfactory. These employees will be considered only for vacant positions, and, where possible, should be considered for positions equivalent in grade to that held under the overseas limited term appointment.

h. **Employees Recruited in Alaska, Honolulu, and San Juan.** Local residents hired by these facilities do not have administrative reassignment rights to positions in the continental United States. They may, however, apply for employment consideration to other VA facilities under the same procedures that apply to employees within the continental United States (part III of this handbook).

i. **Limitation on Reassignment Rights.** An employee who has exercised administrative assignment rights is not eligible for another assignment outside the continental United States with such rights for a period of 2 years after such rights were last exercised. Exceptions to this policy may be approved by the appropriate administration or staff office head, except for positions centralized to the Secretary. Such exceptions must be clearly justified as being in the best interest of VA.

11. APPLICATION FOR RETURN TO THE CONTINENTAL UNITED STATES

a. At the request of an employee who is eligible for administrative reassignment, the facility Director will forward the employee's completed application (OF 612, Optional Application for Federal Employment or authorized equivalent form) in duplicate, reduction-in-force data (except for title 38 employees), supervisory evaluations, and information needed to prepare SF 50-B, Notification of Personnel Action. This information will be forwarded to the appropriate administration or staff office head at least 120 days before the employee's intended departure. The administration or staff office head, with the advice and assistance of the Deputy Assistant Secretary for Human Resources Management, is responsible for making the necessary administrative arrangements with the releasing and receiving facilities for the employee's return. Employees and their dependents at Manila must also take the prescribed medical examination prior to returning to the United States for assignment or separation.

b. Similar action will be taken for employees serving under overseas limited term appointments who desire a VA position in the United States, except that reduction-in-force data are not required.

c. If an employee eligible for administrative reassignment rights elects not to exercise those rights and resigns or retires, the resignation or retirement is processed by the Human Resources Management Officer for the employee's current duty facility. In establishing the effective date, travel time (actual or constructive) will be allowed to the employee's place of residence in the United States without charge to leave. If the employee remains in the facility area, travel time is not considered in establishing the effective date.

PART II. APPOINTMENTS

CHAPTER 2. TITLE 5 APPOINTMENTS

SECTION A. GENERAL

1. SCOPE. This chapter contains the policies and requirements which apply to employment actions in the competitive and excepted civil service under title 5, U.S. Code. It does not apply to excepted service positions in the Veterans Health Administration filled under 38 U.S.C. ch. 73 and 74 or to excepted positions in the Veterans Canteen Service filled under 38 U.S.C. ch. 78. The scope of this chapter is expanded for "Priority Placement Program for Employees in Retained Grade or Pay Status," appendix III-F of part III, this handbook only, to include Nonappropriated Fund employees in the Veterans Canteen Service who are subject to the Federal Wage System.

2. EMPLOYMENT PROGRAM MANAGEMENT

a. To the maximum extent possible, employment will be accomplished in accordance with a planned program, rather than resorting to emergency measures to fill vacancies as they occur. Employment requirements and estimates will be based on projected staffing needs, including such considerations as employee turnover, workload and budgetary forecasts, work technology, and organization and functional changes. The complexity of such plans depends upon the scope and nature of projected needs. This will involve planning and coordinating such functions as job analysis, equal employment opportunity, position management, recruitment, internal placement, cost considerations, and training and development to assure the availability of new and replacement staff in the number and quality required to meet current and future needs.

b. VA positions will be filled by selection from among those well-qualified individuals available through the recruitment method(s) used. Such persons will be placed in positions where their education, experience, training, aptitudes, abilities, interests, and personal traits best fit them for successful performance.

c. It is VA policy to provide maximum opportunities for career advancement of VA employees and optimum utilization of their skills. To this end, VA employees will be fully considered for vacancies for which they qualify, especially those which offer advancement opportunities. This policy, however, does not preclude the selection of a qualified candidate from outside VA whenever in the judgment of the selecting official, such selection would be in the best interest of VA. Outside sources of candidates may include employees of other Federal facilities who wish to transfer, former Federal employees who are eligible for reinstatement, eligibles on civil service certificates, and those eligible for excepted appointments. VA employees and applicants from outside sources may be considered concurrently for a vacant position; or, at the option of the selecting official, consideration may be given first to applicants from one source and then to those from another. One source may also be used exclusively. The decision as to which source of candidates or combination thereof will be used may be made at the time it is decided to fill a position, or at any point during the action to fill it, or it may be made as a part of the overall staffing plan for groups or categories of positions.

d. Standards for selection will be applied systematically, equitably, and impartially to all interested candidates who meet the requirements for consideration. Employment actions will be taken without discrimination for such reasons as race, color, religion, national origin, sex, lawful political affiliation, marital status, physical or mental disability when the individual with disability(ies) is qualified to do the work, age, or membership or nonmembership in a labor organization.

e. The principle of broad areas of consideration will be applied to the maximum practicable extent in order to recruit an adequate number of qualified candidates and to enhance the diversity of the candidate pool.

f. In relating employment actions to other personnel considerations, attention will be given to providing assignments which will permit the development of employees and full utilization of their potential for advancement through realigning duties, establishing trainee and understudy positions, conducting special training programs, and detailing employees, as appropriate.

g. A special effort will be made to retain qualified employees who become disabled or whose positions are surplus to current needs, and to minimize the adverse effect of management decisions on employees, by assignment to other continuing positions.

h. Employment actions will conform to the requirements governing the employment of relatives (5 CFR, part 310 and paragraph 5o below).

i. Periodic studies will, to the extent necessary and feasible, be made by the facility and by Central Office to evaluate the effectiveness of the various employment practices in achieving management objectives.

3. FILLING POSITIONS

a. **Responsibilities of Selecting Officials.** Officials authorized to recommend or to approve the selection of a person for a position are responsible for being familiar with and following the policies and principles expressed in this chapter.

b. **Priority Consideration.** Priority in selection for assignment to a position must be given to persons with statutory entitlement. This includes employees applying for restoration after active military service or after recovery from a compensable work-related injury (5 CFR, part 353, and chapter 6 of part III, this handbook), and others entitled to a position under law. Then, priority consideration will be given to other persons having rights under civil service regulations or specific VA policy, as appropriate. Priority placement under VA's Priority Placement Program will be in accordance with OPM and VA policies.

c. **Basis for Selection.** Selections for positions will be based on the objective evaluation of the candidates' total qualifications for the position. "Qualifications" means the combination of experience, training, education, skills, knowledges, abilities, personal characteristics, and merit factors deemed to be pertinent to successful performance.

4. TYPES OF APPOINTMENTS

a. **Competitive Service Appointments (5 CFR 315 and 316).** Subject to meeting the requirements of law, Office of Personnel Management (OPM) regulations, and VA policies, appointing officers may use any applicable civil service authority to make competitive and noncompetitive appointments in the competitive service. Also see 5 CFR, parts 300, 330, 332, and 333, and section B, this chapter for related information.

b. **Excepted Service Appointments.** For information on these appointments, see section C of this chapter and 5 CFR, parts 213, 300, 302, 304, 307 and 308. Other relevant statutory references may be found in 5 U.S.C. chapter 31, subchapter I.

c. **WOC (Without Compensation) Appointments [5 CFR 304.102(h)]**

(1) As a general rule, voluntary or gratuitous services furnished on the initiative of a person, without a written agreement with VA, will not be accepted, neither will such services be used in lieu of the regular employment of employees under the competitive or excepted service procedures. When such services are used they must be supplementary to the employment of essential personnel.

(2) Voluntary or gratuitous services may be accepted under an agreement (See 7 Comp. Gen. 810. Also see VHA Manual M-2, Pt. XVII, for information on the VA Voluntary Service program, and chapter 3, this part, for information on WOC appointments made under 38 U.S.C. ch 74. See 5 CFR, part 308, for information concerning voluntary performance by students in connection with educational programs under authority of 5 U.S.C. 3111.) VA is specifically authorized by 38 U.S.C. 513 to accept uncompensated services for the purpose of carrying out all laws administered by VA. To perform such services the person must meet legal and regulatory requirements and enter into a written agreement containing the following points as a minimum:

(a) The identity of the person.

(b) The identity of the VA establishment, the organizational segment where the service is to be performed, and the nature of the service.

(c) The inclusive dates of the agreement, or in lieu of a terminal date; a statement such as “for an indefinite period.”

(d) A waiver of all claims to monetary remuneration.

(e) A provision to cancel the agreement by either party upon written notification.

(f) Authority under which the agreement is made (38 U.S.C. 513).

(g) Signature of the person and the VA appointing official.

NOTE: *Unpaid work experience may be provided for service-disabled veterans who are participating in training programs under chapter 31, title 38, U.S.C. and for clients of State vocational rehabilitation facilities. These trainees are not WOC employees. They receive on-the-job training through written agreements between the employing Federal facility and the Counseling and Rehabilitation Section at the appropriate VA regional office or the State vocational rehabilitation facility. (See 5 CFR 213.3102(k) for additional information.)*

5. EMPLOYMENT REQUIREMENTS AND DETERMINATIONS. Detailed information on the legal and regulatory requirements for employment in VA is contained in OPM's Guide to Processing Personnel Actions and this chapter. In addition, appointing officers will observe the following:

a. **Effective Date of Personnel Actions**

(1) **General.** Unless specifically authorized by law or regulation based on law, personnel actions filling positions through any method cannot be effective before the date the approving authority determines that requirements have been met and approves the action. In those rare instances, however, where the required administrative approval was inadvertently overlooked, the approving official may subsequently confirm the action and allow the original effective date to stand. Requirements include determinations that a position has been established and that appropriate legal, regulatory, and administrative approvals have been obtained.

(2) **Appointments (OPM Guide to Processing Personnel Actions).** Appointments must be approved by the appointing authority on or before the date the employee enters on duty. When an employee is to enter on duty on the first Monday of a pay period, the effective date of the appointment will be the first day of the pay period (Sunday). When an employee enters on duty on any day other than the first Monday of the pay period, the effective date of appointment will be the date of entrance on duty unless an earlier date is required to satisfy statutory or regulatory provisions, e.g., restoration after military service. When the first Monday of the pay period is a holiday, the appointment will be effective on the entrance on duty day.

b. **Security Requirements.** See VA Handbook 0710 for VA instructions concerning position sensitivity designations and other security requirements.

c. **Qualifications Requirements.** Prior to appointment, a determination will be made that the candidate meets established minimum qualification standards requirements. Procedures and policies relating to the use of qualifications standards, as well as the standards for specific occupations, are found in the OPM Operating Manual – Qualification Standards for General Schedule Positions, OPM's X-118C Handbook, section D of this chapter, and appendix II-F1 through II-F36 of this handbook.

d. **Verification of Qualifications and Suitability Data (5 CFR, part 731)**

(1) **General.** In the case of appointments from civil service certificates, qualification and suitability requirements can reasonably be assumed to have been met where the examination included "vouchering" or other verification of the information in the application. This does not necessarily apply to the examination of applicants for VA police officer positions (see subparagraph (5) below). In all other

appointments, human resources management officials will review the application and reconcile any discrepancies or incomplete entries.

(2) **Verification of Federal Employment.** In all appointments where the applicant has been or is now employed in the Federal Government, appointing officials will obtain verification of employment and satisfy themselves that employment of the applicant is consistent with VA requirements. Whenever necessary and available, an applicant's personnel folder should also be obtained and all actions reviewed. In reemployment actions, current eligibility for reinstatement must be verified and appointing officials should not be misled by terminology which may be similar in both the competitive and excepted service.

(3) **Methods of Verification (OPM Guide to Processing Personnel Actions).** Verification of employment and suitability can be made by FL 5-127, Inquiry Concerning Applicant for Employment, letter, telephone, or personal visit. Documents generated will become a part of the employment investigation records with telephone calls and personal visits summarized for the record. Upon employment, such records will accompany the SF 85, Questionnaire for Non-Sensitive Positions (or SF 86, Questionnaire for National Security Positions) and SF 87, OPM Fingerprinting Chart, when they are submitted to OPM.

(4) **Timing of Verification.** Normally verification will be accomplished prior to employment of the applicant. Where local conditions in individual cases prevent completion prior to appointment, the verification may (except for inquiry to last Federal employer) be accomplished on a post-appointment basis. Preemployment inquiries will not be sent to persons or firms who have previously replied to similar inquiries where the replies are available for review. Neither should they be sent where an appointment must be made promptly without regard to the reply. OPM will, however, voucher such sources after appointment as a part of the investigative program covered in 5 CFR, part 736. In any event, the data on any inquiries and the application will be compared with OF 306, Declaration for Federal Employment, on the date of appointment.

(5) **Preemployment Screening Procedures for VA Police Officer Candidates**

(a) **Screening Process.** All applicants being considered for appointment to VA police officer positions will be vouchered to the extent possible prior to entrance on duty. This will include, as a minimum, conducting telephonic interviews of former employers and former supervisors to verify listed qualifying experiences and work habits of tentatively selected applicants, and will include contacts with police officials in the applicant's State or former State(s) of residence. For each applicant the Human Resources Management (HRM) office should review experience and education against the qualification standard and appropriate knowledges, skills, abilities, and other characteristics. Applicants must provide official supporting documentation as needed to verify military service or other experience. The HRM Officer will refer each qualified applicant under definite consideration to the supervisory police officer for interview. For tentatively selected candidates, supervisory police officers will: complete SF 87, Fingerprint Charts; conduct arrest record checks through Federal and state agencies; complete parts I and II of VA Form 0120, VA Police Officer Pre-Employment Screening Checklist; and otherwise comply with the pre-employment screening requirements in VA Directive 0730, Security and Law Enforcement, and VA Handbook 0730's paragraph 3a(2). If no adverse information is received from the arrest record checks, supervisory police officers will return the VA Form 0120 to the HRM office for vouchering of the

applicant's qualifying experience and most recent 5 years of experience and completion of parts III and IV of VA Form 0120. The HRM office is responsible for scheduling medical examination of selected applicants. See Handbook 0730's appendix A, Specific Medical Standards for VA Police Officer Applicants and Incumbents.

(b) **Use of Adverse Information as Basis for Nonselection.** When facility officials become aware of adverse information during pre-employment screening, it should be reviewed against suitability and/or security criteria and adjudicated or referred to OPM, as appropriate, in accordance with 5 CFR, parts 731 and 732. When facility officials determine that, based on adverse information obtained in the above screening process, an objection to an eligible on a civil service certificate is warranted or when a preliminary decision is made to nonselect an individual based on information obtained in this pre-employment screening process, the Regional Counsel and Human Resources Management Programs and Policies Service (051) should be contacted for advice and assistance related to the use and disposition of such adverse information. Questions concerning the legality of adverse determinations and personal liability involvement will also be referred to the Regional Counsel.

(c) **Disposition of Documents and Records.** After a police officer applicant has accepted an offer of employment, Human Resources Management (HRM) officials should promptly contact the Security Officer (07C), VA Office of Security and Law Enforcement, about initiating the required Minimum Background Investigation, using the SF 86, Questionnaire for National Security Positions. HRM officials will tell police officer applicants that the investigation is a requirement of employment and that the completed investigation must be favorably adjudicated. The applicant will be told that the investigation will be conducted after appointment. To provide a record of satisfactory vouchering, Copy 1 of the VA Form 0120 is filed in the locked and restricted access VA Police Investigative Records File in the facility Director's office. This file shall be subject to the provisions of the Privacy Act system of records titled "OPM/CENTRAL 9." Facility copies of VA Form 0120 on hired police applicants will be kept on file until the employees have been separated or reassigned from serving in a Police Officer position. Copy 2 is mailed or faxed directly to the Director, VA Law Enforcement Training Center, Building 101, 2200 Ft. Roots Drive, North Little Rock, AR 72114. Documents obtained during the pre-employment screening process for those applicants not selected for VA police officer positions will be destroyed.

e. **Appointment Documents SF 61 and OF 306**

(1) All appointees in competitive and excepted service including WOC employees will complete the appointment documents as described in OPM's Guide to Processing Personnel Actions. In addition to appointment actions, the OF 306, Declaration for Federal Employment, must be executed for certain conversion actions in the competitive service (OPM Guide to Processing Personnel Actions).

(2) The SF 61 Oath of Office (part A) should be administered in a dignified manner to impress the appointee with the seriousness of taking an oath and the significance of entering Federal employment.

(3) The Oath of Office will normally be administered on or before the date of entrance on duty. When an appointee enters on duty on a day, e.g., Sunday, when the authorized person is not available to administer the oath, taking of the oath may be delayed and administered at the earliest opportunity. No right to compensation accrues until the oath is taken (OPM Guide to Processing Personnel Actions).

f. **Physical Requirements and Examinations.** See VA Directive and Handbook 5019, Occupational Health Services, for policy and procedures on determining physical fitness for appointment and placement actions.

g. **Pay Determinations.** For determination concerning applicable pay rates in appointment and placement actions, see Directive and Handbook 5007, Pay Administration.

h. **Citizenship**

(1) General appropriation acts permit the employment by VA of noncitizens of the United States under certain conditions. For example, a Treasury and General Government Appropriation Act providing funds for VA in a recent fiscal year stated that: "Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992 . . . This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies."

(2) Generally, all positions in VA are subject to the citizenship requirement outlined in subparagraph (1) above. Citizenship requirements for certain positions in the Veterans Health Administration are contained in sections 7402(c) and 7407 to title 38, U.S.C. For competitive service positions under title 5, U.S.C., citizenship requirements are contained in 5 CFR 338.101.

(3) Noncitizens who have been accorded permanent resident alien status in the United States may be considered for appointment to certain positions in the excepted service of title 5, U.S.C. (e.g., Attorney, Chaplain, Rehabilitation Technician, etc.) unless otherwise precluded by law, Executive Order, or regulation. Generally, however, certain excepted service positions, of a policymaking or confidential nature, such as division/service chief or equivalent or higher at field facilities and equivalent positions in Central Office, or sensitive positions (as defined in MP-1, pt. I, ch. 5, paragraph 5) will be filled by United States citizens. Prior approval by the appropriate administration or staff office head is required before noncitizens can be appointed to these positions. Requests should be forwarded through channels to Central Office (ATTN: 051).

NOTE: *Any questions on employing noncitizens, e.g., nationals of those countries allied with the United States in the current defense effort, may be referred by telephone, e-mail or letter to the Human Resources Management Programs and Policies Service (051).*

i. **Age Limits**

(1) **General.** Age limits for both competitive and excepted service positions will be consistent with the requirements contained in 5 CFR 338.601 unless specified otherwise in a qualification standard. In addition, field facility directors will conform to any State or local laws relating to employment of minors and women.

(2) **Firefighters.** Maximum entry age for firefighters is established as provided for in section 3307(d) of title 5, United States Code.

(a) For initial appointments, applicant can not have reached their 37th birthday by the day of appointment.

(b) Applicants who have passed the designated entry age limit noted, but who have previously served in a covered position may be eligible to re-enter the fire service provided that they:

1. Meet all applicable qualifications for the position; and

2. Will be able to complete a total of 20 years of covered and creditable Federal firefighter service by the time the Federal firefighter reaches the age of 57. Prior service in covered positions and creditable towards retirement may be subtracted from the applicant's age to determine if the Federal firefighter meets the maximum entry age.

j. **Licensure, Registration, or Bar Membership**

(1) The qualification standards for certain occupations, e.g., dental hygienist, dietitian, VHA psychologists, and Medical Officers/Disability Evaluation, require that applicants have current State licenses, registration or certification to be considered for employment. Likewise, attorneys must have bar membership. It follows that these employees must maintain their licensure, registration, certification, or bar membership on a current basis to continue their employment in such positions.

(2) Appointing officers will use VA Form 4682, Certification of Licensure, Registration, or Bar Membership, to verify the possession of a current State license, registration, or bar membership when processing the appointment of these employees. Thereafter, an expiration date follow-up will be coded as provided for on page App C - 8 of VA Manual MP-6, part V, supplement No. 1.5 (PAID). The facility Director will designate the official(s) who will be responsible for the follow-up verification of the employee's current license, registration, or bar membership. VA Form 4682 will be used and be filed on the right side of the employee's personnel folder. Only the initial form and the latest form are required to be on file.

(3) Employees who do not maintain their current license, registration, or bar membership, must be removed from their positions and assigned to other positions for which they qualify or be separated under appropriate procedures.

k. **Applicant Drug Testing.** See VA Directive 5383 and VA Handbooks 5383, 5383.1 and 5383.2.

l. **HHS Exclusionary List.** See chapter 1 of this part.

m. **National Practitioner Data Bank Screening.** See VHA Handbook 1100.19, Credentialing and Privileging.

n. **Employment of Retired Military Officers.** Effective October 1, 1999, PL 106-65 repealed 5 U.S.C. 5532, titled "Employment of retired members of the uniformed services; reduction in retired or retainer pay." OPM is to revise subpart F of 5 CFR, part 550, which contains the now-obsolete 5 CFR 550.601.

o. **Dual Pay.** Section 5533 of title 5, U.S.C., authorizes the appointment of persons to more than one civilian office under certain conditions. Appointment officers wishing to use this authority will be guided by the regulations and requirements in 5 CFR 550.501, and VA Handbook 5007, part II.

p. **Restrictions on the Employment and Placement of Relatives.** See part VII, Employment of Relatives, in VA Directive 5025, Legal.

q. **Statutory Bar to Appointment of Persons Who Fail to Register Under Selective Service Law.** Facilities must comply with requirements and procedures in 5 CFR, part 300, subpart G before appointing males born after December 31, 1959, who are 18 or older.

6. CONTROL OF VA EMPLOYEE-VETERAN RECORDS. HRM offices for facilities listed in M21-1, part II, chapter 4, para. 4.07, must complete and forward VA Form 20-0344, Annual Certification of Veteran Status and Veteran-Relatives, formerly VA Form 4535, Notice of Employment, Transfer, or Separation of Veteran, as provided in the M21-1 manual, whenever they appoint or take an action which results in a change of appointing authority of an employee who is a veteran. The M21-1 citation is available on the VA Intranet.

7. PART-TIME AND INTERMITTENT EMPLOYMENT. Employment on a part-time and/or intermittent basis may be appropriate when: the position to be filled requires less than full-time service; it is the only way the services of a well-qualified employee can be obtained; or circumstances are such that the part-time or intermittent appointment would be in the best interest of management and/or the employee. Provisions of the Federal Employees Part-Time Career Employment Act of 1978 (PL 95-437) are contained in 5 CFR, part 340 and part I, chapter 3, section B, this handbook.

8. FILLING A POSITION OCCUPIED BY AN EMPLOYEE ON LEAVE. If a replacement is required while the incumbent employee is on extended leave, an interim position may be established. Generally, interim positions will be terminated within 1 year or less, and may be extended only under extenuating circumstances. If an interim position is filled from outside VA, the appointment will be limited to the period of time the interim position will be required unless it can be expected that another

position of like status, grade, and pay will be available for the appointee when the interim position ends. (See part III, this handbook for provisions related to placement of an employee in an interim position.)

9. PROBATIONARY PERIOD/TRIAL PERIOD

a. Employees in nonsupervisory/nonmanagerial positions in the competitive service will serve a 1-year probationary period as explained in 5 CFR, part 315, subpart H, and part III, this handbook. An employee given a career-conditional or career appointment by selection from a certificate of eligibles is required to serve a probationary period. This applies not only to the first appointment of this kind, but to any subsequent career-conditional or career appointment by selection from a certificate of eligibles, regardless of whether the appointee had previously completed a probationay period.

b. Employees who are placed in a supervisory or managerial position in the competitive service are required to serve a 1-year probationary period subject to the exemptions and exceptions contained in 5 CFR, part 315, subpart I, and appendix III-A of part III, this handbook.

c. Employees in excepted service positions will serve a 1-year trial period as explained in paragraph 6h of section C, this chapter.

10. PLACEMENT FOLLOW-UP. A placement follow-up will be used to evaluate the employee's progress and adjustment during the probationary or trial period. The placement follow-up will also be used, as appropriate, following position changes for employees who have completed the probationary or trial period. Follow-ups will be made for all initial appointments and significant position changes. After the employee has completed at least 90 days in the assignment, a human resources management office staff member will interview the supervisor to obtain information about the employee's performance and adjustment to the job, and any training or other needs or outstanding work that warrants attention for further placement consideration. Where deficiencies are reported, the employee should also be interviewed to further explore the courses of action that may be taken to overcome them. The follow-up form, VA Form 5-97, Notice of Pending Personnel Action, will be annotated to show that the follow-up was made, and only significant results will be recorded. These procedures are minimum requirements and where possible, extension of the follow-up interview for all placement actions is encouraged. For example, a follow-up of all promotions can be a valuable aid in assessing the results of the facility's promotion plan and the validity of the evaluation and selection process. Also, separate placement follow-ups with employees can be a valuable source of placement information as well as being an effective employee relations technique. (See MP-6, pt. V, supp. No. 1.5, Appx. C, sec. II.)

11. ECONOMIC OPPORTUNITY AND EDUCATIONAL ASSISTANCE PROGRAMS

a. The special economic opportunity and educational assistance programs described in 42 U.S.C. 2751-2756a, 3056 et seq., 5001; 20 U.S.C. 2301; and part I of this handbook are designed to help those who are unemployed or underemployed and those in need of educational assistance to develop the skills necessary for regular employment. To the extent feasible, VA will participate in these programs as an employer, or most often, as a host, by providing work training and experience opportunities.

b. Since a frequent objective of these programs is the employment of enrollees in permanent full-time positions upon completion of their work-training and experience status, facility management will look at

the host-enrollee relationship as an important initial step which may lead to regular employment. Enrollees will be encouraged to compete in entrance level and other Federal civil service examinations so that they may share in the greater opportunities for permanent employment in or outside VA.

c. An agreement between VA and the sponsoring organization will usually be made for each group to be assigned for work-training and experience purposes. Generally, such agreements have a standard format developed by the parent organization of the sponsor which describes the relationships and responsibilities of the organizations involved as well as those relating to the participants. If necessary, such agreements will be modified to meet VA needs and requirements at the time they are negotiated.

d. As new programs develop or changes are made in existing ones, any additional VA instructions needed to implement the OPM issuance will be issued.

12. USE OF PRIVATE SECTOR TEMPORARIES. VA will comply with the requirements identified in 5 CFR, part 300, subpart E on Use of Private Sector Temporaries, Federal Acquisition Regulation (FAR) and Veterans Affairs Acquisition Regulation (VAAR) when contracting for private sector temporaries. See appendix II-B for specific instructions on use of temporary help services in VA.

SECTION B. EMPLOYMENT IN THE COMPETITIVE SERVICE

1. GENERAL. Employment in the competitive service in the Department of Veterans Affairs will be administered in accordance with applicable laws and regulations, including title 5 of the U.S. Code and the Code of Federal Regulations.

a. **Job Announcement Posting Requirements.** To meet VA's Interagency Career Transition Assistance Plan (ICTAP) obligations, all title 5 competitive service vacancies lasting over 120 days must be posted on OPM's USAJOBS system when applicants from outside VA are accepted. This includes jobs being filled under most direct appointment authorities. (See 5 CFR 330.102(a) and (b); 5 CFR 330.707.)

b. **Employment from Federal Civil Service Certificates Under 5 CFR, Part 332.** Under Interagency Agreement # VA-1 between VA and the Office of Personnel Management (OPM), Federal civil service certificates can be obtained from a VA delegated examining unit (DEU), another Federal agency DEU, or an OPM examining office. OPM publishes its Employment Service Pricing Guide on a fiscal year basis. VA and other Federal DEUs each have their own procedures and requirements for providing services. Some may issue certificates for VA facilities, but charge a fee or require other forms of resource exchange for doing so. A VA organization interested in requesting approval to establish or disband a DEU should contact OHRM's Human Resources Management Programs and Policies Service (051). The DEU Chief should also notify (051) of changes in the roster of OPM-trained staff as they occur. Information on the Federal delegated examining process is available on OPM's web site.

2. CAREER-CONDITIONAL AND CAREER EMPLOYMENT

a. **Purpose.** Permanent employment in the competitive service is governed by the career-conditional employment system. The system is designed to permit adjustment of the career service to necessary fluctuations in Federal employment, and to provide equitable and orderly principles and practices for stabilizing the Federal workforce.

b. **Basic Elements.** Under the career-conditional employment system, employees are generally brought into the service under a career-conditional appointment. A career-conditional employee must prove an interest in a career in the Federal service by completing three years of substantially continuous service before becoming a full career employee. It is during this same 3-year period that the ability and desire of the Government to retain the employee is demonstrated. Career employees have superior tenure to that of career-conditional employees. Certain employees are appointed directly as career employees or are otherwise exempt from the 3-year length of service requirement for career tenure. (See 5 CFR, part 315, subpart B.)

c. **Career-Conditional (or Career) Appointment of Persons Eligible Under the Amended Veterans Employment Opportunities Act (VEOA).** Under 5 CFR 315.611, (a) preference eligibles, or (b) veterans whose most recent military separation was under honorable conditions after substantially completing at least 3 years of continuous active military service: may receive a career-conditional (or, if appropriate, career) appointment if selected from among the best qualified under a merit promotion competition that was announced to candidates outside VA's workforce. As it is customary for the military to release individuals a few days before completing 3-year tours "for the convenience of the

Government," a facility should normally consider these individuals eligible. Reasonable and consistent use of the "few days" criteria by an operating HRM office is expected.

d. **Noncompetitive Appointment of 30 Percent Service-Connected Veterans.** Under 5 CFR 315.707, a disabled veteran with a service-connected disability of 30 percent or more who is serving under a time-limited appointment not limited to 60 days or less may be converted noncompetitively to a career-conditional appointment (or career, if otherwise eligible), provided the veteran meets the applicable qualification requirements. There are special time-limited authorities for these 30-percent disabled veterans which allow temporary appointments up to 1 year under 5 CFR 316.402(b)(4) and provisional appointments under 5 CFR 316.403(b)(1). However, conversions may also be made from any time-limited appointment with a not-to-exceed time span of 61 days or more, regardless of whether it is in either the competitive or excepted service. Conversions may occur after 1 day's service on such a time-limited appointment.

e. **Conversion to Career-Conditional (or Career) Appointment of Severely Physically Disabled Veterans and Other Severely Physically Disabled Persons, Persons with Mental Retardation, and Persons with Psychiatric Disabilities Serving Under Schedule A Appointments.** Under 5 CFR 315.709, after 2 or more years of satisfactory service the subject employees serving under 5 CFR 213.3102(u), (t), or (gg) authorities, respectively, may be converted at the facility's discretion to competitive status under 5 CFR 315.709.

f. **Status Quo Appointment and Conversion to Career-Conditional (or Career) Appointment of Disabled Veterans Who Complete 38 U.S. Code, Chapter 31 Training.** A facility may give a status quo appointment under 5 CFR 3.1 and 315.604(a) to a service-connected disabled veteran who satisfactorily completed training for that position or class of positions in a Federal agency under 38 U.S.C. chapter 31. A facility may subsequently noncompetitively convert the veteran so appointed at any time to a career-conditional (or, if appropriate, career) appointment under 5 CFR 315.604(b). A probationary period is not required.

g. **Congressional Medal of Honor-Recipient Appointments.** Executive Order 9268 provides that upon recommendation of the Secretary of Veterans Affairs to the Director, Office of Personnel Management, veterans who have been awarded the Congressional Medal of Honor may be appointed as Contact Representatives in VA. Advice on individual cases should be obtained from the Human Resources Management Programs and Policies Service (051).

h. **Noncompetitive Career-Conditional (or Career) Appointment of Student Trainees in Associated Health Care Disciplines**

(1) In accordance with 38 U.S.C. 7403(g), VA facilities are authorized to appoint under title 5, without regard to competitive Federal civil service announcement, examining and certification procedures, eligible graduates who have a degree, diploma or certificate in an associated health care discipline from an accredited institution of post-secondary education, and who have successfully completed an affiliated clinical education training program in a VA health care facility. See appendix II-C for specific instructions on use of this noncompetitive appointment authority and a general list of covered associated health care disciplines.

(2) This employment authority does not apply to individuals in training programs that will result in post-training appointments under 38 U.S.C. 7401(1) or (3) or under 38 U.S.C. 7405 to an occupation listed under those paragraphs.

(3) For provisions for appointing students in associated health care disciplines before graduation, see paragraphs 5 and 6, section G, chapter 3 of this part.

i. **Administrative Protections for Career-Conditional and Career Employees**

(1) **Retention Priority in Reduction in Force.** Employees who have career-conditional appointments are in group II for reduction in force purposes. Employees who have career appointments have group I tenure for reduction in force unless they are serving a probationary period, in which case they are in group II. (See 5 CFR, part 351, and part IV, this handbook.)

(2) **Protection Against Arbitrary Removal.** Non-probationary career-conditional and career employees enjoy the full protection against arbitrary removal described in 5 CFR, parts 432 and 752 and VA Directive and Handbook 5021. While serving probation, both groups have the limited protection covered in 5 CFR, part 315, subpart H, and VA Directive and Handbook 5021.

3. NON-PERMANENT EMPLOYMENT

a. **Scope**

(1) This paragraph supplements regulations contained in 5 CFR, part 316, and should be used in conjunction with that reference and other applicable portions of this chapter.

(2) Regulations for temporary appointments in the excepted service of title 5, U.S. Code are contained in 5 CFR, part 213. (This includes the 30-day critical needs appointment authority.) (See also section C of this chapter.)

(3) This paragraph does not apply to excepted service positions in the Veterans Health Administration filled under 38 U.S.C., chapter 73 and 74 or to excepted positions in the Veterans Canteen Service filled under 38 U.S.C., chapter 78. These positions are covered in chapter 3 of this part.

b. **Policy.** Temporary and term appointment authorities will be used only under conditions authorized by the Office of Personnel Management. To meet VA's ICTAP obligations, all title 5 competitive service vacancies lasting over 120 days, including temporary limited and TAPER appointments filled under outside-the-register procedures, must be posted on OPM's USAJOBS system when applicants from outside VA are accepted. (See paragraph 1a of this section.)

c. **Temporary Limited Appointments.** Temporary limited appointments may be used to fill short-term employment needs expected not to exceed 1 year, and continuing positions expected to be needed for placement of the organization's permanent employees who would otherwise be displaced. (See 5 CFR, part 316, subpart D.)

(1) Facilities have the authority to make temporary limited appointments of 1 year or less to positions in the General Schedule and the Federal Wage System. Supervisory certification of the temporary nature of the employment need is to be documented in accordance with 5 CFR 316.401(b). Facilities are authorized to make these appointments independently under outside-the-register selection procedures in 5 CFR, part 333, subject to review for compliance with those procedures during VA and OPM personnel management evaluation visits. Failure to follow correct procedures may result in the revocation of the facility's authority to make temporary limited appointments.

(2) While temporary limited appointments may generally be extended up to 2 years from the date of initial appointment in increments of 1-year or less, appointments to seasonal and intermittent work are specifically governed by the criteria specified in 5 CFR 316.401(d)(1). OPM will authorize exceptions to the regulatory time limits only when necessitated by major reorganization, restructuring, facility closing or other unusual circumstances. Requests for agency-wide exceptions must be made to OPM by VA Central Office. Requests of an agency-wide nature may be sent to the Human Resources Management Programs and Policies Service (051). A facility may submit a request for extending an appointment to a specific position or project based on other unusual circumstances to the appropriate OPM Service Center.

d. **Term Appointments.** Term appointments may be for a period of more than 1 year but not more than 4 years to positions where the need for an employee's services is not permanent. Term appointments are often appropriate for persons employed to work on medical research projects. This authority, however, is not limited to research situations and may be used for other appropriate needs as indicated in 5 CFR, part 316, subpart C.

(1) Facilities are delegated the authority for determining whether term appointments are appropriate for particular positions. Selections for term employment, however, must be made under applicable competitive or noncompetitive procedures. Outside-the-register procedures in 5 CFR, part 333 may **no longer** be used for competitive term appointments. (See 5 CFR 316.302 (a).) If an exception to the 4-year limit is clearly justified, a facility may submit a request to make and/or extend a term appointment beyond 4 years to the appropriate OPM Service Center.

(2) Use of this authority will be carefully reviewed during VA and OPM personnel management evaluation visits. Documentation of the reasons for authorizing a term appointment should be maintained in accordance with VA records disposal schedules.

e. **Time-Limited Appointment of VRA Eligibles.** A VRA eligible may be given a noncompetitive temporary appointment of up to 1 year under 5 CFR 316.402(b)(2) or a term appointment under 5 CFR 316.302 not to exceed 4 years to any position in the competitive service at or below GS-11 or equivalent for which the VRA eligible is qualified. Appointment under these authorities does not give the privilege of conversion to competitive status. Because these appointments are not in the title 5 excepted service like the VRA appointment, those over 120 days must be posted on OPM's USAJOBS vacancy announcement system. (See 5 CFR, parts 307 and 316.)

f. **TAPER Employment.** Temporary Appointment Pending Establishment of a Register (TAPER) is a special type of appointment which OPM may authorize to fill a vacancy lasting over a year which the public interest requires be filled before eligibles can be certified. Outside-the-register procedures in 5 CFR, part 333 must be used to make a TAPER appointment. OPM has given Federal-wide authority to

use the TAPER authority only for appointment to Worker-Trainee positions at GS-1, WG-1 and WG-2. The respective promotion potential may be up to GS-4 or WG-5.

4. SCIENTIFIC AND PROFESSIONAL (ST) POSITION APPOINTMENTS. ST system positions may be established and filled in the competitive service under 5 U.S.C. 3104 and 5 CFR, part 319 outside the General Schedule (and above grade GS-15) to carry out research and development functions requiring the services of specially qualified individuals. A facility wishing to appoint an individual in an ST position would first follow the same procedure to establish an ST position as is used to establish a Senior Executive Service (SES) position. (See VA Handbook 5027, Senior Executive Service.)

SECTION C. EMPLOYMENT IN THE EXCEPTED SERVICE

1. VETERANS READJUSTMENT APPOINTMENT (VRA). Under 38 U.S.C. 4214, certain Vietnam era and other veterans may be given excepted VRA appointments under 5 CFR 307.103 to positions otherwise in the competitive service at GS-11 or below (or the equivalent in another pay system). For any VRA appointee who has less than 15 years of education, the facility must establish a training or education program, which should meet the needs of both the employee and VA. In VA, a VRA appointee must serve a 1-year trial period (see paragraph 6h of this section), and termination during this year is handled as provided in VA Handbook 5021. Merit promotion provisions cover VRA employees (see part III of this handbook), and they may be promoted above GS-11 level if other requirements are met. Other appointment and conversion requirements are in 5 CFR, part 307.

2. APPOINTMENT OF EXPERTS AND CONSULTANTS

a. **General**

(1) This paragraph contains the VA policies and procedures that apply to the employment of experts and consultants when there is an employer-employee relationship as explained in 5 CFR, part 304, and such employment is in positions excepted from the competitive service by statute or by the Office of Personnel Management. The employee's services may be obtained by contract or appointment under an appropriate appointing authority (e.g., 5 U.S.C. 3109) and be in a pay or, when appropriate, a non-pay basis. This paragraph does **not** apply to the employment of consultants and VHA consulting attendings under title 38, U.S.C. ch. 74 authority. See chapter 3 of this part for appointment of thee positions.

(2) Experts and consultants will be employed only when their services are proper, legitimate, and the most practical way for VA to accomplish its management, operational, and service responsibilities. They will be employed on a temporary or intermittent basis but not-to-exceed 1 year unless specifically provided otherwise by law or for a lesser period of time when the need for their services will be completed earlier. They will not be employed to do a job that regular employees can do as well or to perform the duties of a continuing full-time position; neither will experts and consultants be employed where their appointments circumvent competitive employment procedures or General Schedule pay limitations.

(3) In accordance with 5 CFR 304.103(a)(2), experts and consultants who work on strictly an intermittent basis may be appointed without time limit and all others must receive temporary appointments. However, the above VA policy limits intermittent appointments to not-to-exceed 1 year. Also, the 5 CFR definition for temporary employment clarifies that the appointment may have a full-time, part-time, seasonal, or intermittent work schedule.

(4) The appointment of experts and consultants employed on an intermittent basis can be renewed from year to year; those serving under temporary appointments cannot, except as provided for by 5 CFR 304.103(c).

b. **Authorities and Responsibilities**

(1) **Office of the Secretary**

(a) The Secretary will determine the need for experts and consultants to be appointed to the Office of the Secretary. This includes responsibility to review and certify each proposed appointment or its extension, when applicable. (See paragraph 3c below.)

(b) All final selections of experts and consultants must be approved by the Secretary or other appropriate official, with the advice and assistance of the Deputy Assistant Secretary for HRM. Field facility heads will forward their recommendations for the appointment and employment of experts and consultants through channels to Central Office for approval. OHRM (051) will review staff office/administration requests prior to (00) approval.

(2) **Line Management.** The authority to perform pre-appointment certifications for requests to appoint experts and consultants and for any extensions of such appointments is delegated to Administration Heads, Assistant Secretaries, and Other Key Officials for requests under their jurisdiction. (See paragraph 3c below.)

(3) **Human Resources Management Officers**

(a) Human Resources Management Officers (HRMOs) (including the Director, Central Office Human Resources (035), in Central Office) will ensure that all procedures and requirements (e.g., dual employment, dual pay, conflict of interest, leave administration, and records documentation) for the appointment and employment of experts and consultants are followed (see 5 CFR 304.103-107).

(b) HRMOs will conduct the quarterly review of the employment of experts and consultants to assure that their utilization is proper. The reviews will be documented, maintained, and signed by the HRMO as explained in paragraph c, which follows.

c. **Review and Certification**

(1) **General.** With the advice and assistance of OHRM, the responsible selecting official will review and certify each proposed appointment, or the extension of an appointment, on the basis of the following considerations:

(a) Necessity for the position;

(b) Correctness of the judgment that the position requires the services of an expert or consultant;

(c) Propriety of the designation of the position as temporary or intermittent;

(d) Soundness of the decision that this is the most appropriate appointing authority to use;

(e) Qualifications of the proposed appointee;

(f) Appropriateness of the intended level of pay in relation to both the work to be performed and the qualifications of the proposed appointee; and

(g) Completeness of documentation.

(2) **Documentation.** The selecting official will sign an individually prepared certification attesting that all the requirements in preceding subparagraph (1) have been met for each appointee. The certification will be filed with the permanent records in each appointee's personnel folder and be worded along the lines of the sample in appendix II-M.

d. **Review During Employment**

(1) **General.** The responsible HRMO will review the utilization of each expert or consultant on a quarterly basis (i.e., March 31, June 30, September 30, and December 31). The HRMO will obtain documentation from the appropriate selecting officials as is deemed necessary to facilitate the review and certification to assure that in each case the:

(a) Circumstances requiring the initial employment of the expert or consultant are substantially the same;

(b) Duties performed are still those of an expert or consultant;

(c) Time limits are being observed;

(d) Documentation is kept current; and

(e) Duties of record are actually being performed.

(2) **Exclusions.** The quarterly review may be omitted for those experts or consultants who worked for 10 days or less during the quarter.

(3) **Documentation**

(a) Each review will be documented and signed by the HRMO. The review report will cover all experts and consultants and describe how the review was made, summarize the findings, and describe the actions taken to correct any deficiencies noted in the review. Where exclusions in subparagraph (2) above have been made, a statement describing the extent of the exclusion will be included in the report. Records of reviews will be retained for examination by OPM.

(b) Field facilities will forward a copy of each quarterly review, through channels, to the Human Resources Management Programs and Policies Service (051). Negative reports are not required.

e. **Annual Reviews.** Selecting officials (see paragraph 2b(1) above) will be notified by OHRM at the close of each fiscal year of their responsibilities and obligations for the proper employment and utilization of experts and consultants. (See Handbook 5001 for Annual Report on Expert and Consultant Appointments.)

3. SPECIAL NEEDS APPOINTMENTS [5 CFR 213.3102(i)(2)]

a. **General.** Facilities may make excepted temporary limited appointments of not to exceed 30 days duration to meet any legitimate special need that cannot be met by another appointment authority. These appointments may be made without regard to the general eligibility requirement in instances when a facility determines there is a critical need to fill a position on an interim basis pending completion of competitive examining, clearances or other procedures required for a longer appointment. Temporary limited appointments of longer duration are not authorized for this purpose.

b. **Extensions**

(1) Facilities may extend the service of an employee serving under a special needs appointment for up to 30 additional days provided that:

(a) Continued employment is essential to facility operations;

(b) The initial appointment was properly made; and

(c) The conditions which justified the original appointment still exist.

(2) This authority may not be used to exceed a service limitation imposed by some other appointing authority. A facility may not employ an individual under this type of appointment for more than 60 days in any 12-month period.

(3) The action extending a special needs employee's service is processed as a conversion.

4. PRESIDENTIAL MANAGEMENT INTERN. Organizational elements above facility-level and facilities interested in funding and staffing a Presidential Management Intern (PMI) position under 5 CFR 213.3102(ii) should contact the Human Resources Development Service (053). (PMIs completing 2 years of satisfactory service may be converted to a career-conditional, or if appropriate, career, appointment under 5 CFR 315.708.)

5. STUDENT EDUCATIONAL EMPLOYMENT. To be used with 5 CFR 213.3202(a) and (b).

a. **Scope**

(1) **Coverage.** This paragraph applies to appointments of students under the Student Educational Employment Program (SEEP). (See 5 CFR 213.3202(a), covering the Student Temporary Employment Program (STEP), and 5 CFR 213.3202(b), covering the Student Career Experience Program (SCEP).) All student employment under SEEP must be carried out in accordance with a written agreement between a VA establishment and an educational institution.

(2) **Exclusions.** This paragraph does not apply to: enrollees in manpower or education programs hosted at no cost to VA or on a cost reimbursable basis; volunteers; WOC (without compensation)

employees; or students enrolled in baccalaureate curricula appointed under authorities other than 5 CFR 213.3202(a) and 5 CFR 213.3202(b).

b. **References**

(1) Executive Order 12015, as amended, dated November 7, 1996.

(2) 5 CFR 213.3202(a) and (b).

(3) VA Handbook 5005, part I, chapter 2, section C.

c. **Selection and Eligibility.** Field facilities employing students have final responsibility for determining eligibility and selecting students recommended by schools. There must be a current position description for any position occupied by a SEEP student except for the positions of Resident in Healthcare Administration and Healthcare Administration Interns and Trainees which are excluded from this requirement by section 5102(16) of Title 5, U.S.C.

d. **Working Agreement.** There will be a written working agreement between the field facility and each participating school. The authority to enter into and sign a working agreement is reserved to the facility Director. A sample baccalaureate degree Student Career Experience Program (SCEP) agreement is contained in appendix II-D of this part. This sample agreement may be modified, as appropriate, for a Student Temporary Employment Program (STEP) baccalaureate degree program and for SCEP or STEP professional degree, graduate degree, associate degree, vocational/technical certificate, and high school (or equivalent) diploma programs.

e. **Retention And Release**

(1) **Students on SCEP Appointments.** In the case of SCEP students under 5 CFR 213.3202(b) only, the student's first work-education period will be considered the screening period during which every effort should be made to determine whether the student demonstrates the potential to succeed in the program. Near the end of this work-education period, and of each succeeding work-education period, an appraisal will be made of the student's performance. Based on this appraisal, each Service or Division Chief-level manager supervising a SCEP student will send to the Director, or to the Human Resources Management Officer where designated, a recommendation that the student be retained or released from employment. Recommendations for promotion, if appropriate, should also be made at this time. When the student's retention or release has been determined, both the student and the school's SEEP coordinator should be promptly notified. The appraisal made at or near the end of the final work-education period must contain a recommendation as to whether the SCEP student should be converted to a competitive position.

(2) **Students on STEP Appointments.** While the screening and evaluation of students on STEP appointments under 5 CFR 213.3202(a) need not be as structured as for SCEP students, supervisors should closely follow each student's progress and provide necessary counseling and guidance to ensure that the work-education period is a productive experience for both the student and VA.

f. **Employment After Graduation**

(1) **Students on SCEP Appointments.** A SCEP student who meets all the requirements set forth in 5 CFR 213.3202(b) may be converted noncompetitively to a career-conditional or career appointment, as appropriate. As early as practicable before graduation, the Human Resources Management Officer should provide the student with all available information avenues concerning employment opportunities in VA. These may include contacting the appropriate VA Central Office (VACO) program official, checking lists of vacancies published by VACO, and contacting other VA installations at which the student is interested in being employed.

(2) **Students on STEP Appointments.** Students appointed under 5 CFR 213.3202(a) who complete their STEP program to the satisfaction of the employing VA establishment may be considered for career-conditional or career appointment as appropriate, through the normal competitive process.

(3) **Consideration for Appointment.** There is no mandatory obligation on the part of VA establishments to appoint students who have completed programs under these two authorities.

g. **Student Educational Employment Liaison.** The Human Resources Management Officer or designee at each VA establishment employing SEEP students will serve as liaison with participating schools on matters pertaining to the Student Educational Employment Program. This person will keep informed of developments in the area of student educational employment both in the public and private sectors.

h. **Program Evaluation.** The SEEP program will be reviewed for compliance with Federal civil service regulations and VA policies as part of the human resources management evaluations conducted by VACO. In addition, Human Resources Management Officers should periodically review the program to ensure compliance with regulations and policies and its effectiveness in meeting field facility staffing needs.

i. **Funding.** VA establishments participating in this program will normally use available facility funds and ceiling. However, the Veterans Health Administration has annually announced that VHA facilities may submit requests for headquarters-level support through appropriate channels if funds are not available locally, for the establishment of a program or the continuation or expansion of an existing program which is clearly in the interest of VA.

j. **Health Care Administraton Residents, Interns and Trainees**

(1) **Health Care Administration Residents**

(a) Health care administration residents are graduate students pursuing a master's degree in a program approved by the Accrediting Commission on Education for Health Services Administration. Practical experience is for 1 year and is usually performed following the completion of 1 academic year of graduate study.

(b) Residents will be appointed under 5 CFR 213.3202(b). The Office of Personnel Management has authorized VA to employ residents for a period of 12 months as an exception to the requirements of 5 CFR, part 308.

(c) Compensation for residents is locally established by Directors at appropriate levels within maximums prescribed by Federal civil service regulations and part II, chapter 2, paragraph 3 of VA Handbook 5007, Pay Administration.

(d) Residents appointed under 5 CFR 213.3202(b) may be noncompetitively converted to career-conditional or career appointments, as appropriate, provided all requirements of 5 CFR 213.3202(b) are met.

(2) **Health Care Administration Interns**

(a) Health care administration interns are graduate students pursuing a master's degree in a program approved by the Accrediting Commission on Education for Health Services Administration. Practical experience is typically available during the summer between 2 years of graduate level academic study and is for a period of 2 to 4 months.

(b) Interns whose work assignments are anticipated to equal or exceed 640 hours necessary for non-competitive conversion must be appointed under 5 CFR 213.3202(b). Those interns whose work assignments are not anticipated to meet the 640 hours requirement under 5 CFR 213.3202(b) will be appointed under the authority of 38 U.S.C. 7405.

(c) Compensation for interns appointed under 5 CFR 213.3202(b) is locally established by Directors at appropriate levels within maximums prescribed by Federal civil service regulations and part II, chapter 2, paragraph 3 of VA Handbook 5007, Pay Administration. Compensation for those interns who are appointed under the authority of 38 U.S.C. 7405 will also be in accordance with the provisions of VA Handbook 5007, Pay Administration.

(d) Interns appointed under 5 CFR 213.3202(b) may be noncompetitively converted to career-conditional or career appointments, as appropriate, provided all requirements of 5 CFR 213.3202(b) are met.

(3) **Health Care Administration Trainees**

(a) Health care administration trainees are undergraduate students pursuing a bachelor's degree in health care administration or a closely related field. Practical experience is usually from 2 to 4 months during the summer between the junior and senior years.

(b) Trainees whose work assignments are anticipated to equal or exceed 640 hours must be appointed under 5 CFR 213.3202(b). Appointment will be at the GS-3 grade level if the trainee has completed 2 years of college and at the GS-4 grade level if the trainee has completed 3 years of college. Those trainees whose work assignments are not anticipated to meet the 640 hours requirement necessary under 5 CFR 213.3202(b) for non-competitive conversion to career-conditional or career appointments, as appropriate, will be appointed under 38 U.S.C. 7405.

(c) Compensation for trainees appointed under 5 CFR 213.3202(b) will be at the pay levels for GS-3 or GS-4, as appropriate. Compensation for those trainees who are appointed under authority of 38 U.S.C. 7405 will be in accordance with the provisions of VA Handbook 5007, Pay Administration.

(d) Trainees appointed under 5 CFR 213.3202(b) may be noncompetitively converted to career-conditional or career appointments, as appropriate, provided all requirements of 5 CFR 213.3202(b) are met.

(4) **Conversion to Career-Conditional and Career Appointments.** Students meeting all the requirements specified in 5 CFR 213.3202(b) may be converted to career-conditional or career positions, as appropriate, at the employing medical facility. If there is no appropriate position available locally for a student who is considered a good candidate for conversion, the medical facility or the student may check lists of vacancies published by VA Headquarters and contact other VA installations at which the student is interested in being employed.

6. OTHER EXCEPTED SERVICE APPOINTMENTS

a. General

(1) This paragraph contains the requirements and procedures to be followed in making appointments and position changes to positions through grade GS-15 or equivalent in the excepted civil service under 5 CFR, part 302, other than those covered by paragraphs 1 and 2 of this section. It does not apply to excepted service employment in the Veterans Health Administration under 38 U.S.C. ch. 73 and 74, or to employment in the Veterans Canteen Service under 38 U.S.C. ch. 78.

(2) The requirements of 5 CFR, part 302, and the provisions of this paragraph do not apply to the examination and selection of attorneys in VA. Administration and staff office heads, including the Chairman, Board of Veterans' Appeals, have complete responsibility for accepting attorney applications, evaluating relative qualifications of these candidates, according veterans preference as appropriate, and except for positions centralized to the Secretary, making final selections.

(3) The Office of Personnel Management excepts positions from the competitive civil service under authority of 5 CFR 213.101. These positions are identified as Schedule A, Schedule B, or Schedule C. Those excepted positions which are common to more than one agency are listed in 5 CFR, part 213. Those specific to one agency are published annually in the Federal Register under 5 CFR, part 213.

(4) Except where specific VA limitations are otherwise imposed, appointing officers may use any applicable Schedule A or Schedule B authority listed in 5 CFR, part 213 to meet employment needs.

(5) Schedule C positions in VA are of a policy-determining or confidential character and may be made without an OPM or other civil service examination. Schedule C positions are normally located in Central Office. Therefore, the processing of appointments under Schedule C, section 213.3301 or 213.3302 authority is the responsibility of the Central Office Human Resources Service (035).

b. **Qualification Standards.** Except where the qualification standards of the Office of Personnel Management are appropriate, e.g., Handbook X-118C for purchase and hire employees, necessary VA qualification standards for positions in the excepted service will be developed by the Office of Human Resources Management (05) in conjunction with interested department, administration and staff officials. Appointing officers wishing to modify or waive requirements of a qualification standard will be guided by the policies and principles stated in section D of this chapter.

c. **Accepting Applications**

(1) All applications solicited and accepted for employment consideration for positions in the excepted civil service must be complete, dated, and signed by the applicant. Applications for chaplain positions are to be forwarded through channels to the Director, Chaplain Service. All other official applications accepted for employment will be maintained by VA Boards of Excepted Service Examiners in applicant supply files.

(2) Verification of qualifications and suitability will be made as described in this handbook and 5 CFR, part 731. Where verification or subsequent investigation following employment discloses disqualifying factors to such a degree that a satisfactory explanation or resolution is not possible, the responsible official may disqualify the applicant, or separate the employee under appropriate trial period or adverse action procedures. The disqualifying factors may be:

(a) Dismissal from employment for delinquency or misconduct;

(b) Criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct;

(c) Intentional false statement or deception or fraud in examination or appointment;

(d) Habitual use of intoxicating beverages to excess;

(e) Reasonable doubt as to the loyalty of the person involved to the Government of the United States.

(f) Any legal or other disqualification which makes the individual unfit for service; or

(g) Lack of United States citizenship.

(3) Applicants will be contacted at approximately yearly intervals to determine whether they are still available and wish continued consideration for employment. Where the applicant fails to reply or declines further consideration, the application will be filed in the inactive section of the applicant supply file and then be disposed of in accordance with VA records disposal procedures.

d. **Examining for Excepted Positions**

(1) **VA Boards of Excepted Service Examiners.** Examination and certification of applicants for excepted service positions will be accomplished by VA Boards of Excepted Service Examiners.

(a) **Field Facilities.** Field facility HRM offices having positions to fill in the excepted service, except positions centralized for appointment and placement purposes to the Secretary or an administration or staff office head, will establish a Board. The Human Resources Management Officer is designated as the chairperson of the Board, with an appropriate staff employee, grade GS-7 or above, as the executive secretary. When the staff employee does not meet this requirement, the Human Resources Management Officer will serve both as the chairperson and the executive secretary. Each organizational element having excepted positions for which the Board examines will be represented on the Board by one or more examining members. The members will serve on examining panels when called for such service by the chairperson. While assigned to rating duties, the members will report to the chairperson.

(b) **Central Office.** The Director, Chaplain Service, or designee will establish a Board which examines and certifies candidates for chaplain positions in accordance with the provisions of this paragraph, 5 CFR, 6.3 and part 302. The Deputy Assistant Secretary (DAS)/HRM will establish a Board to examine and certify eligibles to Central Office positions and to excepted positions centralized for employment purposes to the Secretary or an administration or staff office head. The DAS/HRM will designate the chairperson of the Board and he/she in turn will designate the executive secretary. Each organizational element having excepted positions for which the Board examines will be represented on the Board by one or more examining members. The members will serve on examining panels, as needed, when called for such service by the chairperson. While assigned to rating duties, the members will report to the chairperson.

(2) **Rating Applications.** Applicants will be rated against the appropriate qualification standard and assigned numerical ratings on a scale of 100, with 70 the minimum eligible rating. Such ratings will be augmented by 10 or 5 points, as appropriate, for applicants entitled to veteran preference. When the number of applicants, following the "rule of three" described in subparagraph (3) below, does not exceed the number of positions to be filled, a rating of "eligible" may be assigned in lieu of a numerical rating. In either case, a notice of the rating must be given to the applicant upon request.

(3) **Certifying Eligibles.** In response to a request (SF 39) from the appointing officer, eligible candidates will be certified (VA Form 4681) by the Board for employment consideration. Generally, the Board will refer sufficient available candidates to permit selection consideration within the "rule of three." The preference order for referring candidates for professional and scientific positions at GS-9 and higher will follow the pattern described in 5 CFR 302, subpart C. For other positions, either Order A, B, or C described in the above CFR reference, may be selected to refer candidates. Once the order has been selected, it will be consistently used to certify candidates for employment considerations.

(4) **Records.** Applications, examination records, register cards, and records of certification will be maintained in Board files in such a manner that inspection by VA or Office of Personnel Management representatives is possible. VA Form 3959, Application Roster Sheet, may be used in lieu of register cards to show the status of and actions taken on applications.

e. **Modification of Examining Procedure**

(1) **Schedule C Positions.** Modification of the examining procedure above may be made for qualified candidates for Schedule C positions. Such candidates may be given an "eligible" rating by the appointing officer, or representative, and be selected for appointment without regard to the "rule of three." The

principles of veteran preference must be followed, as far as administratively feasible. At the discretion of the Secretary, the evaluation and rating process resulting in a numerical rating by the Board may be applied in filling Schedule C positions.

(2) **Former Federal Employee Applicants.** Any veteran preference applicant meeting the qualification requirements of the excepted position may be given an "eligible" rating by the appointing officer, or representative, provided the applicant had prior civilian service in the executive branch of the Federal Government. Such an applicant may be referred by the appointing officer and be selected without regard to the "rule of three."

(3) **Purchase and Hire Employees.** Modification of the examining procedure above may be made for purchase and hire employees when the number of qualified applicants does not exceed the number of jobs to be filled. In this case the applicants may be given an "eligible" rating by the appointing officer, or representative, and be considered for appointment in order of their preference, i.e., 10 percent or more compensably service-connected disabled veterans, other 10-point preference eligibles, 5-point preference eligibles, and non-preference eligibles, in keeping with 5 CFR 302.304(b)(5)(i).

f. **Reasons for Nonselection.** When requesting passover of a preference eligible with a compensable service-connected disability of 30 percent or more in favor of lower ranking preference or non-preference eligibles, appointing officers must follow the procedures contained in 5 CFR 332.406 and 339.306(b).

g. **Placement Follow-up.** A placement follow-up will be used to evaluate the appropriateness of specific placement and employment actions in excepted service positions. Follow-ups will be made for all initial appointments and significant position changes. After the employee has completed at least 90 days in the assignment, a human resources management office staff member will forward a placement follow-up form to the supervisor to obtain information about the employee's performance, his/her adjustment to the job, and any training or other needs or outstanding work that warrants attention for further placement consideration. Where deficiencies are reported, the employee should also be interviewed to further explore the courses of action that may be taken to overcome them. The follow-up form, VA Form 5-97, Notice of Pending Personnel Action, will be annotated to show that the follow-up was made, and only significant results will be recorded. These procedures are minimum requirements and where possible, extension of the follow-up interview for all placement actions is encouraged. For example, a follow-up of all promotions can be a valuable aid in assessing the results of the facility's promotion plan and the validity of the evaluation and selection process. Also, separate placement follow-ups with employees can be a valuable source of placement information as well as being an effective employee relations technique.

h. **Trial Period Certification.** Excepted service employees appointed to positions lasting more than 1 year (indefinite) are required to serve a trial period of 1 year. The trial period is a most important part of the examining procedure. This is the period when new employees are tested on the job for qualities and characteristics essential for satisfactory performance. To meet this responsibility supervisors must:

(1) Establish reasonable standards of performance and conduct for trial period employees to meet.

(2) Inform trial period employees about the standards and requirements.

(3) Help trial period employees to meet standards through necessary training and guidance.

(4) Promptly take steps to terminate trial period employees who, after a fair and reasonable trial, do not meet and keep the standards.

(5) Make the formal 10-month evaluation of each trial period employee a realistic and well-reasoned appraisal and base each recommendation for retention on a positive determination that the trial period employee has lived up to expectations and can reasonably be expected to continue to meet acceptable standards. (See MP-6, Pt. V, Supp. No. 1.5, appendix C, Sec. II, code 20.)

i. **VA Single-Agency Schedule A, B, and C Excepted Appointment Authorities.** (Published annually in the Federal Register, vs. in bound editions of title 5 in the Code of Federal Regulations)

(1) **Schedule A - Section 213.3127**

(a) Purchase and hire employees are temporary workers in trades, crafts, or manual labor occupations appointed for a definite period of time not to exceed the duration of a construction or major repair project. These employees will be appointed under 5 CFR 213.3127(a)(1).

(b) Not to exceed 400 positions of rehabilitation counselors GS-3 through GS-11, in Alcoholism Treatment Units and Drug Dependence Treatment Centers, when filled by former patients. These employees will be appointed under 5 CFR 213.3127(b).

1. Employees appointed under this authority must be ***former*** VA or non-VA drug dependent or alcoholic patients who have been rehabilitated through a prescribed treatment program. Former patients, including those that may be continued on an outpatient maintenance therapy basis, may be appointed under this authority. In-hospital patients will not be appointed to these positions.

2. Prior approval by VA Central Office must be obtained before any appointment commitment is made. The application, showing pertinent experience, the name and location of the applicant's rehabilitation program, and letters or statements attesting to candidate's rehabilitation will be forwarded to the Assistant Deputy Under Secretary for Health (10N/051) for approval. Once the appointment has been approved, these letters and/or statements will be disposed of in accordance with VHA Records Control Schedule 10-1. Facility directors will ensure that copies of letters or statements concerning an applicant's drug or alcohol dependence rehabilitation are not retained in personnel files nor made a part of the employee's medical records.

3. Applicants for Rehabilitation Technician positions must meet the qualification requirements contained in the VA qualification standard for Rehabilitation Technician, GS-181.

4. This Schedule A authority may be used in addition to, rather than in lieu of, the regular competitive civil service employment procedures. Continuing efforts should be made to convert employees holding excepted appointments to competitive status when warranted by their performance. This will give these employees the greater benefits of competitive status such as reinstatement and transfer rights and eligibility for inservice placement to other lines of work.

5. The number of Rehabilitation Technicians employed under Schedule A authority will be controlled to ensure that the OPM employee limitation is not exceeded. To accomplish this, Directors will notify the Assistant Deputy Under Secretary for Health (10N/051) of each appointment, giving the following information:

a. Name of employee.

b. Position title, series, and grade.

c. Date of appointment.

d. Veteran preference (5 or 10 point) and whether the employee is a Vietnam era veteran (military service between Aug. 5, 1964, and May 7, 1975).

e. Agency (VA or non-VA) in which employee completed rehabilitation treatment.

6. Directors will likewise notify Central Office whenever a Rehabilitation Technician leaves excepted service (including conversion to competitive status), giving:

a. Name of employee.

b. Date and reason for leaving.

(2) **Schedule B - Section 213.3227(a).** Not to exceed 400 principal investigatory, and 400 scientific, professional and technical positions at grade GS-11 and above in the medical research program. Although the authority does not require a time-limitation, the authority remains project oriented. All appointments should be made in association with a specific research project. Thus, appointments should be made with not-to-exceed dates consistent with the funding time frames, and extended if necessary to complete a project.

(a) **Appointments**

1. The Schedule B authority is not intended to replace other available appointment authorities. One example of an appropriate use of the authority would be the appointment of a new principal investigator just completing Ph.D. requirements and having no experience as the lead investigator in a major medical research project.

2. VHA facilities using this authority for scientific, professional and technical positions at GS-11 and above, and principal investigator positions at the GS-12 level are required to follow 5 CFR, part 302 and VA Excepted Board procedures in paragraph d above in filling these positions.

3. VHA facilities using this authority for principal investigator positions at GS-13 and above are **not** required to follow 5 CFR, part 302 and VA Excepted Board procedures. Veteran preference, however, must still be applied, to the extent administratively feasible, in filling these positions.

4. Applicants for these positions must meet the appropriate VA or OPM Operating Manual - Qualification Standards for General Schedule Positions qualification requirements for the specific position to which appointed.

5. The citizenship requirements contained in paragraph 5g of section A of this chapter, are applicable.

(b) **Use of Other Appointing Authorities**

1. Many research positions are continuing in nature and are filled by career-conditional or career appointment. The career-conditional or career appointment should be used whenever it is appropriate.

2. Projects which are expected to last no more than 4 years may continue to be staffed through the use of the 4-year term appointment authority.

(c) **Employee Rights, Privileges and Benefits**

1. **Position Changes.** Employees may be demoted, promoted or reassigned to positions under the same excepted authority.

2. **RIF (Reduction in Force).** In instances where a project is terminated prior to the time the appointment of Schedule B employees expired, RIF procedures must be used to remove such employees. Schedule B employees are in group III for RIF. As excepted service employees, they have no assignment rights when released from their competitive levels.

3. **Disciplinary and Adverse Actions.** Employees may have entitlements to due process and certain appeal or grievance rights, depending on the length of current continuous service, veterans preference and bargaining unit status. When contemplating disciplinary or adverse actions, the provisions of VA Handbook 5021, Employee/Management Relations, parts I and IV, as well as the terms of any applicable collective bargaining agreement, should be reviewed.

4. **Leave.** Excepted employees are covered by the same time and leave regulations applicable to employees in the competitive service.

5. **Retirement.** Generally, excepted employees whose appointments are for more than 1 year are covered by the OPM retirement system. Excepted employees whose appointments are for 1 year or less are generally covered under Social Security. Exclusions in regulations or law will be observed, e.g., any applicable to certain visa categories, such as F and J visas.

6. **Life Insurance and Health Benefits.** Excepted employees whose appointments are for more than 1 year are entitled to life insurance and health benefits.

(3) **Schedule C - Sections 213.3301 and 2.** Schedule C positions are of a confidential or policy determining character and may be made without an OPM examination. Schedule C positions are normally located in Central Office. Therefore, the processing of Schedule C appointments is the responsibility of Central Office Human Resources Service.

[**7. CAREER INTERN PROGRAM**

a. **Purpose.** This paragraph establishes VA policy for implementing the Federal Career Intern Program within VA. This program is designed to help recruit and attract exceptional individuals into a variety of occupations. The purpose of the program is to attract exceptional men and women to the workforce who have diverse professional experiences, academic credentials, training, and competencies, and to prepare them for careers in analyzing and implementing public programs.

b. **Policy**

(1) For purposes of this program, the Administrations and staff offices are considered to be separate entities.

(2) Authority is delegated to field facilities to develop Career Intern Programs to meet their recruitment needs in specific occupations. This authority does not preclude establishing intern programs at the Administration or national levels.

(3) Any programs established under the auspices of this paragraph must comply with the criteria as outlined in 5 CFR 213.3202(o).

(4) Guidance for establishing programs under this authority may be found in Appendix N of this part.

c. **Responsibilities**

(1) The Office of Human Resources Management shall advise management and operating officials on the policies and procedures and monitor the use of this program.

(2) Under Secretaries, Assistant Secretaries, and other key officials shall provide a copy of Administration-wide and/or national Career Intern Programs to the Office of Human Resources Management Program and Policies Service (051) prior to implementation. Any programs implemented under this authority must comply with the provisions of this part and Appendix II-N.

(3) Human resources management officers at local facilities shall ensure any Career Intern Program(s) implemented under this authority complies with the provisions of this part and Appendix II-N.

d. **References and Authorities**

(1) Executive Order 13162, dated July 6, 2000

(2) 5 CFR, parts 213, 302, 315 and 351]

SECTION D. QUALIFICATION STANDARDS

1. SCOPE. This section supplements and is to be used in conjunction with related parts of the 5 CFR, e.g., 338, and 339, and the instructions contained in the Office of Personnel Management (OPM) Operating Manual for Qualification Standards for General Schedule Positions and OPM's X-118C Handbook. The section provides VA policies and procedures for the development and use of qualification standards and examining guides for VA positions except:

a. Excepted positions in the Veterans Canteen Service under 38 U.S.C. ch. 78.

b. Positions filled by WOC (without compensation) employees. (See section A, paragraph 4c, this chapter.)

c. Positions filled by physicians, dentists, optometrists, podiatrists, nurses, nurse anesthetists, physician assistants, expanded function dental auxiliaries, licensed practical nurses, physical therapists, occupational therapists, registered/certified respiratory therapists and pharmacists under 38 U.S.C., chapters 73 and 74.

d. Positions filled by purchase and hire employees under VA's single-agency Schedule A appointment authority. (See paras. 5e(3) and 5i(1)(a) of section C, this chapter.) Qualification standards of comparable positions, however, will apply. (See OPM X-118C Handbook.)

2. POLICY

a. Qualification standards establish minimum requirements which are predictive of successful performance. These standards will be applied uniformly for like positions throughout VA, unless labor market conditions or atypical positions within an occupational group or other meritorious reasons warrant modifications or waivers of the standard to meet management objectives. Unless stated otherwise in the standard or other applicable instruction, the standards for noncompetitive actions will be the same as those for competitive appointments.

b. In the interest of sound human resources management, VA standards for positions not requiring formal technical or professional education or training will permit latitude for rotating and shifting employees in career development programs and other training and placement plans. Where feasible, standards will be developed or appropriately changed to permit the employment of persons who are economically disadvantaged or for persons with disabilities.

c. The application of qualification standards in VA is an integral part of the facility's overall human resources program. In that context, it includes, unless stated otherwise in an individual standard, application of those related policies and procedures in the following parts of the Code of Federal Regulations:

(1) 5 CFR, part 337, "Examining System," including the provision for giving appropriate credit to applicants for experience gained in religious, civic, welfare, service, and organizational activities, regardless of whether pay was received therefor.

(2) 5 CFR, part 412, "Executive, Management, and Supervisory Development."

(3) 29 CFR, part 1614, "Federal Sector Equal Employment Opportunity."

(4) 5 CFR, part 930, "Programs for Specific Positions and Examinations (Miscellaneous)."

3. GENERAL GUIDELINES

a. **Definition.** As used in this section, a qualification standard is a statement of the minimum requirements that an individual must meet to be qualified for appointment or assignment to a position. These requirements include such considerations as experience, education, training, personal characteristics, physical ability, minimum age, citizenship, and licensure or certification. In a broad sense, a qualification standard includes the examining guides, rating schedules, rating scales and other standardized measuring devices and techniques through which the qualifications of candidates are evaluated. A qualification standard does not include the more general requirements such as restrictions on employment of relatives, security, or time-in-grade requirements.

b. **Minimum Standards.** Qualification standards issued by OPM and VA establish minimum requirements. They usually cover an entire occupation and apply throughout the Federal Government or VA. The title, series codes, and grades stated in the standards serve the dual purpose of identifying the standard and its scope in terms of position coverage. Some standards, usually those concerning more than one class or series, may have a general title that is descriptive of all the positions covered.

c. **Interpreting Standards.** The determination as to whether an individual meets qualification requirements is made through an analysis of personal data or experience records, as well as interviews, approved tests (oral, written, or performance), and qualification investigations. In applying VA and OPM standards, VA appointing and examining officials are expected to make decisions on the interpretation of standards. When such matters cannot be reconciled, interpretations or decisions will be obtained from the servicing OPM office or from the Deputy Assistant Secretary for HRM (05), as appropriate.

d. **Selective Certification (5 CFR 332.403).** These procedures may be used as appropriate.

e. **Selective Placement Factors (5 CFR, part 335).** These factors may be used in applying qualification standards. See OPM Operating Manual - Qualification Standards for General Schedule Positions, Section II, General Policies and Instructions, E. Application of Qualification Standards, 6. Using Selective Factors.

f. **Relationship of "Classification Qualification Statements" to Qualification Standards (OPM Operating Manual – Qualification Standards for General Schedule Positions).** The minimum nature of qualification standards distinguishes them from the "qualification statements" contained in classification or wage position evaluation standards. The latter often describe levels of skills or abilities which are normally acquired through performance in a position.

g. **Progressively Responsible Experience (OPM Operating Manual - Qualification Standards for General Schedule Positions, Section II, General Policies and Instructions, E. Application of Qualification Standards, 3. Experience Requirements).** In qualification standards requiring

progressively responsible experience, where that term is not specifically defined, candidates must show pertinent experience of increasing importance and responsibility, at successively higher levels, with a substantial portion having been performed at a level comparable to the grade normally below the grade in the line of work for which they are candidates.

h. **Training and Promotion Agreements (5 CFR 410.307).** Special training agreements negotiated with OPM are, in effect, changes in qualification standards. These are, by nature of the agreement, conditional and limited in nature, but constitute an approved exception to the normal application of a standard.

(1) **Agreement for Training-Promotion of Service Disabled Veterans**

(a) A master agreement has been negotiated with OPM which delegates to VA the authority to develop and implement training plans that result in successful training being used as a substitute for normal qualifications, including time-in-grade requirements. For unpaid training, when noncompetitive appointment to a position or class of positions is the goal of the training, the initial training plan will be reviewed in Central Office (051) prior to approval by the field facility Director. Field facilities will forward a copy of the locally approved training plan to their servicing OPM service center.

(b) VBA rehabilitation and education staff may determine that training is necessary for disabled veterans who technically meet requirements of the qualification standard. Such cases should be processed in the same manner as others with a detailed justification of the training submitted for review with the training plan. Detailed justification should be developed by the rehabilitation staff.

(c) For positions subject to OPM qualification standards, 1 month of intensive, carefully planned training may be considered the equivalent of 2 months of experience when it has been determined that the training halves the time usually required to qualify for the position. Requests for such modification of OPM qualification standards should be submitted through channels to the DAS for HRM (051) for approval. Similarly, for positions subject to VA qualification standards, this determination may be made by VA officials authorized to modify VA qualification standards. Local approval of modifications permitting experience credit for positions grade 5 and below should be documented in writing and a copy of the approved modification forwarded to Central Office (see paragraph 8c of this chapter).

(2) **Training Plan Qualification Modification Requests.** Requests for modification of OPM and VA qualification standards which must be approved in VA Central Office should be accompanied by a copy of the training plan, VA Form 22-1905a (Training Program and Progress Record), OF 612 (Optional Application for Federal Employment) or resume, and a copy of the VA rehabilitation and education approval, VA Form 28-8871 (Certification of Eligibility and Feasibility).

i. **Physical Standards (see 5 CFR, part 339 and VA Handbook 5019).** The Office of Personnel Management is responsible for establishing physical requirements, including mental and emotional stability, for all positions in the competitive service. These requirements are issued as a part of the qualifications standards, including those issued by VA. (See also appendices II-F1 to II-F35.) A general physical requirements paragraph applies to all General Schedule qualification standards covering occupations in which the positions typically involve sedentary, light, or moderate duties. A more detailed physical requirements paragraph applies to qualification standards for occupations in which the positions

typically involve arduous or hazardous duties. Excepted civil service qualification standards established by appointing officers will be governed by these same physical requirements paragraphs, as appropriate.

4. VA QUALIFICATION STANDARDS

a. **General.** VA develops its own qualification standards or approves the use of OPM qualification standards for the following:

(1) Classified positions through grade GS-15 excepted from the competitive service under 5 CFR, part 213, Schedule A or C and 5 CFR, part 6 (Rule VI).

(2) Medical support positions in the Veterans Health Administration as authorized in 38 U.S.C. 7402. As a matter of general policy, VA will not use this authority for clerical, administrative, crafts and unskilled positions except where the needs of VA clearly require different standards from those issued by OPM for similar positions. This policy recognizes the desirability of having the same requirements for like positions in all Federal facilities.

b. **Authority to Approve VA Standards.** The Deputy Assistant Secretary for HRM is authorized to approve for the Secretary qualification standards and examining guides which are established within the Department. OPM will be furnished copies when they relate to positions in the competitive civil service.

c. **Issuance of Standards.** VA qualification standards are usually issued in an appendix to this part. They are also issued by OPM in the Operating Manual - Qualification Standards for General Schedule Positions, noted as approved for use in the Veterans Health Administration or as a VA Single Agency Qualification Standard, when applicable.

d. **Maintenance of Standards.** VA qualification standards (appendices II-F1 through II-F36) may be maintained in occupational series order with this handbook, and/or they may be interfiled in occupational series order in the OPM Operating Manual - Qualification Standards for General Schedule Positions.

e. **Selective Certification.** Through agreement with OPM, VA standards will be used to request certification from any Federal examining office. Any misunderstandings concerning this agreement are to be reported, through channels, to the Deputy Assistant Secretary for HRM (051).

5. ENGLISH LANGUAGE PROFICIENCY FOR VHA POSITIONS

a. Under 38 U.S.C. 7402(d), no persons shall serve in direct patient-care positions in VHA unless it has been determined that they are proficient in basic written and spoken English.

b. Provisions of appendix II-I of chapter 3, this part will be used, as applicable, to determine that title 5 employees in direct patient-care positions meet the English language proficiency requirements of 38 U.S.C. 7402(d).

c. When vacancies for direct patient-care positions are announced (including promotion opportunities and open-continuous announcements), the announcement, citing 38 U.S.C. 7402(d), must include the English language proficiency requirement as a selective factor.

d. When appointing officials determine that eligibles on a Federal civil service certificate do not possess the required proficiency, they may object to those eligibles citing 38 U.S.C. 7402(d). Similarly, when candidates who are not proficient in English have previously been certified by OPM or a VA or other Federal delegated examining unit, the appointing official may request selective certification based on English proficiency.

6. OPM QUALIFICATION STANDARDS

a. **Issuance of Standards.** OPM develops and issues qualification standards in its Operating Manual - Qualification Standards for General Schedule Positions and Handbook X-118-C. These are supplemented by examining guides for (1) the preparation of examination announcements and (2) the development of rating schedules and procedures. OPM may amend OPM qualification standards for the positions involved for both competitive and noncompetitive actions. Facilities may do so only to the extent provided in the OPM Operating Manual's section II, General Policies and Instructions.

b. **Exceptions to OPM Qualification Standards.** Facility directors and the Director, Central Office Human Resources Service, may negotiate with and obtain the prior approval of the servicing OPM office for exceptions to OPM qualification standards, except for the positions below, which require the prior approval of the Under Secretary for Benefits:

(1) All positions in adjudication functions of the Veterans Benefits Administration in the GS-101 and 996 series, grade 5 and above.

(2) All Counseling Psychologist positions in the GS-180 series. Recommendations for these positions will be forwarded to the Deputy Assistant Secretary for HRM (051) through channels.

c. **Coordinating and Approving Standards.** The Deputy Assistant Secretary for HRM is responsible for coordinating all qualification standards matters within VA and with other agencies. This includes coordinating the approval of standards to be issued as Single Agency Qualification Standards and the adoption of OPM standards for use in the Veterans Health Administration.

7. DEVELOPING QUALIFICATION STANDARDS

a. **General.** Qualification standards (VA or OPM) and examining guides will be developed by the Deputy Assistant Secretary for HRM in cooperation with interested administration, Central Office, and field facility officials. VA established standards and guides will be approved by the Deputy Assistant Secretary for HRM, with proposed OPM standards and guides forwarded to OPM for necessary action.

b. **Field Facilities.** Field facilities, including the Central Office Human Resources Service, are encouraged to make recommendations for new or revised standards or examining guides to the Deputy Assistant Secretary for HRM (051) through channels. Submissions will follow the standards format of OPM's Operating Manual - Qualifications Standards for General Schedule Positions or qualification

standard appendices to this section. Explanatory background material, organizational and position coverage data, along with other pertinent supporting information will be included.

c. **Reviewing Proposed Qualification Standards.** From time to time, field facilities will be requested to review and comment on tentative drafts of VA as well as OPM qualification standards. The letter of transmittal will establish a due date for return of the comments. At times, arrangements will be made for OPM to send drafts directly to selected field facilities. When this occurs, field facilities will forward their comments to the Deputy Assistant Secretary for HRM (05), through channels, no later than the midpoint date between the receipt of the draft and its due date as established by OPM.

8. MODIFICATION OF VA QUALIFICATION STANDARDS--GENERAL

a. **Definition.** Modification of a VA qualification standard is the changing of the requirements of a standard used to evaluate the qualifications of all candidates for a position. A standard may be changed only in the absence of fully qualified eligibles for both competitive and noncompetitive actions, e.g., appointments, reassignments, and promotions.

b. **Effect on Later Actions.** When an action has been taken on a modification of a standard, employees will be considered as having met the full requirements of the position when determining eligibility for subsequent placement actions, unless the applicable standard or other instructions specifically exclude this. (OPM Operating Manual - Qualification Standards for General Schedule Positions, par. IIE8, Special Inservice Placement Provisions.)

c. **Documenting Modifications.** Modifications of VA qualification standards will be appropriately documented for the approving official and the record. The record will be supported by the following, as applicable:

(1) A summary of the recruitment and placement efforts made to locate qualified candidates.

(2) OF 612, SF 171 or comparable document or a summary of the pertinent qualifications of the candidate(s).

(3) A summary of how the candidate(s) fails to meet the standards.

(4) Recommendations for the proposed modification by appropriate operating officials including any implications which should be known by the approving official.

9. MODIFICATION OF VA QUALIFICATION STANDARDS FOR COMPETITIVE EXAMINATIONS

a. **Field Facilities**

(1) Facility directors and the Director, Central Office Human Resources Service, may make agreements with the servicing OPM office to modify *only* experience requirements of VA qualification standards for local examining purposes for noncentralized positions. If more than one VA facility is in the area to be serviced by an announcement or an established register, the agreement will be coordinated with all

concerned facilities. The initiating facility will report such modifications, through channels, to the Human Resources Management Programs and Policies Service (051) and, if appropriate, include any specific recommendation for revision of the standard.

(2) Where modification of the training or education requirements of a standard is needed, or a centralized position is involved, the facility Director will forward his/her recommendation, through channels, to the Human Resources Management Programs and Policies Service (051).

b. **Central Office.** The Deputy Assistant Secretary for HRM may make agreements with OPM to modify training and education requirements and to modify standards for which examinations are conducted on a centralized basis and coordinate such agreements for positions centralized to the Secretary or the Administration Heads.

10. MODIFICATION OF VA QUALIFICATION STANDARDS FOR TEMPORARY EMPLOYMENT

a. **General.** In the absence of qualified eligibles, modification of a VA standard for temporary employment (time-limited or TAPER) is appropriate in accordance with the following criteria:

(1) Where reasonable positive staffing efforts have not located acceptable candidates who meet the qualification standard, modification of the length or type of experience, the amount of training, or education may be approved for temporary employment to enable the appointment of the candidate who most nearly meets the existing standard. Statutory or other requirements not shown above such as citizenship, licensure, and registration will not be modified.

(2) "Reasonable positive staffing efforts" means that thorough attempts have been made to locate fully qualified eligibles within the normal labor market area including VA, other agencies, appropriate registers, the applicant supply file, the local office of the Employment Service, and any other sources that are used in intensified recruitment.

(3) In determining whether to modify a standard, consideration must include the likelihood of the person meeting the requirements for career appointment during his/her employment under the temporary appointment.

b. **Field Facilities**

(1) Facility directors and the Director, Central Office Human Resources Service, may modify *only experience* requirements of a VA qualification standard for positions at their facility, except those centralized to the administration or to the Secretary. The modified standard is applicable to all like positions at the location and is to be uniformly applied in all actions affecting the positions involved for the duration of the circumstances which justify the modification. The initiating facility will report such modifications, through channels, to the Deputy Assistant Secretary for HRM (051).

(2) Where modification of the education or training requirements of a standard is needed, or a centralized position is involved, the facility Director will forward his/her recommendation, through channels, to the Human Resources Management Programs and Policies Service (051).

11. MODIFICATION OF VA QUALIFICATION STANDARDS FOR NONCOMPETITIVE ACTIONS

a. **Scope.** Certain requirements of VA qualification standards may be modified in noncompetitive actions as explained below. Those requirements which are prescribed by statute, e.g., the licensing, degree, and registration requirements of 38 U.S.C. 7402, however, will not be modified.

b. **Criteria.** Among the criteria which may form the basis for modifying a standard are:

(1) The absence of acceptable candidates who meet the standard. This contemplates that "reasonable positive staffing efforts" have been made and that the candidates for whom the modification is proposed represent those prospects who most nearly meet the qualification standard, in the judgment of the appointing officer concerned.

(2) Availability of candidates whose type or degree of qualification would probably have been included in the standard had they been considered when the standard was developed. In this instance, action will concurrently be initiated to recommend revision of the standard.

(3) Adequate consideration could not otherwise be given employees in terms of local merit promotion, placement, or employee development programs, in which valid evaluation and selection techniques are used.

c. **Approving Modifications (Statutory Requirements Excluded)**

(1) Facility directors and the Director, Central Office Human Resources Service, may modify *only experience* requirements of a VA qualification standard for noncompetitive actions. This authority is limited to noncentralized General Schedule positions GS-5 and below. For modification of the experience requirements for positions GS-6 and above, or when modification of the education or training requirements is needed, or a centralized position is involved, the facility Director will forward his/her recommendation, through channels, to the Deputy Assistant Secretary for HRM (051). A notice of each approved modification will similarly be forwarded.

(2) Administration Heads, Veterans Integrated Service Network (VISN) Directors, Associate Deputy Under Secretaries for Field Operations or VAMC Directors, after considering the recommendation of the Program Director, will approve modification of length of experience, training, and education requirements for their field positions except those delegated in (1) above and those centralized to the Secretary.

(3) The Deputy Assistant Secretary for HRM will approve modifications of qualification requirements for Central Office positions except those delegated in subparagraph (1) above and those centralized to the Secretary.

(4) The Secretary or his/her designee approves modifications of qualification requirements for positions centralized to him/her.

12. WAIVER OF VA QUALIFICATION STANDARDS

a. **General.** A waiver is an exception to the qualification requirements of a standard applied to an individual in a noncompetitive action.

(1) A waiver may be made when it can be justified as the most appropriate means of filling the position. This means that consideration should be given first to alternate methods of filling the position such as developing a training program, modifying the qualification standards, making use of detail provisions or recruiting from the outside. Generally, waivers are more appropriate for shortage category positions than in situations where qualified persons are available. A shortage category position is one where "positive recruitment effort" fails to produce qualified persons or where past experience has demonstrated that acceptable candidates are not available.

(2) In approving waivers there should be reasonable assurance that the employee's potential and demonstrated ability gives evidence of satisfactory performance in the new position and that necessary on-the-job or other required training will be available.

(3) Waivers are not proper where there is competition for the position such as a promotion made under a merit promotion plan.

b. **Effect on Later Actions.** When an employee is placed in a position through the waiver of the requirements of a standard, a correct application of a valid standard has not been made. To be considered for subsequent placement actions, the employee must make up the waived requirements when pertinent to the standard unless action is taken to again waive or modify the requirements.

c. **Documenting Waivers.** Waivers of VA qualification standards will be documented as described for modifications in paragraph 8c above.

d. **Approving Waivers (Statutory Requirements Excluded).**

(1) Facility directors and the Director, Central Office Human Resources Service, may waive *only experience* requirements of a VA qualification standard in a noncompetitive action to a noncentralized position. Where waiver of the training or education requirements of a standard is needed, or a centralized position is involved, the facility Director will forward his/her recommendation, through channels, to the Human Resources Management Programs and Policies Service (051). A notice of each approved waiver will similarly be forwarded.

(2) Administration Heads, Network Directors, or Associate Deputy Under Secretaries for Field Operations, after considering the recommendation of the Program Director, will approve waivers of length of experience, training, and education requirements for their field positions except those delegated in subparagraph (1) above, and those centralized to the Secretary.

(3) The Deputy Assistant Secretary for HRM will approve waivers of qualification requirements for Central Office positions except those delegated in subparagraph (1) above and those centralized to the Secretary.

(4) The Secretary or his/her designee approves waivers of qualification requirements for positions centralized to him/her.

13. INTERIM STANDARDS

a. **General.** When a position is not covered by a qualification standard or rating schedule, field facilities, including the Central Office Human Resources Service, will develop "interim" standards and related instructions as explained below. Such standards, examining guides, and rating schedules will follow the format and procedures of the applicable VA or OPM standards program. They will be identified as "interim" and will be superseded by a regular standard at the earliest practicable date.

b. **VA Qualification Standards**

(1) Facility directors approve "interim" VA standards, guides, or schedules for their positions except those positions centralized to the Administration Head or the Secretary.

(2) The Director, Central Office Human Resources Service, approves "interim" VA standards and related instructions for Central Office positions except those centralized to the Secretary.

(3) Proposed "interim" VA standards and instructions for centralized positions will be forwarded to the Deputy Assistant Secretary for HRM (051), through channels, for necessary approval action by the Administration Head or the Secretary.

c. **OPM Qualification Standards.** The official having appointing authority over the position (see subparagraph b (1) and (2) above) will recommend "interim" standards and related instructions to the servicing OPM office for those positions subject to OPM qualification standards. For positions centralized to the Administration Head or the Secretary, the proposed "interim" standard will be forwarded to the Deputy Assistant Secretary for HRM (051), through channels, for processing.

d. **Distribution.** Two copies of each approved and recommended "interim" standard and related instructions will be forwarded to the Deputy Assistant Secretary for HRM (051), through channels. In addition, two copies of "interim" standards proposed for positions subject to the VA qualification standards program will be forwarded by the approving authority to the appropriate OPM office.

PART II. APPOINTMENTS

CHAPTER 3. TITLE 38 APPOINTMENTS

SECTION A. GENERAL

1. SCOPE

a. **General.** This chapter contains administrative requirements and procedures relating to the appointment of individuals to occupations identified in 38 U.S.C. 7306, 7401(1), and 7401(3); and employees in those occupations who are appointed under 38 U.S.C. 7405. This includes such employees as physicians, dentists, podiatrists, optometrists, nurses, nurse anesthetists, physician assistants (PAs), expanded-function dental auxiliaries (EFDAs), certified respiratory therapists (RTs) or registered respiratory therapists (RRTs), licensed physical therapists (PTs), licensed practical or vocational nurses (LPN/LVNs), occupational therapists (OTs), and pharmacists. This section also applies to medical support personnel appointed under authority of 38 U.S.C., chapter 73 or 74.

b. **Central Office Appointments.** Provisions of this section apply to Central Office employees in the occupations indicated in subparagraph a. who are appointed under 38 U.S.C. 7306, 7401(1), 7401(3), or 7405. The terms "medical center officials" and "facility Director or designee" refer in Central Office to the Under Secretary for Health or designee.

c. **Residents.** Medical and dental residents appointed under 38 U.S.C. 7406, and podiatry and optometry residents and trainees appointed under 38 U.S.C. 7405 are included within the scope of this section. The term resident as used in this chapter includes interns.

d. **Exception from the Competitive Service and the Provisions of 5 U.S.C. Chapter 51.** The appointments of persons under the authority of sections 7306, 7401(1), and 7401(3), and under sections 7405 and 7406 to occupations identified in those sections, are excepted from the competitive service and from 5 U.S.C. chapter 51.

2. AUTHORITY AND RESPONSIBILITY

a. **Effecting Appointments.** Appointments will be effected only by appointing officers (responsible Human Resources Management Officer). These appointing officers will effect appointments after the approval of the qualifications and the selection for appointment has been made by the approving official designated below.

b. **Approval of Qualification and Selection for Appointment.** The approving authorities for appointment of certain research personnel, residents, and associated health trainees are contained in M-3 and M-8. The approving officials for appointment to positions in VHA under 38 U.S.C., chapter 73 or 74, will be as follows:

(1) **The Secretary**

(a) On advice of the Under Secretary for Health, the approval of the qualifications and selection of all persons to be appointed under the authority of section 7306.

(b) The approval of all facility directors appointed under the authority of 38 U.S.C., section 7401(1).

(c) The approval of network directors appointed under 38 U.S.C., section 7306 (for network directors appointed in the Senior Executive Service, see 5 U.S.C. 3393 and VA Handbook 5027).

(d) The approval of VISN Clinical Managers appointed under the authority of 38 U.S.C., section 7401(1).

(2) **The Under Secretary for Health or Designee in Central Office.** Except as limited by subparagraph (1), the Under Secretary for Health or designee is the approving official for the appointment of all individuals who are appointed in Central Office under 38 U.S.C., chapter 74, irrespective of the type of appointment, title, or grade.

(3) **Network Directors.** Network directors have the authority to appoint chiefs of staff. However, facility officials will continue to forward chief of staff nominations to the VHA Management Support Office (10A2B). The Management Support Office will provide a technical review of the nomination, arrange for appropriate approvals and/or reviews with VHA Central Office officials as necessary, and forward the completed nomination to the Network Director for approval.

(4) **Facility Directors.** Except as limited by subparagraphs (2) and (3) above, the facility Director is the approval authority for the following appointment and assignments.

(a) **Physicians.** The approval of the qualifications and selection of physicians appointed under the authority of sections 7401(1) and 7405, including Associate Chiefs of Staff, Chiefs of Neurology Sections, and physicians in service chief or comparable positions. See appendices II-G2 and II-H1 for procedures for qualifying and appointing physicians to service chief and comparable positions.

(b) **Dentists.** The approval of the qualifications and selection of dentists appointed under the authority of sections 7401(1) and 7405, including chiefs of dental service or comparable positions and staff dentists. See appendices II-G3 and II-H2 for procedures for qualifying and appointing dentists.

(c) **Nurses.** The approval of the qualifications and selection of nurses appointed under the authority of sections 7401(1) and 7405. See appendices II-G6 and II-H5 for procedures for qualifying and appointing registered nurses.

(d) **Podiatrists.** The approval of the qualifications and selection of all podiatrists appointed under authority of sections 7401(1) and 7405. Refer to appendices II-G4 and II-H3 for procedures for qualifying and appointing podiatrists.

(e) **Optometrists.** The approval of the qualifications and selection of all optometrists appointed under authority of sections 7401(1) and 7405. Refer to appendices II-G5 and II-H4 for procedures for qualifying and appointing optometrists.

(f) **Nurse Anesthetists.** The approval of the qualifications and selection of nurse anesthetists, including Chiefs of Nurse Anesthesiology under authority of sections 7401(1) and 7405. Refer to appendices II-G7 and II-H6 for procedures for qualifying and making appointments to Chief, Nurse Anesthesiology positions.

(g) **PAs.** The approval of the qualifications and selection of all PAs, including those in Chief Grade under authority of sections 7401(1) and 7405. Refer to appendices II-G8 and II-H7 for procedures for qualifying and making appointments of PAs to Chief Grade.

(h) **EFDAs.** The approval of the qualifications and selection of all EFDAs appointed under the authorities of 7401(1) or 7405. Refer to appendices II-G9 and II-H2 for procedures for qualifying and appointing EFDAs.

(i) **Pharmacists.** The approval of the qualifications and selection of all pharmacists, including Chiefs of Pharmacy Service (all grades), clinical pharmacists/pharmacy specialists and program specialists in grades GS-13 appointed under the authorities of 7401(3) and 7405. Refer to appendices II-G15 and II-H8 for procedures for qualifying and appointing chiefs of pharmacy service, clinical pharmacy/pharmacy specialists, and program specialists at grades GS-13 and above. In addition, the Director may delegate authority to the Chief, Pharmacy Service, to approve the appointment of pharmacists at GS-12 and below, and of Assistant Chiefs, Pharmacy Service at GS-13.

(j) **PTs and OTs.** The approval of the qualifications and selection of PTs and OTs for section chief positions and positions at GS-12 appointed under the authorities of 7401(3) and 7405. The Director may delegate approval authority for appointments of other PTs and OTs to the Chief of Staff. Refer to appendices II-G12, II-H14 and II-H9 for procedures for qualifying and making appointments to section chief positions.

(k) **Respiratory Therapists.** The approval of the qualifications and selection of all RTs. The Director may delegate approval authority for appointments of RTs to the Chief of Staff appointed under the authorities of 7401(3) and 7405. Refer to appendix II-G11 for qualifying RTs.

(l) **LPNs/LVNs.** The approval of the qualifications and selection of all LPNs/LVNs appointed under the authorities of 7401(3) or 7405. The Director may delegate approval authority for appointments of LPNs to the Chief of Staff or to the Chief, Nursing Service. Refer to appendix II-G13 for qualifications.

c. **Professional Standards Boards.** See section C of this chapter for provisions relating to the establishment, membership, and functions of Professional Standards Boards.

d. **Human Resources Management Officer Responsibilities.** The Human Resources Management Officer will be responsible for:

(1) Adherence to administrative and regulatory requirements;

(2) Review of each case for completeness before forwarding to Central Office;

(3) Advising boards on administrative and regulatory requirements pertaining to appointments, advancements and probationary reviews;

(4) Notifying prospective appointees of their selection.

3. APPOINTMENT REQUIREMENTS AND DETERMINATIONS

a. Preference to Veterans

(1) The primary consideration in making appointments of physicians, dentists, podiatrists, optometrists, nurses, nurse anesthetists, PAs and EFDAs under 38 U.S.C., chapter 73 or 74, will be the professional needs of VHA. Consistent with this policy, however, veterans will be given preference when qualifications of candidates are approximately equal. This includes qualified disabled veterans and preference eligibles as defined in 5 U.S.C. 2108.

(2) When candidates for positions identified in 38 U.S.C. 7401(3), such as RTs, PTs, LPNs, OTs, or pharmacists, are determined to be approximately equally qualified for a particular opening, hiring preference will be given to veterans and preference eligibles as defined in 5 U.S.C. 2108. Selections from among these candidates will be made in the following order:

(a) Disabled veterans who have a service-connected disability of 10 percent or more.

(b) Preference eligibles under 5 U.S.C. 2108(3) (C) through (G) other than those above (e.g. disabled veteran; unmarried widow or widower of a veteran who served on active duty in wartime or other designated service period; spouse of a service-connected disabled veteran not qualified for civil service employment; mother of a veteran who lost his/her life in wartime or other designated service period; mother of a service-connected permanently and totally disabled veteran.)

(c) Preference eligibles under 5 U.S.C. 2108(3)(A) and (B) (i.e., veteran who served on active duty in wartime or other designated service period.)

(d) All other candidates.

b. Dual Employment and Dual Compensation Restrictions

(1) Except as provided in the subparagraphs below, no full-time employee appointed under authority of 38 U.S.C., chapters 73 or 74, will concurrently hold any other type of **paid** appointment in VA.

(2) The following personnel may hold more than one appointment provided it is not contrary to 5 U.S.C. 5533 and VA Directive and Handbook 5007: full-time personnel appointed under 38 U.S.C. 7401(3), personnel in occupations listed in 38 U.S.C. 7401(3) who are appointed on a full-time or part-time basis under 38 U.S.C. 7405(a)(1)(B), and medical support personnel appointed on a full-time or part-time basis under 38 U.S.C. 7405(a)(1)(D). A medical resident may serve as an admitting physician

on a fee basis in accordance with the criteria in VA Handbook 5007. Paid trainees in medical support programs funded through the Office of the Chief Academic Affiliations Officer may simultaneously hold part-time, intermittent, or fee basis appointments provided there is no violation of dual compensation restrictions, the trainee is determined to be the best qualified applicant, and the utilization as a trainee is consistent with the provisions of VHA Manual M-8, Academic Affairs. All other personnel appointed under authority of 38 U.S.C., chapters 73 or 74 are covered by the provisions of subparagraph b(2) through b(4). Pharmacy residents appointed under 38 U.S.C. 7405(a)(1)(D) may be appointed to another position under 38 U.S.C. 7405 without regard to the restrictions in 5 U.S.C. 5533.

(3) Facility directors may appoint, on a lump-sum fee basis, full-time employees from other VA facilities employed in occupations listed under 38 U.S.C. 7401(1), provided the criteria in paragraph (4) below are met and such an appointment would not be contrary to Department conflict of interest regulations (38 CFR, part 0). Such appointments permit the use of full-time employees on a fee basis at a second VA facility, provided management officials at both facilities agree that the arrangement permits them to meet staffing needs; fees are paid on other than a time basis; and the arrangement results in an employer-employee relationship. (5 CFR, part 304.) Facilities wishing to use this authority should identify the particular task they need accomplished and compensate the employee on a fee basis for the completion of that task. Appointment of full-time employees covered by 38 U.S.C. 7401(1) on a fee basis at the same VA facility is not permitted. No consultant, attending, fee-basis, part-time, or intermittent employee will simultaneously hold more than one compensable appointment in VHA unless the outlined criteria are met. The restriction in the preceding sentence applies to appointment at the same facility or at more than one facility.

(4) For individuals identified in subparagraph b(2), dual appointments may be approved by the facility Director, subject to the following conditions and restrictions:

(a) Services are essential to the health care needs of patients.

(b) No other equally qualified individual in the specific specialty is available in the locality.

(c) There is no violation of dual compensation statutes or VA policies.

(5) For individuals identified in subparagraph b(2), the following dual appointments will be approved by the facility Director only in exceptional circumstances and if requirements in subparagraph b(4) are met. Officials will ensure that these appointments will not present or lead to a conflict of interest or the appearance thereof. Questions concerning conflict of interest matters may be directed to the Regional Counsel.

(a) Utilization as a consultant or attending in combination with employment on a part-time or intermittent basis at the same facility;

(b) On-facility fee-basis appointment under the schedule of fees in combination with utilization as a consultant or attending at the same facility. (This subparagraph does not apply to outpatient services of off-facility fee-basis personnel in a private office or private clinic, even though consultant or attending services may be performed on the same day.)

(c) Part-time or intermittent employees, or currently employed consultants and attendings, in combination with an on-facility fee-basis appointment to perform an operation, give treatment, or perform special duty nursing.

(6) Recommendations to approving officials should include sufficient information to indicate that dual employment is justified.

c. **Equal Opportunity for Employment.** Employment actions will be taken on the basis of merit and without discrimination for such reasons as age, race, color, religion, national origin, sex, lawful partisan political affiliation, marital status, physical or mental disability (when the individual is qualified to do the work), or membership or non-membership in a labor organization.

d. **Member of Family Restrictions.** Employment actions will conform to the restrictions governing the employment of family members as provided in 5 CFR, part 310. (For further guidance, refer to chapter 2, this part).

e. **Restrictions Regarding Political Activity.** Employees appointed under authority of 38 U.S.C., chapter 73 or 74, are subject to the political activity restrictions in 5 U.S.C., chapter 73 and VA Handbook 5025, Legal.

f. **Qualification Standards**

(1) **General.** The basic qualification requirements for individuals appointed under 38 U.S.C., chapter 73 and 74, in occupations identified in sections 7401(1) and 7401(3), are contained in VA Qualification Standards approved by the Secretary of Veterans Affairs upon recommendations of the Under Secretary for Health. These standards apply to all appointments in these occupations under authority of 38 U.S.C., chapter 73 or 74, regardless of the nature or tenure of the appointment.

(2) **Qualification Standards for Occupations.** The qualification standards for individual occupations are contained in appendix II-G1 through II-G15 of this chapter.

(3) **Education**

(a) Approved schools and satisfactory internships or their equivalents for the purpose of 38 U.S.C. 7402, will be those designated in the appropriate qualification standards. The accrediting agency or body for verifying education of applicants is also identified in the qualification standards.

(b) Provisions of 38 U.S.C., chapter 73 or 74, require that individuals have education and licensure, registration or certification as specified in the appropriate qualification standard in order to qualify for assignment of patient care responsibility. Unless otherwise indicated in the qualification standard, an unlicensed candidate may not use professional education as a substitute for the accredited education and/or training required by the qualification standards of another occupation. For example, an unlicensed physician may not be appointed as a PA by using graduation from medical school as a substitute for completion of an approved PA training program. Likewise, an unlicensed dentist may not be appointed as an EFDA by using graduation from dental school as a substitute for completion of approved dental assistant or hygienist training.

(4) **Grade Level Determinations.** The grade to which an applicant is appointed will be determined by the individual's qualifications and, in some instances, by the assignment.

g. **Citizenship**

(1) To be eligible for appointment in VHA, an applicant must be a citizen of the United States (U.S.), except as provided in 38 U.S.C. 7407(a) and subparagraph (2) below. The acquisition of "first papers" or the "owing of allegiance to the United States" does not satisfy the basic requirement of citizenship. Naturalized citizens must furnish evidence of citizenship.

(2) After a determination is made that it is not possible to recruit qualified citizens, necessary personnel may be appointed on a temporary basis under authority of 38 U.S.C. 7405 without regard to the citizenship requirements of 38 U.S.C. 7402 or any other law prohibiting the employment of or payment of compensation to a person who is not a citizen of the United States. Candidates must meet all other requirements for the grade and position concerned.

(3) Requests to petition the US Department of State (DOS) for waiver of the 2-year home residence requirement under 22 CFR, part 514 must be approved by Office of Patient Care Services (11). Requests to petition DOS will be submitted in accordance with instructions contained in appendix II-J of this chapter. No appointment may be effected or commitment made until the required approval is received from the Immigration and Naturalization Service (INS).

(4) Officials of VHA will not commit positions to noncitizens not legally entitled to reside in this country.

(5) Consistent with provisions in this paragraph, the appointment of noncitizens may be approved by the following officials:

(a) The facility Director is the approval authority for appointment of:

1. All noncitizens as residents (see M-8, Pt. II);

2. Immigrants (aliens who have been admitted for permanent residence.) As of September 20, 1994, all immigrants are required to have an Alien Registration Receipt Card, Form I-551. Form I-551 has the lawful holder's photograph, fingerprint and signature on a white background; it is commonly known as the "green card."

NOTE: *The Form I-151 and all previous forms are no longer valid after September 19, 1994.*

3. All nonimmigrants (e.g., exchange visitors, alien students, visiting professors), provided employment is authorized by the INS. This includes authority to sponsor an individual for a nonimmigrant visa or an extension of such visa. The authorization for employment may be cited on the nonimmigrant's visa, or the nonimmigrant may possess an Employment Authorization Form (I-688B). In cases where the authority to accept compensated or non-compensated employment by the nonimmigrant is not clearly evident, a report of contact with INS officials verifying the employment

authorization must be made. A copy of the document used to verify the employment authorization of the nonimmigrant is to be filed in the appointee's personnel folder.

(b) The Under Secretary for Health or designee is the approval authority for the appointment of noncitizens to centralized positions.

(c) The paid appointment of noncitizen associated health trainees is not generally permitted. Any exception requires the approval of the Under Secretary for Health, or designee. (See section G, paragraph 6, this chapter.)

h. **Credentialing Requirements (Including License Registration or Certification).** See section B of this chapter.

i. **HHS Sanction List.** See chapter 1, section B, paragraph 2 of this part.

j. **English Language Proficiency.** No person will be appointed under authority of 38 U.S.C., chapter 73 or 74, to serve in a direct patient-care capacity in VHA who is not proficient in written and spoken English. (See appendix II-I of this chapter).

k. **Physical Requirements**

(1) **General**

(a) Guidelines for physical and mental fitness for appointment and retention in VHA shall be established by the Under Secretary for Health. (See VA Directive and Handbook 5019.)

(b) Only those persons who are physically and mentally capable of satisfactorily performing the duties of their assignments are to be employed and retained in VHA.

(c) Determinations of physical and mental fitness will be made without discrimination for such reasons as age, race, color, religion, national origin, sex, lawful partisan political affiliation, marital status, physical or mental disability (when the individual is qualified to do the work), or membership or non-membership in a labor organization.

(2) **Preemployment Physical Examinations**

(a) **General.** A preemployment physical examination is required of all full-time, part-time and intermittent employees. It is not required of residents and interns who furnish evidence of satisfactory physical condition based on a physical examination within the past 12 months. An examination is required in any conversion action from a status not requiring a physical examination to one requiring such procedures.

(b) **Scope and Conduct of Examination.** See VA Directive and Handbook 5019.

l. **Oath, Affidavit, and Declaration of Appointee**

(1) All employees of VHA appointed under authority of 38 U.S.C., chapter 73 or 74 (except those utilized on a fee basis) are required to take the oath of office and execute the affidavit (subversive activity), affidavit (striking against the Federal Government), and the declaration of appointee. Noncitizens shall be required to execute only those affidavits on Standard Form (SF) 61, Appointment Affidavit, outlined in the OPM Guide to Processing Personnel Actions. The SF 61 shall be executed in accordance with the requirements set forth in chapter 2, section A, paragraph 5e of this part.

(2) The services of those employees to whom authority to administer oaths has been delegated will be used for administering oaths necessary for effecting appointments in VHA.

m. **Security Requirements for Employment.** See VA Directive and Handbook 0710 for VA instructions concerning security requirements.

n. **Effective Date of Appointment.** Appointments will be effective on the entrance-on-duty day, except as follows:

(1) **Full-Time Physicians, Dentists, Podiatrists, Optometrists, and other Personnel Appointed Under 38 U.S.C. 7306.** When an appointee is to enter on duty on Monday, the appointment will be effective on the preceding Sunday provided the employee is available for duty on that day. Sunday will be considered an administrative non-duty day. If Monday is a holiday, the appointment will be effective on the entrance-on-duty-day.

(2) **Nurses, Nurse Anesthetists, PAs, EFDAs, RTs, PTs, LPNs, OTs and Pharmacists.** When the appointee is to enter on duty on the first Monday in a pay period, the appointment will be effective on the first Sunday of the pay period. If Monday is a holiday, the appointment will be effective on the entrance-on-duty-day.

(3) **Restoration After Military Service or Compensable Injury.** An exception to these effective dates may be made if required to satisfy statutory or regulatory provisions such as restoration after military service or compensable injury.

o. **Overseas Employment.** See chapter 1, section C of this part.

p. **Grade and/or Step Adjustments.** If, on review of board actions by the appropriate Professional Standards Board, it is determined that an employee has been appointed at a grade and step rate within the grade which is not commensurate with qualifications, the approving authority for initial appointment may approve an adjustment in the grade and/or step rate within the grade. (See section E, paragraph 2, this chapter, for limitations on adjusting step rates within the grade for this purpose.) These adjustments in grade and/or step rate will be effected as of the beginning of the next pay period following approval. The nature of action on SF 50-B will be "Promotion" or "Change to Lower Grade," as appropriate. In the case of step rate adjustments, the nature of action on SF 50-B will be "Administrative Pay Increase" or "Administrative Pay Decrease," as appropriate. The authority for such actions will be "38 U.S.C. 7403." The following statement will be placed in "Remarks" on SF 50B for such actions: "Adjustment for consistency with standardized qualification requirements."

NOTE: *Service in a lower grade prior to grade adjustment will not be credited toward meeting required time-in-grade for promotion. Service in a lower step rate prior to adjustment of step(s) within the grade will not be credited toward meeting the required waiting period for periodic step increase.*

4. APPOINTMENT/ASSIGNMENT OF NON-PATIENT CARE DUTIES. For VHA policy on the appointment/assignment of non-patient care duties to Title 38 employees, see appendix III-N.

SECTION B. CREDENTIALING AND LICENSURE

1. GENERAL

a. **Scope**

(1) This section contains administrative requirements and procedures relating to the credentialing and licensure of applicants and employees appointed to occupations identified in 38 U.S.C. 7306, 7401(1), and 7401(3); and employees in those occupations who are appointed under 38 U.S.C. 7405, including individuals utilized on an on-facility fee basis, on-facility contract or on-facility sharing agreement basis. This includes such employees as physicians, dentists, podiatrists, optometrists, nurses, nurse anesthetists, physician assistants (PAs), expanded-function dental auxiliaries (EFDAs), certified respiratory therapists or registered respiratory therapists (RTs), licensed physical therapists (PTs), licensed practical or vocational nurses (LVNs/LPNs), OTs (occupational therapists), and pharmacists. Provisions of this section apply to Central Office employees who are employed in the occupations indicated above under 38 U.S.C. 7306, 7401(1), 7401(3), or 7405. Individuals appointed under 38 U.S.C. 7405, whether paid or without compensation, on an intermittent or fee basis, including consultants and attendings, must be fully credentialed in accordance with provisions of this section, although they are considered employees only during periods when actually engaged in VA service.

(2) The provisions of this section should be used in conjunction with VHA Handbook 1100.19, "Credentialing and Privileging".

b. **Residents.** Medical, dental, podiatry and optometry residents and trainees appointed under 38 U.S.C. 7405 or 7406 are included within the scope of this section. As indicated in paragraph 21 of this section, the appropriate program director is responsible for certifying that the credentials and licensure of residents and trainees have been verified prior to their appointment. Specific procedures described in paragraph 3 through 14 are not applicable to residents functioning within the scope of their training program, but program directors, where possible, should use verification procedures which are generally consistent with those described.

c. **Definitions**

(1) The terms "medical center officials" and "facility Director or designee" refer in Central Office to the Under Secretary for Health or designee.

(2) The term "credentialing" refers to the systematic process of screening and evaluating qualifications and other credentials, including licensure, required education, relevant training and experience, current competence and health status.

(3) The term "licensure" refers to the official or legal permission to practice in an occupation, as evidenced by documentation issued by a State in the form of a license and/or registration.

NOTE: *The term "state" means any of the states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.*

(4) An active, current, full and unrestricted license or registration in a State is one which authorizes the licensee to practice outside VA without any change being needed in the status of the license. An employee is responsible for paying any fees necessary to maintain a full and active license in a State. If a State waives fees for any reason, such as for an out-of-state practice or for employment in a Federal facility, the employee may not accept the waiver if this will place the license in an inactive or other restricted status.

d. **Responsibilities of VA Officials**

(1) The Under Secretary for Health or designee will establish additional credentialing, licensure and/or registration requirements and procedures to assure that only fully qualified and suitable candidates are appointed and retained in VHA. Procedures will be established to thoroughly evaluate applicant credentials, licensure and/or registration status, and to monitor these on a continuing basis for health care employees appointed under 38 U.S.C., chapter 73 or 74.

(2) Facility directors are responsible for implementing policy and procedures outlined in this section and for providing necessary resources to ensure that the verification of credentials and licensure is effectively and efficiently managed. So that only fully qualified and suitable individuals are appointed and retained under 38 U.S.C., chapter 73 or 74, Chiefs of Staff, selecting officials, PSBs and HRM officials will ensure that the qualifications of candidates for appointment are thoroughly screened and evaluated. The credentialing process includes verifying the individual's licensure and/or registration, relevant training and/or experience, current competence and physical and mental fitness. (See appendix II-L of this chapter for a credentialing checklist.) Officials described in this paragraph will ensure that all applicants and employees covered by this policy are made aware of their responsibilities with respect to credentialing and licensure.

(3) The credentialing and licensure verification process is a shared responsibility, requiring extensive interchange and continuing communication between the Chief of Staff and HRMO. Facility directors will establish local policies and procedures delineating functions to be accomplished by each of these officials to assure that responsibilities are clearly understood and can be effectively carried out.

(4) Compliance with credentialing and licensure provisions of this section does not obviate the responsibility to determine suitability for employment following guidelines in 5 CFR, part 731 or to initiate background investigations of employees using procedures specified in 5 CFR, part 736.

e. **Documentation.** Information obtained through the verification process must be documented in writing, either by letter, report of contact or, as appropriate on the employment application form.

f. **Action Prior to Credentialing**

(1) No appointment action will be taken, nor will an employment commitment be made, in any case where officials have reason to question a candidate's suitability for VA employment. All information obtained through the credentialing process will be carefully considered before an employment decision is made. An RN, nurse anesthetist, PA, EFDA, or candidate for appointment to an occupation identified in 38 U.S.C. 7401(3), may be appointed under 38 U.S.C. 7405(a)(1) pending receipt of transcripts,

references, and/or related information, and action by a board. However, a physician, dentist, podiatrist or optometrist will be appointed only after credentialing information is received and action has been taken by a Professional Standards Board (PSB).

(2) In exceptional circumstances and where required to meet an emergent patient care situation, the facility Director may approve the temporary appointment of a physician, dentist, podiatrist or optometrist under 38 U.S.C. 7405 without prior action by a PSB. The Director will document for the record the specific circumstances and patient care situation which warranted such an appointment. The appointment will be made only after evidence of current, full and unrestricted licensure has been obtained and a judgment has been made that the individual is fully qualified for the assignment.

g. **Applicant and Employee Responsibilities.** Applicants and employees will provide evidence of licensure, registration, certification, and/or other relevant credentials, for verification prior to appointment and throughout VA employment as requested. They are responsible for keeping VA apprised of anything that would adversely affect or limit the credentials discussed in this section, and for advising VA of anything that would adversely affect or otherwise limit their clinical privileges. Failure to keep VA fully informed on these matters may result in administrative or disciplinary action.

h. **Verification of Credentials After Short Breaks in Service.** An applicant who has had a break in VA service of no more than 15 workdays may be reappointed in the same occupation without the full credentialing process required for initial appointment (i.e., verification of education background, licensure status, certifications by professional organizations, references, etc.). The applicant must complete a new employment application form and be recommended by the appropriate board, if action by a board is normally required for the type of appointment being considered. Facility officials will verify any licensure or qualification information that has not previously been documented in the personnel folder or the Credentialing and Privileging Folder, as appropriate. The official designated by the facility Director will note on the application form, in the space reserved for verification of credentials, the reason that credentials were not reverified. Typically, the reason will be that the break in service was for less than 15 workdays. Reverification of credentials is not required for residents or trainees who rotate for training during the academic year between a VA facility and its affiliate(s). (See paragraph 21 for resident credentialing procedures.)

NOTE: *For those subject to the credentialing and privileging provisions of VHA Handbook 1100.19, any break in service requires the verification of those credentials (time limited) which could have changed since last verified (State licensure, Drug Enforcement Administration (DEA) certification, board certification, etc.).*

2. APPLICATION

a. **Application Forms.** Candidates seeking employment under 38 U.S.C., chapter 73 or 74, must complete one of the following application forms:

(1) VA Form 10-2850, Application for Physicians, Dentists, Podiatrists, and Optometrists;

(2) VA Form 10-2850a, Application for Nurses and Nurse Anesthetists;

(3) VA Form 10-2850b, Application for Residency;

(4) VA Form 10-2850c, Application for Associated Health Occupations;

(5) The former Standard Form 171 and 171A, Application for Federal Employment, or Optional Form 612, Optional Application for Federal Employment, and, Optional Form 306, Declaration for Federal Employment. These forms are to be used by applicants for whom none of the above forms is appropriate; primarily, this includes applicants for medical support or nonmedical consultant appointments.

b. **Application Review.** The HRM Officer or designee will thoroughly review each employment application to assure that all questions are answered and that additional information is provided where required. Applicants are to be asked to account for any gaps in their work history. This information shall be documented on the employment application, and, along with reference checks and other information obtained in the credentialing process, considered in the selection process. Incomplete applications are to be returned and applicants notified that they will not be considered for employment until their application has been fully completed. The HRMO or designee will review applications for compliance with administrative and regulatory requirements. Applicants who do not meet appointment requirements should be so notified.

3. EDUCATIONAL CREDENTIALS

a. Verification of Educational Credentials

(1) Educational credentials relating to qualifications for employment are to be verified through primary source(s) whenever feasible. This includes education used to qualify for appointment, advancement or which is otherwise related to an individual's employment. This verification should also include a comparison of the educational institution(s) cited on the application against existing lists of institutions or "diploma mills" which sell fictitious college degrees and other professional credentials. The accrediting agency or body for verifying the accreditation status of schools is identified in the appropriate VA qualification standard.

(2) For individuals who will have clinical privileges, written verification of internships, residencies, fellowships, advanced education, clinical practice programs, etc., from the appropriate program director or school is required. For foreign medical graduates, facility officials must verify with the Educational Commission for Foreign Medical Graduates (ECFMG) that the applicant has met requirements for certification, and must obtain a copy of the ECFMG certificate, if claimed by the applicant.

(3) If education cannot be verified because the school has been closed, because a school is in a foreign country and no response can be obtained, or for other similar reasons, all efforts to verify the applicant's education will be documented. In any case, facility officials must verify that candidates meet appropriate VA qualification standard educational requirements prior to appointment.

b. **Transcript of Higher Education**

(1) When practical, applicants should be asked to provide a transcript of their qualifying education for evaluation by the appropriate PSB prior to appointment. If an individual has a degree in a related field, consideration should be given to obtaining a transcript of this program as well. An RN or LPN/LVN must provide an official transcript of their nursing education program prior to appointment. Transcripts may be requested from other applicants, including nurse anesthetists, PAs, EFDAs, and candidates selected for appointment to an occupation identified in 38 U.S.C. 7401(3).

(2) Transcripts should be evaluated to consider the specific course work completed, grades received, and overall level of difficulty of the program. A master's degree or post-graduate certificate program providing entry-level qualifying education should not be credited at the graduate level. For example, individuals who have a baccalaureate degree in an unrelated field and earn a master's degree in nursing or a post-baccalaureate certificate in occupational therapy would qualify on the same basis as an individual with an undergraduate degree and no experience.

c. **Educational Profile for Physicians.** Facilities may obtain, from the American Medical Association, a profile listing all medical education a physician candidate has received in this country and available licensure information for follow-up as necessary. It should be noted, however, that this is a secondary source and, by itself, is not considered sufficient for verification purposes.

4. EMPLOYMENT HISTORIES AND PREEMPLOYMENT REFERENCES

a. **References.** As a minimum, a reference will be obtained from each applicant's current or most recent employer. Additional references should be obtained, if possible, particularly from employer(s) or other individuals who are knowledgeable about the applicant's work history during the preceding 5 years. For physicians and dentists, at least three references will be obtained and for other candidates, every effort will be made to obtain such additional references.

(1) For any candidate whose most recent employment has been private practice, facility officials will contact institution(s) where clinical privileges are and/or were held, professional organizations, references listed on the application form, and/or other agencies, institutions or persons who would have reason to know the individual's professional qualifications.

(2) The VA Form Letter 10-341a, Appraisal of Applicant, may be used to obtain references on applicants. However, supplemental information may be required to fully evaluate the educational background and/or prior experiences of an applicant (see subparagraph (3) below). Initial and/or follow-up telephone or personal contact with those having knowledge of an applicant's qualifications and suitability are encouraged as a means of obtaining a complete understanding of the composite employment record. All references must be documented in writing. Written records of telephone or personal contacts must report who was spoken to, that person's position, the date of the contact, a summary of the information provided, and the reason why a telephone or personal contact was made in lieu of a written communication. Reports of contact are to be filed with other references in the personnel folder and, as appropriate, in the Credentialing and Privileging Folder.

(3) Ideally, references should be from authoritative sources, which may require that facility officials obtain information from sources other than the references listed by the applicant. As appropriate to the occupation for which the applicant is being considered, references should contain specific information about the individual's scope of practice and level of performance. For example, information on:

(a) The number and types of procedures performed, range of cases managed, appropriateness of care offered, outcomes of care provided, etc.

(b) The applicant's clinical judgment and technical skills as reflected in results of quality assurance activities and peer review, where appropriate.

(c) The applicant's health status in relation to proposed duties of the position and, if applicable, to areas where clinical privileges are being sought.

b. **Former Federal Employees.** For an applicant with prior Federal service, the personnel folder should be obtained before the individual is given a probationary or permanent appointment. If an applicant has prior VA service, an effort should be made to obtain a reference from officials at the facility where the applicant was previously employed.

5. PREEMPLOYMENT INTERVIEW. A personal interview is recommended prior to the appointment of any candidate under 38 U.S.C., chapter 73 or 74. The interview should normally be conducted at the VA facility where the individual is to be employed. Arrangements may be made for the interview to be conducted at another VA facility convenient to the applicant. The interview will be conducted by the appropriate official(s) designated by the facility Director. An interview report will be completed and filed with the application. Travel expenses for preemployment interviews may be paid only under provisions of 5 CFR, part 572. The appropriate chief consultant in Central Office may require that a personal interview be conducted for individuals in any occupation included within the scope of this section. All RNs and LPNs will be interviewed prior to appointment.

6. VERIFYING LICENSURE, REGISTRATION AND CERTIFICATION. As part of the credentialing process, the status of the applicant's licensure and/or registration and that of any required or claimed certifications will be thoroughly reviewed and verified. Specific requirements for these verifications are contained in paragraphs 13 through 17.

7. VERIFYING SPECIALTY CERTIFICATION

a. **Definition.** For the purposes of this paragraph, specialty certification means having fully completed the requirements of a recognized specialty board or other certifying organization, including the successful passing of the board or certifying examination, as appropriate.

b. **Applicants.** Prior to appointment, the Chief of Staff will sight evidence of specialty certification claimed by a physician, dentist or podiatrist, and document that verification on the employment application, VA Form 10-2850. At the request of the Chief of Staff, the facility Director may delegate responsibility for obtaining information about a candidate's board certification. However, the Chief of Staff must personally sight the documentation and indicate this on the employment application form. For other applicants, the official designated by the facility Director will document verification of

specialty certification where required on the appropriate application form. See paragraph d for procedures on documenting specialty documentation.

c. **On-Duty Employees.** On-duty employees attaining specialty certification will have their certification verified under paragraph d.

d. **Verification Procedures.** If listings of specialists are used to verify specialty certification, these must be from current or recently issued copies of the publications as follows:

(1) **Physicians.** Board certification may be verified through the Compendium of Medical Specialists, published by the American Board of Medical Specialists, or the Directory of American Medical Specialists, published by Marquis' Who's Who, or by direct communication with officials of the appropriate board. A letter from the board is acceptable for those recently certified. (The address and telephone number of the board may be obtained from the latest Directory of Approved Residency Programs published by the Accreditation Council for Graduate Medical Education.) Copies of documents used to verify certification are to be filed in the personnel folder and, as appropriate, in the Credentialing and Privileging Folder. (See VA Handbook 5007 for procedures relating to verifying board certification for special pay purposes.)

(2) **Dentists.** Board certification may be verified by the listings in the American Dental Directory published annually by the American Dental Association or by contacting the appropriate Dental Specialty Board. Addresses of these boards may be obtained from the American Dental Association, 211 East Chicago Avenue, Chicago, Illinois 60611.

(3) **Podiatrists.** Three specialties are currently recognized by the House of Delegates, American Podiatric Medical Association and VA: the American Board of Podiatric Surgery, American Board of Podiatric Orthopedics, and American Board of Podiatric Public Health. Addresses of these boards may be obtained from the latest American Podiatric Directory.

(4) **Other Occupations.** Board certification and other specialty certificates will be verified by contacting the appropriate specialty board or certifying organization.

e. **Evidence of Continuing Certification.** For professions or occupations in which current certification is required, employees must present evidence of such certification upon request throughout VA employment.

8. DRUG ENFORCEMENT ADMINISTRATION CERTIFICATION

a. **Background.** Physicians, dentists, podiatrists and certain other professional persons may apply for and be granted renewable certification by the Drug Enforcement Administration (DEA) to prescribe controlled substances as a part of their practice. Certification by DEA is not required for VA employment, since employees may use the facility's institutional DEA certificate. However, certification will be verified as indicated below for individuals who claim on the employment application form to currently hold or to have held DEA certification in the past.

b. **Application Form.** Each applicant in these occupations must provide, on the appropriate VA employment application form, information about his or her current or most recent DEA certificate, if applicable. Any applicant whose DEA certificate has ever been revoked, suspended, limited, restricted in any way, or voluntarily relinquished shall be required to provide a detailed explanation of such action at the time of application for employment.

c. **Restricted Certificates.** A State licensing board may obtain a voluntary agreement from an individual not to apply for renewal of certification or may decide not to approve the individual's application for renewal as a part of a disciplinary action taken in connection with the individual's professional practice. While there are a number of reasons a license may be restricted which are unrelated to DEA certification, an individual's State license is considered restricted or impaired for purposes of VA employment if a State licensing board has suspended the person's authority to prescribe controlled substances or other drugs; selectively limited the individual's authority to prescribe a particular type or schedule of drugs; or accepted an individual's offer or voluntary agreement to limit authority to prescribe. (See paragraphs 13 and 17.)

d. **Verification.** Current DEA certification will be sighted prior to appointment, and a copy of the DEA certificate will be obtained. Current DEA certification will also be sighted during VA employment at the same time as State licensure. (See paragraphs 13 and 17.) The employee will be asked to fully explain in writing if DEA certification has been revoked, suspended, limited, restricted, or voluntarily relinquished since last verified. Upon receipt of such explanation, the Chief of Staff will initiate a review of the employee's clinical privileges, if appropriate.

e. **Required Action by VA Officials**

(1) If action taken on an employee's DEA certificate has the effect of restricting the individual's only State license, immediate action will be initiated to separate the employee under provision of VA Directive and Handbook 5021.

(2) If, as a result of the review of clinical privileges, a decision is made to propose revocation of an employee's clinical privileges, separation action will be initiated using procedures in VA Directive and Handbook 5021.

9. CLINICAL PRIVILEGES

a. **Review of Clinical Privileges.** Applicants completing VA application forms will be required to respond to questions concerning clinical privileges at VA and non-VA facilities. If possible, copies of clinical privileges will be obtained for review from the applicant or from the institutions where privileges are or were most recently held.

b. **Evaluation of Privileges.** As part of the credentialing process, information on clinical privileges will be evaluated by appropriate facility officials. Details concerning any limitation(s) on privileges will be carefully considered prior to appointment.

c. **On-Going Review.** Clinical privileges will be established and reviewed throughout the individual's employment following standards and guidelines issued by VHA and established in the VA

facility's medical staff bylaws. The clinical privileging process must be completed prior to initial appointment.

NOTE: *Additional VHA policy concerning clinical privileges is contained in VHA Handbook 1100.19.*

10. MALPRACTICE CONSIDERATIONS

a. **Applicants.** VA employment applications forms require applicants to give detailed written explanations of any involvement in administrative, professional or judicial proceedings, including Federal torts claims proceedings, in which malpractice is or was alleged. If an applicant has been involved in such proceedings, a full evaluation of the circumstances will be made by officials participating in the credentialing, selection and approval processes prior to making any recommendation or decision on the candidate's suitability for VA employment.

b. **Employees.** Each employee will be asked to indicate at the time of licensure verification any involvement in proceedings described in subparagraph a, and to provide a written explanation of the circumstances, if appropriate. A review of clinical privileges, as appropriate, will be initiated if clinical competence issues are involved.

c. **Evaluation of Circumstances.** Facility evaluating officials will consider VA's obligation as a health care provider to exercise reasonable care in determining that individuals are properly qualified, recognizing that many allegations of malpractice are proved groundless. Facility officials will evaluate the individual's explanation of specific circumstances in each case, and may require the applicant or employee to provide copies of documents pertaining to the case. Reasonable efforts will be made to assure that only individuals who are well-qualified to provide patient care are permitted to do so. Questions concerning legal aspects of a particular case should be directed to the Regional Counsel.

11. DEANS COMMITTEE, MEDICAL ADVISORY COMMITTEES, AND OTHER ADVISORY BODIES.

At health care facilities having teaching programs, the Under Secretary for Health will approve the establishment of a Deans Committee, Medical Advisory Committees, and other advisory bodies. (See M-8, pt. I, ch. 3) The Deans Committee may nominate, for consideration by the Director, physicians and dentists for appointment to the professional staff of the facility, including chiefs of service. This applies to individuals appointed on a paid or without compensation basis to full-time, part-time or intermittent assignments; to those appointed on an on-facility fee-basis; and to consultants and attendings. The Director should consider the recommendations of the Deans Committee, but the final decision on the appointment of a physician or dentist resides with the facility Director.

12. SUITABILITY

a. **General.** If adverse information is obtained during the credentialing process, facility officials will review this against suitability criteria and make a determination in accordance with 5 CFR, part 731. Questions concerning the use of adverse information in making suitability determinations or the legality of adverse determinations and personal liability involvement should be referred to the Regional Counsel.

b. **Applicants.** If there is any question about an applicant's suitability, no appointment action will be taken, nor will an employment commitment be made, until the matter has been resolved.

c. **Employees.** Conclusive evidence of preemployment unsuitability (character traits, past work performance, etc.) may arise after an individual's appointment under 38 U.S.C., chapter 73 or 74. If continued employment is not in the best interest of the service, the employee's appointment will be terminated under VA Directive and Handbook 5021.

13. GENERAL LICENSURE AND REGISTRATION REQUIREMENTS

a. **General.** Specific licensure, registration and certification requirements for individuals appointed under 38 U.S.C., chapter 73 or 74 are included in paragraphs which follow and in the appropriate qualification standard for the occupation. This paragraph contains definitions and general provisions which apply to all occupations for which licensure and/or registration are required. Applicants must possess at least one active, current, full and unrestricted license, registration or certification to be eligible for appointment, if required for the occupation in the appropriate qualification standard. If all licenses, registrations or certifications are impaired, the individual is ineligible for appointment in VA. Additionally, if the applicant's sole license is considered to be inactive by the State issuing the license (e.g., the State considers the license to be "inactive" because the individual is not practicing in the State where the license is held), the individual is ineligible for appointment in VA.

b. **State.** The term "State" means any of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

c. **Active Licensure.** An active, current, full and unrestricted license or registration in a State is one which authorizes the licensee to practice outside VA without any change being needed in the status of the license. An employee is responsible for paying any fees necessary to maintain a full and active license in a State. If a State waives fees for any reason, such as for an out-of-state practice or for employment in a Federal facility, the employee may not accept the waiver if this will place the license in an inactive or other restricted status.

d. **Failure to Maintain Licensure.** See paragraph 17.

e. **Changes in Authority to Prescribe.** A State licensing board may restrict an individual's license for a variety of reasons. In addition to other reasons, for VA purposes, the license of an individual in an occupation authorized to prescribe is considered to be restricted or impaired if the State licensing board has suspended the individual's authority to independently prescribe controlled substances or other drugs; selectively limited the individual's authority to prescribe a particular type or schedule of drugs; or accepted an individual's offer or voluntary agreement to limit the authority to prescribe. The State's action may be taken in connection with the individual's DEA certification and/or with a separately issued State authorization to prescribe. (See paragraph 8.) This is only one example of a situation in which an individual's license may be restricted or impaired.

f. **Changes in State Licensure Requirements.** An employee is responsible for complying with any changes in licensure and/or registration requirements which may be imposed by the State(s) of licensure. If an employee can show he or she was not notified of the new requirement and proceeded in good faith under the assumption that the license remained full and unrestricted, this will be accepted as prima facie evidence of licensure up until discovery of the change in requirements. When the employee is notified

through any source of a change in requirements, the employee is to act immediately to make the license whole at the earliest possible date, normally no more than 15 workdays after notification. If the employee is unable to make the license whole and, as a result, holds no full unrestricted license in a State, action to separate for failure to meet qualification requirements will be taken under VA Directive and Handbook 5021.

g. **Administrative Delay by State Licensing Board**

(1) Facility officials who learn that a State licensing board will be delayed in processing renewal applications past the licensure or registration expiration date should notify the Human Resources Management Programs and Policies Service (051) so that a general notice to all VHA facilities can be issued. If no such notice has been issued, facility officials should verify with the State board that VA employees are considered to be fully licensed or registered during the delay period. Verification of current licensure or registration may be obtained through telephone contact with the State board pending receipt of the renewal.

(2) If an employee is unable to present evidence of current licensure or registration prior to the expiration date, facility officials should verify through written or telephone contact with the State board that the employee's application for renewal has been received and that the employee is considered to be fully licensed or registered. If officials are unable to verify this with the State board prior to the expiration date of licensure, the employee may be permitted to continue in a work status only if the employee certifies that application was made on a timely basis prior to the expiration date of licensure. The certification must include a statement that the employee understands that separation action may be initiated under provisions of VA Directive and Handbook 5021 if evidence of renewal is not received within 30 workdays of the expiration date. Where possible, evidence of the employee's application for licensure or registration renewal should be sighted.

h. **Questionable Licensure Status.** Circumstances may cause the status of an employee's license or registration to be questioned. If facility officials are uncertain whether an employee's license or registration meets statutory or regulatory requirements, a decision by the Regional Counsel will be requested.

i. **Payment of Licensure or Registration Renewal Fees.** VA employees are responsible for the payment of any required fees on a timely basis to assure that their licensure or registration is maintained on a current, active basis. If an affiliated institution normally pays such fees for VA employees who work part-time or have teaching agreements at that institution, this does not relieve the employee of the responsibility for assuring that licensure or registration is maintained in an active, current status.

14. LICENSURE FOR PHYSICIANS, DENTISTS, PODIATRISTS AND OPTOMETRISTS

a. **General.** Any physician, dentist, podiatrist or optometrist appointed under 38 U.S.C., chapter 73 or 74 is required to possess an active, current, full and unrestricted license to practice medicine, surgery, osteopathy, dentistry, podiatry or optometry, as appropriate, in a State, and must furnish evidence of this prior to appointment. Current registration will be maintained in accordance with the requirements of the State of licensure and evidence of such licensure and registration must be presented by the employee for verification periodically as requested throughout VA employment. A limited license or any other

license less than a full, unrestricted State license, however denominated (e.g., temporary, limited, or institutional), will not meet the licensure requirement for appointment under 38 U.S.C., chapter 73 or 74.

b. **Exceptions.** The only exceptions to the licensure requirements are as follows:

(1) An individual who has met all the professional requirements for admission to the State licensure examination and has passed the examination, but who has been issued a State license which is limited on the basis of noncitizenship or not meeting the residence requirements of the State.

(2) An individual who has been granted an institutional license by the State which permits faculty appointment and full, unrestricted clinical practice at a specified educational institution and its affiliates, including the VA health care facility; or, an institutional license which permits full, unrestricted clinical practice at the VA health care facility. This exception will be used only to appoint an individual who is a well-qualified, recognized expert in the individual's field, such as a visiting scholar, clinician, and/or research scientist, and only under authority of 38 U.S.C. 7405. It may not be used to appoint an individual whose institutional license is based on action taken by a State licensing board as described in subparagraph d below.

(3) An individual who has met all the professional requirements for admission to the State licensure examination and has passed the examination, but who has been issued a time-limited or temporary State license or permit pending a meeting of the State licensure board to give final approval to the candidate's request for licensure. The license must be active, current and permit a full, unrestricted practice. Appointments of individuals with such licenses must be made under authority of 38 U.S.C. 7405 and will be time-limited not to exceed the expiration date of licensure.

(4) A resident who holds a license which geographically limits the area in which practice is permitted or which limits a resident to practice only in specific health care facilities, but which authorizes the individual to independently exercise all the professional and therapeutic prerogatives of the occupation. In some States, such a license may be issued to residents in order to permit them to engage in outside professional employment during the period of residency training. The exception does not permit the employment of a resident who holds a license which is issued solely to allow the individual to participate in residency training.

c. **Verification.** The Chief of Staff will ensure that the licensure and registration of physicians, dentists, podiatrists and optometrists is verified prior to their appointment under 38 U.S.C. 7306, 7401, or 7405. This includes all individuals serving on a full-time, part-time, intermittent or on-facility fee basis (including consultants and attendings), whether paid or without compensation.

(1) **Licensure Verification With State Boards.** The Chief of Staff will document, on the VA Form 10-2850, Application for Physicians, Dentists, Podiatrists and Optometrists, that the status of all licenses has been verified with the appropriate State licensing board for all States in which the applicant lists having ever held a license. This includes licenses which the applicant lists as active, current, full and unrestricted as well as licenses the applicant lists which were held at any time in the past and which have been allowed to lapse or which are no longer current for any reason. Although PSBs for initial appointments of dentists, podiatrists and optometrists are normally held in Central Office or at a

designated field facility, the Chief of Staff or designee is responsible for sighting verification of the licensure of these individuals.

(2) **Review of Employment Application.** For candidates with recent employment in a State in which no licensure is indicated on the application form, the State board should be contacted to assure that no restriction or revocation action has occurred.

(3) **Physician Screening with FSMB (Federation of State Medical Boards).** A query is not a mandatory requirement of the credentialing process. However, there may be times that a facility may want to query FSMB as a supplement to other information obtained in the credentialing and privileging process. Facilities wishing to query the FSMB are to obtain the appropriate software directly from the FSMB. Queries are to be submitted directly from the querying entity to the FSMB and paid for by the querying entity.

d. **Licensure History.** An individual who has current, unrestricted license in one State, but who has, or has ever had, any license to practice revoked, suspended, denied, restricted, limited, issued/placed on a probationary basis, or who has entered into any other type of voluntary or involuntary agreement with a State licensing board regarding the individual's practice, will not be hired without prior consideration of all relevant facts surrounding the action by the appointing official. A lesser level of scrutiny is required for an individual who has allowed license(s) to lapse because the individual has not paid a registration fee, no longer practices in a State, or does not meet a residency requirement.

e. **Waiver of Licensure Requirement**

(1) The Appointing Official may waive the licensure requirement if a physician, dentist, podiatrist or optometrist is to be used in a research, academic, or administrative position where there is no direct responsibility for patient care.

(2) The facility Director may waive the licensure requirement if the individual is to serve in a country other than the United States and the licensure is in that country (i.e., Philippines).

15. REGISTRATION FOR NURSES AND NURSE ANESTHETISTS

a. **General.** Any nurse or nurse anesthetist appointed under 38 U.S.C., chapter 73 or 74 is required to possess active, current, full and unrestricted registration as a graduate professional nurse in a State, and must furnish evidence of this prior to appointment. Current registration will be maintained and evidence of this must be presented by the employee for verification periodically as requested throughout VA employment. A limited registration or any other registration less than a full, unrestricted State registration will not meet the registration requirement for appointment.

b. **Verification.** The HRMO or Chief, Nursing Service, (or equivalent position) or designee, as appropriate, must verify the registration of all nurses and nurse anesthetists prior to their appointment under 38 U.S.C., chapter 73 or 74. This includes full-time, part-time, intermittent and on-facility fee basis nurses and nurse anesthetists (including consultants), whether they are paid or serving without compensation. Nurses utilized on an on-facility contract or on-facility sharing agreement basis are also covered by provisions of this paragraph.

(1) Except as provided in subparagraph d below, every VHA nurse and nurse anesthetist must have at least one active, current, full and unrestricted registration as a graduate professional nurse in a State.

(2) The appropriate official will document on VA Form 10-2850a, "Application for Nurses and Nurse Anesthetists," that the status of all registration(s) has been verified with the appropriate State board(s) for all State(s) in which the applicant lists having ever held registration. This includes registration(s) which the applicant lists as active, current, full and unrestricted as well as registration(s) the applicant lists which were held at any time in the past and which have been allowed to lapse or which are no longer current for any reason.

(3) For nurses and nurse anesthetists with recent employment in a State in which no registration is indicated on the application form, the State board will be contacted to assure that no restriction or revocation action has occurred.

c. **Impaired Registration.** Appointing officials may approve the appointment or reappointment of a registered nurse or nurse anesthetist who has previously had impaired registration, provided the candidate currently has full and unrestricted registration.

d. **Waiver of Registration Requirement.** The facility Director may waive the registration requirement of a nurse or nurse anesthetist if the individual is to serve in a country other than the United States and the registration is in that country (i.e., Philippines).

16. LICENSURE, REGISTRATION AND/OR CERTIFICATION FOR TITLE 38 ASSOCIATED HEALTH PERSONNEL

a. **General.** Any PA or EFDA appointed under 38 U.S.C. 7401(1) or 7405(a)(1)(A) must meet licensure or certification requirements as specified in the appropriate qualification standard. Individuals appointed under 38 U.S.C. 7401(3) or under 38 U.S.C. 7405(a)(1)(B) or 7306 to occupations listed in 7401 must meet licensure, registration and/or certification requirements in the appropriate qualification standard for the occupation. Current licensure, registration and/or certification will be maintained and evidence of this must be presented by the employee for verification periodically as requested throughout VA employment. A limited license, registration or certification or any status of these which is less than full and unrestricted will not meet the qualification standard requirement for the occupation.

b. **Verification.** Prior to appointment, each applicant's credentials will be checked as follows:

(1) The facility Director will designate the official(s) who will be responsible for documenting on VA Form 10-2850c, "Application for Associated Health Occupations," that the status of all license(s) or registration(s) has been verified with the appropriate State board(s) for all State(s) in which the applicant lists having ever had licensure or registration. This includes licenses or registration(s) which the applicant lists as active, current, full and unrestricted as well as license(s) or registration(s) the applicant lists which were held at any time in the past and which have been allowed to lapse or which are no longer current for any reason.

(2) RTs, OTs, and EFDAs must present evidence of registration or certification by the appropriate national certifying body prior to appointment for verification by the official(s) designated by the facility Director. This will be documented on VA Form 10-2850c.

(3) PAs must present evidence of certification by the appropriate national certifying body prior to appointment for verification by the official(s) designated by the facility Director. This will be documented on VA Form 10-2850c, "Application for Associated Health Occupations." Licensure is required for PAs to practice outside VA in some States, although it is not required for VHA employment. If a PA claims licensure in any State(s), the official(s) designated by the facility Director will verify licensure status with the State licensing board(s) as a part of the credentials review.

(4) For candidates with recent employment in a State in which no licensure or registration is indicated on the application form, the State board should be contacted to assure that no restriction or revocation has occurred.

c. **Impaired Licensure.** Appointing officials may approve the appointment or reappointment of an individual covered by this paragraph who has previously had an impaired license, registration or certification, provided the candidate currently has full/unrestricted license/registration.

17. CONTINUING LICENSURE, REGISTRATION, AND/OR CERTIFICATION REQUIREMENTS FOR EMPLOYEES

a. **Verification of Primary License**

(1) The expiration date of an appointee's primary license, registration and/or certification, as appropriate, will be coded for follow-up purposes as provided in VA Manual MP-6, part V, supplement No. 1.5 (PAID). The appointee will specify the State in which primary licensure is claimed. The facility Director will designate the official(s) who will be responsible for the follow-up verification of these credentials. For this purpose, verification will consist of sighting evidence of renewal. VA Form 4682, Certification of Licensure, Registration, or Bar Membership, will be used and will be filed on the right side of the employee's personnel folder.

(2) Only the initial verification, which may have been certified on VA Form 4682 or the employment application form, and the latest VA Form 4682 are required to be on file. No follow-up expiration date need be coded for employees whose registration or certification is issued on a one-time basis for whom there is no continuing requirement to maintain currency. (See pars.13 to 16 for licensure verification requirements on initial appointment.)

b. **Other Verification.** Individuals with multiple licenses, registrations, and/or certifications are responsible for maintaining these credentials in good standing and of informing the Director or designee of any changes in the status of these credentials. The Director is responsible for establishing a mechanism for assuring that such multiple licenses, registrations and/or certifications are consistently held in good standing or, if allowed to lapse, are relinquished in good standing. For any such credentials which were held previously, but which are no longer held or no longer full and unrestricted, the employee will be asked to provide a written explanation of the reason(s). The verifying official will contact the State board(s) or issuing organization(s) to verify the reason(s) for any change.

c. **Impaired Licensure.** If it is learned that an employee has an active, current, full and unrestricted license or registration in a State, but has had any other license or registration to practice revoked, suspended, denied, restricted, limited, issued/placed on a probationary basis, or has entered into any other type of voluntary or involuntary agreement with a State licensing board regarding the employee's practice, facility officials will take steps to ascertain the full circumstances and, if appropriate, will initiate a review of clinical privileges, disciplinary action and/or termination procedures.

d. **Failure to Maintain Current Licensure, Registration or Certification**

(1) An employee who does not maintain active, current, licensure, registration and/or certification (if required), or who fails to show evidence of such when requested to do so, must be separated under appropriate procedures in VA Directive and Handbook 5021. Questions about whether to separate an employee based on failure to maintain current licensure or registration, should be referred to Regional Counsel.

(2) Some states authorize a grace period after the licensure and/or registration expiration date, during which an individual is considered to be fully licensed and/or registered whether or not the individual has applied for renewal on a timely basis. Facility officials will not initiate separation procedures for failure to maintain licensure or registration on an employee whose only license and/or registration has expired if the State has such a grace period and considers the employee to be fully and currently licensed/registered.

18. REPORTING TO STATE LICENSING BOARDS. Licensed and/or registered employees and former employees will be reported to State licensing or registration boards and/or to other monitoring bodies in accordance with provisions VHA Handbook 1100.18. This requirement applies to all licensed and/or registered employees included within the scope of this chapter, including residents.

19. HEALTH STATUS OF APPLICANTS AND EMPLOYEES

a. **General.** The credentialing process includes an evaluation of the health status of applicants as well as employees. Policies and procedures related to physical requirements for applicants and employees are contained in VA Directive and Handbook 5019, Occupational Health Services.

b. **Preemployment Physical Examination.** All full-time, part-time and intermittent employees, are required to satisfactorily complete a preemployment physical examination prior to appointment.

c. **Certification of Physical and Mental Fitness.** All applicants and employees, whether paid or appointed on a without compensation basis, who request clinical privileges, including those utilized on a full-time, part-time or intermittent basis, as consultants or attendings, or on a fee-basis, and including those utilized on an on-facility contract or on-facility sharing agreement basis, will be required to certify that they are physically and mentally capable of performing the requested privileges. Service chiefs will be required to certify that, to the best of their knowledge, the applicant or employee is physically and mentally capable of satisfactorily performing the requested clinical privileges. In cases where the service chief is a nonphysician, certification of satisfactory health status must also be obtained from a

physician who is familiar with the duties the individual is privileged to perform. (For residents, see paragraph 21.)

20. NATIONAL PRACTITIONER DATA BANK SCREENING. See VHA Handbook 1100.19.

21. CREDENTIALS OF RESIDENTS AND TRAINEES

a. **General.** Medical, dental, podiatry and optometry residents and trainees appointed under 38 U.S.C. 7405 or 7406 must meet the licensure requirements for residents and trainees specified in the appropriate qualification standard for the occupation. If licensure is required, evidence of licensure must be furnished prior to appointment and periodically throughout VHA employment as requested.

NOTE: *See M-8, part II, for residency and trainee program requirements. See VHA Handbook 1400.1 for clinical practice and privileging requirements.*

b. **Verification**

(1) Before the Director approves the appointment of any resident or trainee in an integrated program, whether paid or without compensation, an Resident/Trainee Credentials Verification Letter (RCVL) signed by the program director of the affiliate, for the occupation or specialty involved, must be submitted through the Chief of Staff for approval by the Director. If the residency or training program is not integrated with an affiliate, the VA facility program director must verify all credentials of residents or trainees and sign the RCVL. A new RCVL is required for each academic year that the resident or trainee is appointed to a VA facility.

(2) The RCVL must certify that all the documents needed for the appointment of that particular individual into the program are in order. For medical residents, these documents must be in compliance with the requirements of the Accreditation Council for Graduate Medical Education (ACGME), and must also meet all requirements of the program. The program director must verify all credentials (diplomas, letters of reference, certificates of advanced training, and, where applicable, Educational Council for Foreign Medical Graduates (ECFMG) certification, DEA certification, and all State professional licenses held prior to entry into the program or obtained during residency training), and affirm that the resident or trainee is physically and mentally fit to take care of patients. (See appendix II-I of this chapter for sample RCVL letter.)

(3) The program director will notify the facility Director if a resident or trainee has had any problems concerning credentials. Specifically, this will include any problems relating to diplomas, references, previous residency or other training, licensure, clinical privileges, DEA certification, and/or professional liability insurance as indicated on the employment applications. (VA Form 10-2850b for medical and dental residents, and VA Form 10-2850c or Standard Form 171 or OF-612 and OF-306 for other residents and trainees.)

(4) Residents functioning within the scope of their training program must meet clinical practice requirements as specified in VHA Handbook 1400.1. The RCVL must certify that ACGME-established criteria for the essentials and special requirements for residency training programs have been followed by the program director, or in certain cases, by the appropriate VA service chief. Such residents are

generally excluded from clinical privileging requirements required for VHA staff physicians, except as provided for in subparagraph d below.

(5) A sample format for the RCVL is contained in appendix II-I of this chapter. It must include a list of all the paid or without compensation residents or trainees to be rotated at any time during the academic year to the VA facility.

(6) The original RCVL from each program director for the academic year must be retained for 5 years by the Chief of Staff, or designee, in a Resident/Trainee Credentials Verification File.

(7) Until the facility Director countersigns the program director's RCVL, a resident or trainee cannot be allowed to participate in any of the patient care activities at the VA facility. There will be no exceptions to this policy.

c. **Application Form.** Prior to the appointment of any resident or trainee, the Chief of Staff or the facility Director's designee will document on the employment application, VA Form 10-2850b or Form 10-2850c, as appropriate, that evidence of current, full and unrestricted licensure and registration (if required) have been sighted for all State(s) in which the applicant claims to have ever been licensed. The RCVL may be cited as evidence of licensure verification and as evidence of verification of other required credentials. If the RCVL is sighted as evidence of credentials verification, this will be noted on the VA Form 10-2850b or 10-2850c, or on VA Form 4682 (licensure or registration verification only).

d. **Employment of Residents as Admitting Physicians.** A medical resident functioning outside the scope of his or her training program who is appointed as an admitting physician must meet VA physician qualification standard requirements, including licensure in a State, be fully credentialed in accordance with provisions of this section, and be privileged in accordance with provisions applicable to VHA staff physicians.

SECTION C. PROFESSIONAL STANDARDS BOARDS

1. ESTABLISHMENT

a. Professional Standards Boards for occupations listed in 38 U.S.C. 7401(1) act for, are responsible to, and are agencies of the Under Secretary for Health in matters concerning appointments, advancements, and probationary reviews of physicians, dentists, podiatrists, optometrists, nurses (RNs), nurse anesthetists, PAs and EFDAs. Boards will determine eligibility and recommend the appropriate grade for appointments under authority of 38 U.S.C. 7401(1) and 7405(a)(1); recommend candidates for advancements; administer professional examinations; and conduct probationary reviews.

b. Professional Standards Boards for occupations listed in 38 U.S.C. 7401(3) act for, are responsible to, and are agencies of the Under Secretary for Health in matters concerning appointments and advancements of individuals such as RTs, PTs, LPNs/LVNs, OTs and pharmacists. Boards will determine eligibility and recommend the appropriate grade level for appointment under authority of 38 U.S.C. 7401(3) and 7405(a)(1), and will recommend candidates for advancements.

c. Members of boards serve in a dual capacity. They must deal with matters in which they must divest themselves of their identity with the particular facility at which they are employed and must become representatives of and primarily concerned with the needs and problems of the entire VHA.

2. APPROVING AUTHORITIES FOR BOARD MEMBERSHIP. The following officials will approve board membership. (For composition of boards, see paragraph 5 below.)

a. **Central Office Boards.** The Under Secretary for Health, or designee, will approve membership of Central Office boards.

b. **VISN Boards.** The Network Director will establish VISN boards to consider actions when a facility board cannot be properly constituted, except for Dental Professional Standards Boards (see paragraph 2d below). The Network Director or designee will approve membership of VISN boards. VISN boards for nurses in grades IV and V are established by the Chief Consultant, Nursing Strategic Health Care Group (see appendix II-H5).

c. **Facility Boards.** The facility Director will approve membership of boards. The Chief of Staff will recommend physicians, nurse anesthetists, PAs, RTs, PTs, and OTs for board membership. The Nurse Executive will recommend nurses and LPNs/LVNs for board membership. The Chief, Pharmacy Service, will recommend pharmacists for board membership.

d. **Dentist and EFDA Boards.** Facility directors are to establish Dental Professional Standards Boards and will approve board membership on recommendation of the Chief, Dental Service. Facilities unable to constitute Dental Professional Standards Boards shall make arrangements to have their boards conducted at other locations.

3. DESIGNATION OF ALTERNATE BOARD

a. Whenever necessary, the Under Secretary for Health, or designee, may designate a VISN board to serve one or more VISNs.

b. When the facility board cannot be properly constituted, actions will be referred to the appropriate VISN Board.

c. Central Office PSBs will act on Central Office actions and review recommendations of local or VISN Boards which require approval of the Under Secretary for Health or designee. Except for reconsideration requests from RNs (see part III, chapter 4, paragraph 7, this handbook), Central Office PSBs will act on promotion reconsideration requests only when a VISN board was part of the initial review process. The Under Secretary for Health or designee will appoint Central Office PSBs.

d. An alternate VISN Board will be established by the Network Director to review actions when a VISN board cannot be properly constituted.

4. BOARD MEMBERSHIP

a. Persons selected to serve on boards will be chosen from the most capable, experienced and responsible personnel. Unless otherwise indicated, no specific grade or specialty is required of members of boards considering candidates for appointment, advancement, or probationary review. For a nurse, nurse anesthetist, PA, EFDA, RT, PT, LPN, OT or pharmacist, board members will be in a grade equal to or higher than the grade for which the candidate is being considered. In addition, nurse and nurse anesthetist board members must be at or above the level in the grade for which the employee is being considered.

b. Insofar as possible, facility directors who are physicians or dentists, nurse executives, and chiefs of pharmacy service will not serve as members of boards. These officials and the Chief of Staff will be responsible for the effective functioning of boards in professional matters.

c. Boards will be composed of three employees appointed under 38 U.S.C. chapter 73 or 74, except that other members may be appointed by the Under Secretary for Health, or designee, in VA Central Office. One of the members will be appointed as chairperson of the board. For nurses, the board may have either three or five members.

d. The Human Resources Management Officer or designee will serve as technical advisor on all board actions. Attendance at Board meetings is not required.

5. COMPOSITION OF BOARDS

a. **Physicians.** The board will be composed solely of physicians. The Chief of Staff will serve as chairperson of the facility board for appointments and advancements of physicians, except that when the positions of Director and Chief of Staff are combined, a senior chief of service will serve as chairperson. Members of the facility board for appointments and advancements of physicians will be senior chiefs of services.

b. **Dentists.** Dental Professional Standards Boards will be composed of three members of whom at least two shall be dentists, and the Chief of Staff or designee will serve as the Chairperson.

c. **Podiatrists.** The board will be composed of one physician and two podiatrists. The chairperson will be a physician.

d. **Optometrists.** The board will be composed of one physician and two optometrists. The chairperson will be a physician.

e. **Nurses.** The board will be composed solely of nurses. Nurse PSBs may have three or five members. Members of VISN boards will be designated from Nurse IVs and Vs at facilities serviced by the VISN board. The Chairperson of the VISN board will be the Nurse Executive at the facility where the VISN board is located. (See appendix II-H5).

f. **Nurse Anesthetists.** The board will be composed of three physicians, two physicians and one nurse anesthetist, or one physician and two nurse anesthetists. The chairperson will be a physician.

g. **PAs.** The board will be composed of two physicians and one PA, or one physician and two PAs. Physicians on boards dealing with PAs should generally be from services which utilize PAs. The chairperson will be a physician. Facilities that cannot properly constitute a board that includes at least one PA will have a PA at another VA facility within their VISN designated as a member of that facility's PA board.

h. **EFDAs.** The board will be composed of three members of whom at least two shall be dentists, and the Chief of Staff or designee will serve as chairperson of the board.

i. **RTs.** The board will be composed of three physicians, or two physicians and one RT. The chairperson will be a physician.

j. **PTs.** The board will be composed of one physician and two PTs, or two physicians and one PT. The chairperson will be a physician. The membership of VA Central Office boards will typically be the same, but individuals with related expertise may be appointed when appropriate.

k. **OTs.** The board will be composed of one physician and two OTs, or two physicians and one OT. The chairperson will be a physician. The membership of VA Central Office boards will typically be the same, but individuals with related expertise may be appointed when appropriate.

l. **Pharmacists.** The board will be composed of three pharmacists, one of whom will be designated chairperson. The membership of VA Central Office boards will typically be the same, but individuals with related expertise may be appointed when appropriate.

m. **LPNs.** The board will be composed of two registered nurses and one LPN. In Central Office, the Board will consist of three registered nurses. In each case, the Chairperson shall be a registered nurse.

6. BOARD FUNCTIONS. The primary functions of boards are to:

a. Review and act on employment applications and determine whether the applicant meets the requirements set forth in VA qualification standards. Sound professional and administrative judgment will be exercised in reviewing applications to ensure that VA obtains the best qualified personnel. Care will also be exercised to see that all applicants are treated courteously. All applicants, following board action, will be informed of the status of their applications. Those who are found ineligible for appointment in VHA will be informed of the reason.

b. Review completely an individual's qualifications for advancement by an examination of the personnel folder, proficiency reports or performance appraisals, supervisory evaluations, and other pertinent records; and to make recommendations based on their findings.

c. Conduct probationary reviews for individuals appointed under 38 U.S.C. 7401(1).

d. Execute VA Form 10-2543, Board Action.

e. Central Office boards make recommendations to the Under Secretary for Health or designee on appointments and advancements, and on probationary reviews of individuals appointed under 38 U.S.C. 7401(1), which require approval in Central Office. This includes recommendations on requests for promotion reconsideration by registered nurses.

7. EXCEPTIONS. The Under Secretary for Health or designee may establish procedures for appointing employees without action by a Professional Standards Board in instances such as:

a. Temporary appointment pending processing by a Professional Standards Board for an appointment under 38 U.S.C. 7401(1) and 7401(3).

b. Conversion of an employee appointed under 38 U.S.C. 7401(1) or 7401(3) to an appointment under 38 U.S.C. 7405(a)(1).

c. Conversion of an employee from an appointment under 38 U.S.C. 7405(a)(1) to an appointment under 38 U.S.C. 7401(1) or 7401(3), provided the employee had previously acquired permanent status under 38 U.S.C. 7401(1) and has had continuous service under 38 U.S.C., chapter 73 or 74 since acquiring such status.

d. Appointment of a graduate nurse technician, graduate physical therapists, graduate practical or vocational nurses, graduate occupational therapists, and graduate pharmacists appointed under 38 U.S.C. 7405(a)(1).

8. DIRECTOR DISAGREEMENT WITH BOARD RECOMMENDATION. When the facility Director is the approving official for a board action, the Director's decision is final. This does not preclude employees from requesting promotion reconsideration under the provisions of part III, chapter 4, paragraph 7 of this handbook.

9. LOCATION OF BOARDS

a. **Central Office Boards.** Boards are established in VA Central Office to act on appointments, advancements, probationary reviews and promotion reconsideration requests for Central Office and VISN office employees. In addition, the Central Office Physician Professional Standards Board acts on appointments and probationary reviews for Chiefs of Staff, as well as appointments, advancements, and probationary reviews for other Executive Grade field positions (such as VISN product line manager). The Central Office Nurse PSB acts on all promotion reconsideration requests from registered nurses[, all waivers of education requirements at Nurse IV (for employees who are not in Nurse Executive positions), and on all appointments, advancements, probationary reviews, and reassignments involving Nurse Executive positions at Nurse IV, as well as all actions involving positions at Nurse V].

b. **Facility Boards.** Facility boards will be established to act on all appointments, advancements and probationary reviews, when a board can be properly constituted as provided in paragraph 5 above.

c. **VISN Boards for Nurse Positions at [ ] Nurse IV.** [The VISN NPSB shall consider the appointment, advancement, change in assignment and reassignment of registered nurses in Nurse IV (other than Nurse Executives). The appropriate VISN NPSB is identified in appendix II-H5.]

d. **VISN Boards for RTs, PTs, LPNs/LVNs, OTs and Pharmacists.** A VISN PSB for each occupation will be established within each VISN, at the facility designated by the Network Director, to consider appointments and advancements of individuals in these occupations. The VISN Board will act on appointments and advancements when a facility board cannot be properly constituted, and will consider requests for reconsideration or review of promotions initially considered by a facility Standards Board. An alternate board will be established within each VISN, at another facility designated by the Network Director, to process appointments and advancements initiated by the facility where the primary board is located and to serve as a substitute board when the primary board cannot be properly constituted.

SECTION D. CENTRAL OFFICE AND OTHER APPOINTMENTS AND DESIGNATIONS UNDER 38 U.S.C. 7306

1. STATUTORY DESIGNATIONS. 38 U.S.C. 7306 provides for the appointment by the Secretary of a limited number of employees to fill specifically designated positions in VHA. These positions include:

a. Deputy Under Secretary for Health

b. Associate Deputy Under Secretary for Health

c. Eight Assistant Under Secretaries for Health (AUSH), including one dentist responsible for the operations of Dental Service. Not more than two AUSHs may be individuals qualified in administering health services who are not physicians or dentists. One AUSH must be a physician trained in or with extensive experience in geriatrics responsible to the Under Secretary for Health for evaluating all research, educational and clinical health care programs in VHA in geriatrics and who serves as the principal advisor to the Under Secretary for Health in this area.

d. Medical Directors

e. Chief Consultants for the Nursing Strategic Healthcare Group and the Pharmacy Benefits Management Strategic Health Group.

f. Directors of Chaplain Service, Nutrition and Food Service, Podiatry Service, and Optometry Service.

g. Directors of professional or auxiliary services.

2. GENERAL APPOINTMENT REQUIREMENTS. Persons appointed under authority of 38 U.S.C. 7306 will be required to meet the basic qualifications set forth in 38 U.S.C., chapter 73 or 74 and VA qualifications standards. Recommendations for appointment will be made by the Under Secretary for Health and forwarded with appropriate documentation through the Assistant Secretary for Human Resources and Administration to the Secretary for approval. An application form and a physical examination are required for candidates who are not VA employees.

3. TERMS OF APPOINTMENT

a. **Length of Appointments and Reappointments.** Except for the Director, Chaplain Service, appointments made by the Secretary under authority of 38 U.S.C. 7306 will be for a period of four years.

(1) Individuals may be reappointed for successive four-year periods.

(2) Upon expiration, initial appointments or reappointments may be *extended* by the Secretary for any period not to exceed three years. Appointments may be extended any number of times, but the combined period of continuous service on such extensions may not exceed three years.

(3) Individuals serving on 38 U.S.C. 7306 appointments may be reassigned at the same grade level during a period of initial appointment, reappointment, or extension of the appointment. However, if a reassignment involves a change in grade, the employee must be given a new four-year appointment.

(4) Individuals serving on initial 38 U.S.C. 7306 appointments, reappointments or extensions are subject to removal by the Secretary.

b. **Senior Medical Investigators.** See M-3.

c. **Director, Chaplain Service.** Under the provisions of 38 U.S.C. 7306(e)(1), the Secretary may designate a member of the Chaplain Service of VA as Director, Chaplain Service, for a period of two years. Redesignation may be made for any period not exceeding two years.

SECTION E. GENERAL APPOINTMENT PROVISIONS UNDER 38 U.S.C. CHAPTER 74

1. APPOINTMENT PROCESSING REQUIREMENTS

a. **Applications Received by Facilities.** Applications received by facilities will be referred promptly to Human Resources Management Service. The Human Resources Management Officer will review applications for compliance with administrative and regulatory requirements. Candidates who fail to meet these requirements and thus fail to qualify for appointment will be notified by the Human Resources Management Officer. Applications from selectees who meet VHA requirements for appointment will be referred to the appropriate Professional Standards Board (PSB) for necessary action as follows:

(1) **Selection and Appointment Action**

(a) The PSB will evaluate qualifications and recommend a grade level based on VA qualification standard requirements. The board will also recommend a rate of pay with due consideration being given to prior service and professional achievement. (See VA Directive and Handbook 5007.) The board will complete the VA Form 10-2543, Board Action, and forward all documents through the approving authority to the Human Resources Management Officer, who will effect the appointment action. For actions which require the approval of the Under Secretary for Health or designee, the facility board will enter its recommendations on VA Form 10-2543, and forward all documents through channels for approval. On approval, the originals will be returned to the facility.

(b) For physician service chiefs and comparable positions, see appendix II-H1.

(c) For podiatrists, see appendix II-H3.

(d) For optometrists, see appendix II-H4.

(e) For chiefs of nurse anesthesiology sections, see appendix II-H6.

(f) For physician assistants (PAs) at Chief Grade, see appendix II-H7.

(g) For chiefs of pharmacy service (all grades), clinical pharmacy/pharmacy specialists, and program specialists at Grades GS-13 and above, see appendix II-H8.

(h) For occupational and physical therapists as section chief, see appendix II-H9.

(i) For registered nurses at grades IV and V, see appendices II-H5.

(j) For Dentists and EFDAs see appendix II-H2.

NOTE: *See section B, paragraph 11 of this chapter for provisions relating to Deans Committee recommendations. See M-3 for selection of Medical Investigators and Clinical Investigators appointed under this authority.*

(2) **Action When No Facility Vacancy.** When a facility receives an application and no appropriate vacancy exists at that facility, and the applicant wishes employment elsewhere, the HRM Officer will consult the VA Recruitment Bulletin and advise the applicant of the location of current vacancies. The application will be referred for employment consideration to the VA facility of the applicant's choice which has a suitable vacancy.

b. **Applications Received by Central Office.** If the applicant is to be considered for facility assignment, the application will be referred to the facility of the applicant's choice and processed as provided in subparagraph (1). If the applicant is to be considered for Central Office assignment, an interview may be conducted in Central Office or at a VA facility determined to be more convenient. The appropriate Central Office PSB will consider the applicant's professional qualifications, enter its recommendations on VA Form 10-2543, and forward all forms to the appropriate approving authority. The Central Office Human Resources Service (035) in Central Office will take the necessary appointment action.

c. **Applicants Not Recommended for Appointment.** When an applicant is not recommended for appointment, the standards board shall record its findings on VA Form 10-2543, and send this form to the approving official. After approval of the Board Action, the applicant will be notified by the chairperson of the PSB in a letter over the signature of the Chief of Staff or appropriate approving authority that the individual's appointment has not been recommended. The letter will briefly state the basis for the action. The letter should be reviewed by the Human Resources Management Officer for adherence to technical requirements.

2. APPOINTMENT ABOVE THE MINIMUM FOR SUPERIOR QUALIFICATIONS

a. Full-time, part-time, or intermittent physicians, dentists, podiatrists, optometrists, nurses, nurse anesthetists, PAs and EFDAs, who meet the qualification requirements for appointment, may have their initial rate of pay fixed at a step rate above the minimum of the appropriate grade in recognition of superior qualifications, experience, and/or achievement exceeding the expected standards for the grade. The initial rate of pay may be set at any step rate within the grade (See VA Directive and Handbook 5007.)

b. Individuals appointed under authority of 38 U.S.C. 7401(3), or under authority of 38 U.S.C. 7405 to occupations identified in section 7401(3), may be appointed above the minimum step of the grade under provision of VA Directive and Handbook 5007. This includes RTs, PTs, LPNs, OTs, and pharmacists.

c. Appointment at a step rate above the minimum shall be based on conclusive evidence of superior qualifications which equates to the step rate assigned. Qualifications used to meet minimum grade level requirements in the qualification standard will not be used to also justify appointment at a step rate above the minimum of the grade. The following are examples of appropriate criteria:

(1) Significant and distinguished contribution in some phase of the appropriate occupation as evidenced by difficult and original research, writing and publications in professional media of stature, or special recognition in teaching or professional practice.

(2) Special competence in the occupation as evidenced by service with professionally recognized committees, groups or responsible offices in professional societies above the local level, or consultative services within the occupation. The competence attained must be supported by achievement of renown on a regional or wider basis.

(3) Educational preparation that clearly exceeds requirements for the grade, expertise in specialized treatment modalities, outstanding competence as a clinical practitioner, or significant contributions concerning some aspect of the occupation.

(4) Eligibility for certification or certification by an American Specialty Board.

(5) Certification by the appropriate national certifying body to formally recognize a level of excellence based on demonstrated superior performance in clinical practice, assessment of knowledge, and colleague endorsement.

(6) Other appropriate evidence of professional stature.

NOTE: *Prior to recommending approval or approving actions based on certification, Professional Standards Boards will verify the possession of such recognition by the individual.*

c. **Processing.** The approval of step rates above the minimum is subject to the following requirements:

(1) **Physicians.** The facility Director, on recommendation, justification, and documentation by the facility PSB, may approve the appointment of physicians to any step above the minimum of Chief grade or below.

(2) **Nurses.** The facility Director, on recommendation, justification, and documentation by the appropriate PSB, may approve the appointment of nurses at any step above the minimum of the grade.

(3) **Nurse Anesthetists.** The facility Director, on recommendation, justification, and documentation by the facility PSB, may approve the appointment of nurse anesthetists to any step above the minimum of the grade. Nurse anesthetists appointed on or after May 4, 1993, may not be appointed at a step rate above the minimum for the grade based on certification by the Council on Certification of Nurse Anesthetists. Certification is a condition of employment and may not be used as a basis for appointment above the minimum step of the grade on initial appointment or reappointment.

(4) **PAs.** The facility Director, on recommendation, justification, and documentation by the facility PSB, may approve the appointment of PAs to any step above the minimum of Chief grade or below.

(5) **Other Occupations.** For all other employees, approval of the facility Director on recommendation of the appropriate PSB, is required.

NOTE: *Action by a Professional Standards Board is not required for the appointment of a nurse, nurse anesthetist, PA or EFDA above the minimum step of the grade under authority of 38 U.S.C. 7405(a)(1) pending processing for probational appointment as provided in section G, paragraph 1a(2) of this chapter.*

NOTE: *See VA Directive and Handbook 5007 for authority to provide special pay adjustments in unusual circumstances.*

SECTION F. APPOINTMENTS UNDER 38 U.S.C. 7401

1. GENERAL. The primary consideration, prior to making selections and appointments under this authority, is to evaluate qualifications and personal characteristics as they relate to what is essential to successful performance of assigned responsibilities. Prior to effecting appointments under this authority, Professional Standards Boards and selecting officials are required to determine that the candidate's professional qualifications, physical and mental capacity, emotional stability, and any other pertinent qualifying factors, warrant a permanent appointment. The use of this appointment authority should essentially provide tenure for the employee and ensure the continuation of quality service for VHA. (See section G for procedures concerning full-time temporary, part-time, intermittent or fee basis appointments under 38 U.S.C. 7405.)

2. APPOINTMENTS UNDER 38 U.S.C. 7401(1). Only full-time permanent appointments of physicians, dentists, podiatrists, optometrists, nurses, nurse anesthetists, PAs, and EFDAs are made under authority of section 7401(1). These appointments are subject to a two-year probationary period requirement as specified in 38 U.S.C. 7403(b)(1).

3. PROBATIONARY PERIOD FOR 38 U.S.C. 7401(1) APPOINTEES

a. **Purpose of Probationary Period**

(1) The probationary period is an extension of the appointment process. It provides the final test of the appointee's qualifications, i.e., actual performance on the job. During the probationary period, the employee's conduct and behavior will be closely observed. The employee may be separated from the service if not found fully qualified and satisfactory. Thus, the probationary period provides a safeguard against retention of any person who, in spite of having met legal and regulatory requirements for appointment, is found in actual practice to be unsuited for permanent employment in Veterans Health Administration (VHA).

(2) The probationary period also affords an opportunity for fostering the interest of the employee in a VA career. Thoughtful and considerate treatment during the probationary period will have a lasting effect on the employee's career. It will enhance employee performance and often ensure useful and efficient service by employees who might otherwise resign, be separated, or be retained in assignments in which they have little prospect of success.

(3) The probationary period cannot serve as a full and fair trial period without the full cooperation of supervisors and managers at all levels. New employees, particularly those with no prior Federal service, should not be expected to immediately render services which would normally be required of experienced and trained employees. During the initial period of employment, a sincere effort must be made by supervisors and human resources management officials to orient employees into the new work situation and to provide essential training and instruction.

(4) Retention of employees during the probationary period shall be contingent upon demonstrating that they are fully qualified and satisfactory. Only those employees who satisfactorily complete the probationary period shall acquire status as permanent employees in VHA.

b. **Length of Probationary Period.** The probationary period for employees appointed on or after December 20, 1979, is 2 years. Employees who have not previously completed a probationary period, but have creditable service before December 20, 1979, must complete the 3-year probationary period which was in effect when they were originally appointed under 38 U.S.C. 4104(1). For example, a physician who was originally given a full-time appointment on February 1, 1977, was converted to a part-time appointment on February 1, 1979, and back to a full-time appointment under 38 U.S.C. 7401(1) on February 1, 1993. Although credit is given for the 2 years of probationary service gained before February 1, 1979, the physician must complete the 3-year probationary period by serving in a probationary appointment through January 31, 1994. Employees with no creditable probationary service before December 20, 1979, are only required to serve a 2-year probationary period.

c. **Last Day of Probationary Period**

(1) For employees paid on a daily basis (physicians, dentists, podiatrists, and optometrists), the probationary period ends at midnight on the last calendar day before the employee's anniversary date, whether or not the employee is in a duty status that day. For example, a probationary period beginning November 1, 1997, ends at midnight October 31, 1999.

(2) For employees paid on an hourly basis (nurses, nurse anesthetists, PAs (physician assistants), and EFDAs (expanded-function dental auxiliaries), the probationary period is completed at the end of the last scheduled duty before the employee's anniversary date. (For the purposes of this paragraph, scheduled duty includes normal and overtime duty, leave, excused absence, including holidays, and absence without leave.) For example, a probationary period beginning November 1, 1997, is completed as follows:

(a) For an employee whose last duty occurs at 4:30 p.m. on October 31, 1999, the probationary period is completed at 4:30 p.m., October 31, 1999.

(b) For an employee whose last tour of duty is from 11:00 p.m., October 31, 1999, to 7:00 a.m., November 1, 1999, the probationary period is completed at midnight October 31,1999.

(c) For an employee whose last duty (because of days off) is 4:30 p.m., October 29, 1999, the probationary period is completed at 4:30 p.m., October 29, 1999.

(d) If completed satisfactorily, the employee will automatically attain status as a permanent employee.

d. **Creditable Service.** The following service is creditable toward completion of the probationary period:

(1) Continuous service in an appointment under 38 U.S.C. 7401(1) or 7306.

(2) Leave with pay during creditable service.

(3) Leave without pay during creditable service not exceeding a total of 40 calendar days for physicians, dentists, podiatrists and optometrists or 235 hours for nurses, nurse anesthetists, PAs, and EFDAs during creditable service. **NOTE:** *When determining this total, each hour of leave without pay taken by a nurse or nurse anesthetist on the Baylor Plan is to be multiplied by 1.667.*

(4) Prior satisfactory probationary service of at least 6 months duration followed by break(s) in service totaling 1 year or less if the break was not due to separation for cause. A break in service is defined for the purpose of this subparagraph as a period during which no service is rendered under 38 U.S.C. 7306, 7401(1), or 7405(a).

(5) Time before restoration during which a probationary employee received work injury compensation from the Office of Workers' Compensation Programs.

(6) Time spent in a probationary period served under 38 U.S.C. 7403(b) prior to holding some other type of appointment in VHA if the employee is subsequently appointed under 38 U.S.C. 7401(1), provided the conditions of subparagraph d above are met.

e. **Requirement For Serving New Probationary Period.** Employees who satisfactorily completed the probationary period required by 38 U.S.C. 7403(b) will not serve a new probationary period upon reappointment unless their separation was for cause.

f. **Periodic Reviews**

(1) **Informal Reviews**

(a) Supervisors will review the services of employees on a continuing basis through observation and evaluation of their performance and conduct during the probationary period. They must remain aware of this responsibility, both when judging employee performance and when acclimating employees to their work environment. The acclimation will include careful explanations of the duties and responsibilities of the position, opportunities for development, and applicable employment and conduct regulations and procedures.

(b) When the employee has had an opportunity to learn what is expected, the supervisor should give consideration to any inadequacies in performance or conduct. The employee's weak points should be discussed objectively and suggestions made for improvement. If the employee's performance is considered good or outstanding in some aspect, this fact should be made known to the employee. If the employee's adjustment and performance are not satisfactory, the employee's immediate or higher supervisor will submit a written request for formal or summary review though channels to the official authorized to approve further review of the employee's services. This request will describe the employee's deficiencies, and the supervisor's efforts, such as training, modification of assignments, use of preceptors, etc., to assist the employee. The request may be initiated any time during the probationary period, and may be made notwithstanding past or pending proficiency ratings or the results of any previous probationary review. If the immediate supervisor is the authorizing official, the same information is to be forwarded in writing to the Chairperson of the appropriate Professional Standards Board for consideration as a part of the summary review.

(2) **Formal Reviews**

(a) Appropriate supervisory officials and Standards Boards have responsibility for periodically reviewing the services of probationary employees. At a minimum, at least one formal-periodic review during the probationary period will be done (typically, following completion of the employee's first Proficiency Report).

(b) The Human Resources Management Office will remind the employee's immediate supervisor and the Chairperson of the Board of the review requirement.

(c) The employee's immediate supervisor will initiate formal periodic review by submitting a recommendation through channels to the Board. The recommendation should be based on the employee's Proficiency Report and any related material. The Board will have access to the employee's personnel folder and the entire employment record including Proficiency Reports, any counseling reports, and supervisory evaluations. The Board will consider all aspects of the employee's service.

(d) If the employee is judged fully qualified and satisfactory, the Chairperson of the Board will record that finding by endorsing the current Proficiency Report or by preparing a separate memorandum report, and the employee will be advised of the finding by the immediate supervisor.

(e) If the Board questions whether the employee is fully qualified and satisfactory, the Board is to return the case to the appropriate authorizing official with a recommendation that a summary review of the employee's services be initiated.

g. **Separation During Probation.** See VA Directive and Handbook 5021, Employee/Management Relations.

4. APPOINTMENTS UNDER 38 U.S.C. 7401(3). Only full-time permanent appointment of RTs, PTs, LPNs/LVNs, OTs and pharmacists are made under authority of section 7401(3). These appointments are subject to title 5 probationary period requirements (see chapter 2, section A, paragraph 9, this part).

NOTE: *For more information on probationary periods, see VA Directive and Handbook 5021.*

SECTION G. APPOINTMENTS UNDER 38 U.S.C. 7405

1. TEMPORARY FULL-TIME APPOINTMENTS UNDER 38 U.S.C. 7405(a)(1)

a. **General.** Temporary full-time appointments are made under authority of section 7405(a)(1). These appointments may be made when they are in the best interest of the service, such as under the following circumstances:

(1) To employ individuals in occupations identified in sections 7401(1) and 7401(3) when the work to be performed by the employee is of a temporary nature and can be completed within a 3-year or shorter period.

(2) To employ nurses, nurse anesthetists, PAs, EFDAs, RTs, PTs, LPNs/LVNs, OTs or pharmacists pending processing of probationary appointments when the applicants meet the basic requirements for appointment. Such appointments may be effected without board action. This includes appointments above the minimum step of the grade for nurses, nurse anesthetists, PAs and EFDAs provided the application and related documentation show evidence of superior qualifications as described in section E, paragraph 2 of this chapter.

(3) To employ physicians pending processing of probationary appointments when probationary appointments require the approval of the Under Secretary for Health or designee.

(4) To employ residents who have just completed their formal VA residency training and are awaiting probationary appointment.

(5) To reemploy annuitants.

(6) To employ noncitizens when it is not possible to recruit qualified citizens for necessary services.

(7) To employ nonlicensed physicians, dentists, podiatrists, and optometrists for utilization in research or academic positions or in positions where there is no direct responsibility for the care of patients. (See section B, paragraph 14)

(8) To employ nonlicensed physicians, dentists, podiatrists, optometrists, or unregistered nurses and nurse anesthetists when the individual is to serve in a country other than the United States and the individual is licensed or registered in the country in which the individual is to serve. (See section B, paragraphs 14 & 15).

(9) To employ physicians in the Research and Development Program as research associates who have been selected in accordance with procedures in M-3.

(10) To employ physicians in the Distinguished Physician Program who have been selected in accordance with procedures in M-2, part I.

b. **Duration of Appointments.** Temporary full-time appointments may be made for any period up to 3 years depending on the needs of the service. Such appointments may be renewed, but the aggregate period of temporary service normally will not exceed 6 years. The facility Director may grant exceptions to permit renewals (in increments of up to 3 years) beyond 6 years when this type of appointment best meets the needs of the VA medical program.

c. **Consideration for Probationary or Permanent Appointment.** Individuals serving under this type of appointment who meet requirements in 38 U.S.C. 7402 and in the appropriate VA qualification standard may be considered at any time by a board for an appointment under 38 U.S.C. 7401(1) or 7401(3), as appropriate, on recommendation of the appropriate service chief or equivalent position. If their services are needed for an indefinite period, they should be considered for such an appointment in connection with any consideration for an additional 3-year appointment.

d. **Processing.** Applicants for temporary full-time appointments will be processed in the same manner as regular full-time appointees, except the qualifications of nurse, nurse anesthetist, PA, RT, PT, LPN/LVN, OT and pharmacist applicants being considered for temporary full-time appointments pending processing of a probationary appointment will be reviewed by the appropriate service chief or equivalent position. The service chief will make a recommendation for appointment to the facility Director. Action by a board is not required for renewal of a temporary appointment.

2. PART-TIME AND INTERMITTENT APPOINTMENTS UNDER 38 U.S.C. 7405(a)(1)

a. **Use of Part-Time and Intermittent Personnel.** VHA's policy is to use the services of qualified individuals on a part-time or intermittent basis where necessary to alleviate recruitment difficulties or when practicality would not indicate employment on a full-time basis.

b. **Types and Duration of Appointments**

(1) A part-time appointment is utilized when an employee's services are required on less than a full-time basis (i.e., less than 80 hours per pay period). An intermittent appointment is appropriate when the need for the services is of such a nature that it is not possible or desirable to establish a regular and prearranged schedule.

(2) Part-time or intermittent appointments may be made either on a time-limited basis or without time limit depending on the needs of the facility.

c. **Processing Appointments**

(1) Part-time and intermittent appointments made under authority of 38 U.S.C. 7405(a)(1) will be processed (including board action) in the same manner as regular full-time appointments. Appointees must meet the basic requirements for appointment in VHA.

(2) The proportionate part of the basic workweek required to perform needed services will be determined before an appointment is effected. For the method of controlling per annum utilization beginning with the date of appointment, see MP-4, part II. The proportionate per annum utilization scheduled will be recorded on SF 50-B and will not be exceeded unless the facility Director authorizes

the excess. The appointment will be effected in accordance with MP-6, part V, supplement No. 1.5. Part-time and intermittent appointments will be reviewed periodically to ascertain whether the utilization specified is realistic. Where the actual utilization is likely to exceed the original projection, the appointment action will be amended to show the new conditions of utilization.

(3) A part-time or intermittent employee may not be scheduled for employment which will exceed five-eighths of full-time employment during a service year. Exceptions to this limitation may be approved on an individual basis by the facility Director. These appointments or conversions approved as exceptions will not exceed seven-eighths of full-time employment during a service year. They will be effected only when such arrangements are in the best interest of VA and with the assurance that, on this basis, VA patient care needs will be adequately met. Under no circumstances can utilization be approved in excess of seven-eighths, including all types of utilization at all facilities. (See VA Directive and Handbook 5007, Pay Administration.)

3. UTILIZATION OF CONSULTANTS AND ATTENDINGS

a. **General.** This paragraph contains procedures for the employment of consultants and attendings on an individual basis under the authority of 38 U.S.C. 7405(a)(1) or (2).

b. **Definitions**

(1) **Consultant.** A well-qualified specialist in an occupation identified in 38 U.S.C. 7401(1) or (3) who is capable of giving authoritative views and opinions on subjects in the consultant's particular field. A consultant's expertness may consist of broad administrative or professional experience enabling the consultant to give advice of distinctive value.

(2) **Attending.** An individual in an occupation identified in 38 U.S.C. 7401(1) or (3) of demonstrated ability in the field who is employed to perform or supervise the performance of duties related to various professional activities such as teaching, patient treatment, etc.

(3) **Nonmedical Consultant.** An individual, not in one of the occupations indicated in subparagraphs (1) and (2), who has excellent qualifications and a high degree of attainment in the consultant's field. Because of superior knowledge and mastery of principles and practices, the consultant is regarded as an authority or practitioner of unusual competence.

(4) **Lump-Sum Fee.** A method of paying consultants and attendings by the payment of a flat sum for each visit or period of service rendered. (It consists of the fee for services to be rendered, plus the cost of transportation if required, and per diem at the applicable rate if travel is involved. The service fee is that portion of the fee exclusive of travel and per diem allowances.

(5) **Per Annum Salary.** A method of paying consultants and attendings on a per annum basis. The salary is computed by multiplying the number of projected visits to be made during the year by the fee authorized per visit.

(6) **Salary Limitation.** A ceiling placed on the amount of compensation a consultant or attending may receive from VA during the fiscal year.

(7) **Visit.** Attendance at a VA facility for consultation or conference work of a continuing nature dealing with one or more cases or matters of a professional nature. If a visit is interrupted by an overnight break, services performed on subsequent days are counted as additional visits.

c. **Appointment and Reappointment Approving Authorities**

(1) The Under Secretary for Health or Designee is the approval authority for appointments and reappointments of Central Office consultants.

(2) The facility Director is the approval authority for appointments and reappointments not requiring approval of the Under Secretary for Health or designee.

d. **Types of Utilization**

(1) **Authority.** Consultants and attendings, including nonmedical consultants, are normally employed under the authority of 38 U.S.C. 7405(a)(1) and 7405 (a)(2). Section 7405(a)(1) will be used for all consultants and attendings paid on a per annum basis and section 7405(a)(2) for those paid on a lump-sum fee basis.

(2) **Methods of Pay**

(a) **Per annum.** Employment of consultants and attendings on this basis is predicated on general availability for recurring and regularly scheduled duty to meet the anticipated needs of VA.

1. When a consultant or attending is available for duty but is not called to render service on a particular day of the scheduled tour, no recovery proceedings for payment will be instituted.

2. When a consultant or attending is unavailable for a particular period, the individual will be in a nonpay status and the salary reduced for the number of projected visits missed. If the individual is frequently unavailable for call, a change to lump sum fee-basis utilization should be considered.

3. Normally, the number of visits made during the fiscal year will equal or exceed the projected number used in computing the per annum salary. The exception would be those cases of reducing salary for unavailability as outlined in subparagraph 2. However, if experience during the fiscal year shows that the original projection of the need for services was too high or too low, the Chief of Staff will notify the HRM Officer to modify the appointment to reflect the new conditions of utilization. The action will be effective at the beginning of the next pay period.

(b) **Lump-Sum Fee Basis.** This type of utilization is required for intermittent services. In addition, it is required in the employment of consultants and attendings who have been authorized to perform services at other than VA facilities; and when travel is performed on a day immediately before and/or after service is rendered. At the option of local management, lump-sum fee basis may also be used for regularly scheduled services.

(c) **Without Compensation Basis.** Services of consultants and attendings may be accepted on a WOC basis under the same conditions applying to other WOC individuals covered in paragraph 7 of this section.

e. **Employment Requirements and Determinations**

(1) **Qualification Requirements.** Consultants, attendings and nonmedical consultants must meet the basic requirement of 38 U.S.C. 7402 and/or appropriate qualification standards, in addition to having outstanding professional ability in their respective fields. Action by a board is not necessary.

(2) **Duration of Employment.** Consultants and attendings will be employed for a fiscal year or fraction thereof, depending on the need. All appointment and reappointment actions will be made to terminate not later than September 30 of each year. Past appointments will be reviewed annually by the HRM Officer and reappointments effected only for those consultants and attendings the facility expects to use during the upcoming fiscal year.

(3) **Dual Employment.** The dual employment of consultants or attendings may be approved in accordance with the provisions of section A, paragraph 3b, this chapter. It is the responsibility of facility officials to ascertain whether or not a consultant or attending serves another VA facility or another Federal agency; and to make sure that the individual is not paid by VA for more than one visit a day. The apportionment of the maximum annual pay limitation for each type of employment should be furnished by the facility requesting dual employment.

f. **Appointment and Reappointment Procedures**

(1) **Recommendations for Approval.** See section B of this chapter for application, interview, and credentialing requirements relating to the appointment of consultants and attendings.

(2) **Processing**

(a) **Central Office Consultants.** For Central Office consultants, FL 10-332, Standardized Letter of Appointment - Consultants and Attendings on a Lump-Sum Fee Basis, will be used for appointments and reappointments and will be prepared for the signature of the Under Secretary for Health. Reappointment letters will be automatically produced by the Austin Automation Center (AAC).

(b) **Security Forms - Dual Employment**

1. The HRM Officer will ascertain whether the required security forms have been processed in order to avoid duplication of effort. It generally should be possible to determine this by review of the application form or contacting the individual to find out whether the person is being utilized by another VA facility or another Government agency. In that case the necessary information may be secured from the particular VA facility or the Government agency, and a copy of any correspondence placed in the employee's file folder to obviate further processing of security forms.

2. When processing of security forms is required, the HRM Officer located nearest the residence of the consultant or attending, or as agreed on locally by the HRM Officers of the applicable facilities, will prepare the necessary security forms. The HRM Officer, after processing the forms, will notify the HRM Officer(s) of the other facilities where the individual is being utilized. Evidence of such notification will be filed by each facility in the employee's file folder.

NOTE: *See VA Directive and Handbook 0710.*

(c) **Appointments.** The HRM Officer is responsible for processing appointments of consultants and attendings.

1. **Per Annum.** Appointment actions for consultants and attendings on a per annum basis under authority of 38 U.S.C. 7405(a)(1) will be effected using SF 50 B, Notification of Personnel Action. SF 50-B will reflect the following information:

a. The nature of action will be "Excepted appointment NTE 9/30/(YR) _____.

b. Indicate under item 20 the per annum salary.

c. In the "Remarks" section show "Computation of annual salary of $_____ is based on an estimated _____ visits at $ _____ per visit during the fiscal year 20(YR)__. Entitlement to salary is based on availability for duty."

d. In some cases it may be necessary to modify an appointment to reflect new conditions of utilization. The "Remarks" section will show the revised basis of computation of the per annum salary.

2. **Lump-Sum Fee Basis.** FL 10-332, Standardized Letter of Appointment - Consultants and Attendings on a Lump-Sum Fee Basis, will be issued to appoint consultants and attendings on a lump-sum under authority of 38 U.S.C. 7405(a)(2), including nonmedical consultants. A new letter will be issued if needs of the service and conditions of utilization change during the first year of appointment.

(d) **Reappointments**

1. **Per Annum.** Per annum consultants and attendings will be processed for reappointment as described in subparagraph (c) 1, except that the nature of action will be "Conversion to excepted appointment NTE 9/30(YR) _____."

2. **Lump-Sum Fee Basis.** Fee-basis consultants and attendings will be reappointed using VA Form 10-2418b, Consultant/Attending Appointment Renewal Card, in accordance with current VHA instructions. The form will be signed by the Director, Chief of Staff, or HRM Officer.

(e) **Disposition of Forms**

1. Applications and other forms for consultants and attendings will be placed in a file folder with a tab listing the individual's name, date of birth, and Social Security number.

2. Folders will be maintained alphabetically by appointment category and filed in a location designated by the facility.

4. APPOINTMENT OF PROFESSIONAL AND TECHNICAL PERSONNEL ON A FEE BASIS UNDER 38 U.S.C. 7405(a)(2)

a. **General.** On recommendation of the Chief of Staff, the facility Director may appoint professional and technical personnel on an on-facility fee basis under authority of 38 U.S.C. 7405(a)(2). The Chief, Dental Service, will recommend appointments of dentists and EFDAs. Appointments may be made for an indefinite period of time.

b. **Application.** Applicants will submit an appropriate application form to the facility where they seek employment. Forms to be used are VA Form 10-2850, Application for Physicians, Dentists, Podiatrists, and Optometrists; VA Form 10-2850a, Application for Nurses and Nurse Anesthetist; VA Form 10-2850c, Application for Associated Health Occupations; OF 612 and OF 306; or former SF 171, Application for Federal Employment. All items will be completed in sufficient detail to enable the responsible official to make determinations concerning citizenship, licensure or registration, and other qualifications. In emergency situations, the facility Director may approve appointments of individuals who have not completed an application if applicants meet appropriate qualification requirements. (See section B, this chapter, for credentialing requirements, including those related to emergency appointments.)

c. **Selection**

(1) The Chief of Staff will determine qualifications, select and recommend physicians, podiatrists, optometrists, nurses, nurse anesthetist and PAs. The Chief, Dental Service will do this for dentists and EFDAs.

(2) The HRM Officer will determine qualifications for other professional and technical personnel consistent with VA or Office of Personnel Management requirements. The appropriate program officials will select and recommend employment for these individuals.

d. **Appointment**

(1) **Approval Authority.** The facility Director will approve appointments.

(2) **Letter of Appointment.** The facility Director or Human Resources Management Officer (HRM) Officer will sign a letter of appointment giving all pertinent details. The original of the letter will be given to the appointee, with copies to Human Resources Management Service, Fiscal Service, and the utilizing service.

(3) **Special Duty Nurses.** These nurses will normally be appointed not to exceed 1 year under 38 U.S.C. 7405(a)(2). They are subject to Social Security coverage and are processed for security purposes under Executive Order 10450, unless the period of employment is specifically limited to 6 months or less.

(4) **Disposition of Forms.** Records of personnel appointed under this paragraph will be placed in a file folder (not personnel folder) with a tab listing the individual's name, date-of-birth and Social Security Number. These records will be maintained alphabetically by appointment category and filed in a location designated by the facility.

e. **Pay.** See VA Directive and Handbook 5007.

NOTE: *Persons authorized to provide outpatient services at VA expense on an off-facility fee basis in professional offices, clinics or other non-VA facilities are not considered employees for the purposes of this chapter. Instructions for their utilization are contained in VHA Manual M-1, part I, chapter 18.*

5. APPOINTMENT OF STUDENTS AND OTHER TECHNICIANS UNDER 38 U.S.C. 7405 (a)(1)(D)

a. **General**

(1) **Student Technicians**

(a) A student enrolled in an approved nursing school, an approved school of nurse anesthesia, or enrolled in an approved training or educational program for an occupation identified in 38 U.S.C. 7405(a)(1)(A) or (B), (e.g., student nurse technician, physical therapist, pharmacist) may be appointed on a temporary full-time, part-time or intermittent basis under the provisions of 38 U.S.C. 7405(a)(1)(D) for a period not to exceed the duration of the individual's program.

(b) The appointment of student technicians can help meet patient care needs and also enhance the recruitment of promising students for career service with VA. With the proper orientation to the assignment and under appropriate professional supervision, students can perform duties consistent with the courses they have successfully completed. For example, a student nurse technician could give medications under supervision of the registered nurse, give baths, check vital signs, provide tracheotomy care, and detect signs and symptoms of bleeding and respiratory problems.

(2) **Other Student Employment**

(a) **General.** Directors of health care facilities may approve appointments of students in occupations other than those cited in paragraph (1) above under authority of 38 U.S.C. 7405(a)(1)(D).

(b) **Selection**

1. Candidates normally will be selected from among students whose interests or career objectives are in health care areas.

2. Normally, a panel will be established for the purpose of screening qualifications and ranking student applicants for selection consideration. Preference will be given to students whose qualifications, personal traits, and career motivation appear to offer the best potential for service in VHA and for future contributions to the career field in general. The selecting official will choose applicants for employment from the listing developed by the qualification-screening panel.

3. VA student volunteer workers who have demonstrated interest in a health-related career should be encouraged to apply for student employment. Selection of qualified students from this group encourages continued volunteer youth participation and acts as an incentive to other students to serve as volunteers.

4. The Human Resources Management Officer is responsible for the administration of this program, including determining the extent to which the program is publicized and the selection process to be used by the facility. This official is also responsible for documenting all such determinations once they are made.

(c) **Funds**

1. Available facility funds must be used. If research funds are used, appointments of students for medical research activities will be approved by the facility's Research and Development Committee. Education funds are not to be used for the employment of students.

2. This employment has no relation to authorized training programs or clinical clerkships under which paid or WOC (without compensation) students receive credits from affiliated universities.

(3) **Nurse Technician Pending Graduation**

(a) In a limited number of states, students who have completed a designated segment of their nursing studies but have not yet graduated are permitted to obtain registration as a graduate professional nurse.

(b) A student enrolled in an approved nursing school who possesses active, current registration to practice nursing in a State may be appointed on a temporary full-time, part-time or intermittent basis under the provision of 38 U.S.C. 7405(a)(1)(D) for a period not to exceed the duration of the individual's academic program.

(4) **Graduate Technicians**

(a) A graduate nurse who has successfully completed a full course of nursing in an approved nursing school; a graduate physician assistant who has completed a full course of training as a physician assistant in an approved program; or a graduate of an approved training or educational program in an occupation identified in 38 U.S.C. 7405(a)(1)(B), whose licensure or registration in a state, or certification by the appropriate national certifying organization, is pending may be appointed on a temporary full-time, part-time or intermittent basis under the provisions of 38 U.S.C. 7405(a)(1)(D) for a period not to exceed 2 years (e.g., graduate nurse technician, graduate physical therapy technician, graduate pharmacy technician, etc.). Appointment may not be extended.

(b) A graduate nurse or LPN who fails to qualify for registration will be separated from the service on 2 weeks' notice regardless of the termination date of the temporary appointment. In no instance will an individual be retained pending the results of reexamination.

(c) A graduate PA, RT, PT, OT or pharmacist who fails to qualify for licensure, registration or certification will be permitted to remain on VA rolls pending results of reexamination provided reexamination occurs prior to the expiration date of the temporary appointment.

(d) Graduate technician experience can be credited as successful nursing practice or as successful experience which may be used in meeting grade level requirements as indicated in the appropriate qualification standard.

b. **Approved Training or Educational Programs.** Approved programs must be in schools or educational institutions approved by the Secretary as indicated in the appropriate qualification standard.

c. **Approval Authority.** On recommendation of the appropriate service chief or equivalent, the facility Director may approve technician appointments. The Director may delegate approval authority for RT, PT, LPN, OT and pharmacy technician appointments as indicated in paragraph 2 of section A, this chapter.

d. **Processing**

(1) Student technicians will submit OF 612 and OF 306 or former SF 171. Nurse technicians pending graduation and graduate nurse technicians will submit VA Form 10-2850a. Other graduate technicians will submit VA Form 10-2850c.

(2) After determining that the applicant meets qualification requirements, the appropriate service chief or equivalent will forward SF 52, Request for Personnel Action, to the HRM Officer. Following approval by the Director, the HRM Officer will effect the appointment. Action by a board is not required.

e. **Pay.** See VA Directive and Handbook 5007.

f. **Conversions.** Processing technicians for conversion should be initiated prior to their eligibility dates whenever possible, including consideration by a board. Conversions will be effected the first day of the pay period following administrative approval.

(1) **Student Technicians.** A student technician who graduates from an approved school and is pending licensure or registration in a State, or certification by the appropriate national certifying organization, may be converted to a graduate technician appointment. Action by a board is not required.

(2) **Nurse Technicians Pending Graduation.** Following graduation from an approved nursing school, a nurse technician selected for continued VA employment will be converted to a registered nurse appointment under 38 U.S.C. 7401(1) or 7405(a)(1)(A) at the grade and step rate for which qualified, without regard to time-in-grade or any other restrictions. A board action is required, unless a temporary appointment is made pending further processing under provisions of section C, paragraph 7a of this chapter.

(3) **Graduate Technicians.** Following attainment of licensure or registration in a State or certification by the national certifying organization, a graduate technician selected for continued VA employment will be converted to an appointment in the appropriate occupation under 38 U.S.C. 7401(1), 7401(3), 7405(a)(1)(A) or 7405(a)(1)(B). A Board Action is required, unless a temporary appointment is made pending further processing under provisions of section C, paragraph 7a of this chapter.

6. APPOINTMENT OF MEDICAL SUPPORT PERSONNEL UNDER 38 U.S.C. 7405(a)(1)

a. General

(1) Section 7405(a)(1) is primarily used to obtain the services of physicians, dentists, nurses and other individuals in occupations identified in 38 U.S.C. 7401(1) and 7401(3). However, it may be used under certain conditions to obtain the services of medical support personnel in occupations other than those identified in 38 U.S.C. 7401(1) and 7401(3). Appointments of medical support personnel, other than trainees and students, may be made on a temporary full-time basis for a period not-to-exceed 3 years, or on a part-time or intermittent basis for a period not to exceed 1 year. Full-time appointments under this authority may be renewed for one or more additional periods not in excess of 3 years each. Part-time and intermittent appointments are non-renewable. Appointments of associated health trainees and students in occupations other than those identified in 38 U.S.C. 7401(1) and 7401(3) may be made on a temporary full-time basis not to exceed 3 years, or on a part-time or intermittent basis for a period of time consistent with individual training program requirements. (See subparagraph b below.)

(2) The use of this authority is desirable and appropriate for the employment of trainees accepted in VA associated health training programs; high school graduates and college students participating in the VHA summer employment program; students and others, particularly those engaged in the medical research programs, when it is determined impracticable to obtain the necessary services through regular competitive employment procedures. Under no circumstances may this authority be used to circumvent the competitive employment procedures, the competitive system pay limitations and the qualification requirements for competitive appointments.

b. Appointment of Associated Health Trainees

(1) **Type of Appointment.** Appointments of trainees in VA associated health training programs are made by the facility Director under the authority of 38 U.S.C. 7405(a)(1) on a full-time basis, not to exceed 3 years, or on a part-time or intermittent basis for a period of time consistent with individual training program requirements. (See M-8, pt. II)

(2) **Qualification Requirements.** Trainees must meet citizenship requirements and shall be qualified as prescribed in appendices II-D1 through II-D35 of this part. Requests for approval to appoint paid noncitizen trainees will be forwarded to the Assistant Deputy Under Secretary for Health (10N_/143). WOC appointments of noncitizen trainees may be approved by the facility Director.

(3) **Selection and Appointment of Candidates.** M-8, part II sets forth the selection process and the approval authority for appointment of trainees.

(4) **Appointment Action.** The HRM Officer, with the approval of the facility Director, will effect the appointment on SF 50-B. The type of action will be "Excepted Appointment NTE (date)"

c. **Appointments of Other Medical Support Personnel**

(1) **Criteria for Approval of Appointments**

(a) Full-time appointments must be temporary not to exceed 3 years and are renewable for like periods. Part-time and intermittent appointments must be temporary not-to-exceed 1 year and are non-renewable.

(b) Qualifications of appointees must be comparable to those required for competitive service employees performing similar duties.

(c) Compensation must be commensurate with that paid to competitive service employees occupying similar positions which are subject to the requirements of 5 U.S.C., chapter 51. (See VA Directive and Handbook 5007.)

(2) **Approval Authority.** Facility directors are authorized to approve appointments of medical support personnel, except for paid noncitizen associated health trainees. (see paragraph b(2) above).

(3) **Documentation.** All appointments effected under the provisions of this paragraph will be properly documented to support the action.

(4) **Processing.** Applicants will submit the OF 612 and OF 306 or the former SF 171 and will be processed for appointment in the same manner as other similar appointees.

7. ACCEPTANCE OF SERVICES ON A WITHOUT COMPENSATION BASIS UNDER 38 U.S.C. 7405(a)(1)

a. **General.** The acceptance of the services of qualified individuals who may be directly or indirectly involved in patient care activities on a WOC basis is permissible. It is not intended that the services of individuals utilized on a WOC basis be accepted in place of those which are usually expected to be performed by personnel for whom funds are provided on a continuing basis.

b. **Occupations Identified in 38 U.S.C. 7401(1) and (3)**

(1) **Authority for Appointment.** Services will be accepted under the authority of 38 U.S.C. 7405(a)(1), except that medical and dental residents will be appointed under authority of 38 U.S.C. 7406. Appointments will be recommended by the Chief of Staff and approved by the facility Director. (See section B of this chapter for credentialing requirements)

(2) **Processing**

(a) VA Forms 10-2850, 10-2850a, 10-2850b, or 10-2850c, as appropriate, will be submitted by individuals who desire to participate in the VA medical program on an uncompensated basis.

(b) VA Form Letter 10-294, Letter of Authorization, will be issued setting forth the terms of utilization. Following approval of the appointment by the facility Director, the letter will be signed by the individual attesting to agreement to the conditions specified, and countersigned by the HRM Officer. The form letter will be prepared in duplicate, with the original given to the employee and the duplicate filed in a location designated by the facility and later disposed of in accordance with existing VHA instructions.

c. **Student Trainees, Research Personnel and All Others.**

(1) **Classes.** The classes of personnel who may be utilized on a WOC basis are:

(a) Medical and dental students who serve as clinical clerks.

(b) Nursing students who are enrolled in hospital, college or university schools of nursing and who are assigned for clinical experience and instruction.

(c) Students from affiliated institutions who are in associated health care occupations, such as all physical medicine and rehabilitation therapists and coordinators, orientation and mobility specialists, social workers, psychologists, medical technicians or technologists, medical radiology technicians, hospital librarians, pharmacists, medical record librarians, dietitians, dental hygienists, dental assistants and dental laboratory technicians.

NOTE: *Students in associated health care occupations who successfully complete an affiliated clinical education training program in a VA health care facility may be eligible for noncompetitive appointment under title 5 following graduation from an accredited institution of post-secondary education in accordance with 38 U.S.C. 7403(g). (See appendix II-C, this part).*

(d) Scientific and technical personnel and laboratory assistants who are utilized in a medical research program. Usually individuals utilized on this basis are employed by associated medical or dental schools or universities to engage in medical or dental research for which a grant has been made under the provisions of M-3.

(e) The facility Director is the approving authority for WOC appointments at facilities.

(2) **Full or Part-Time Utilization.** WOC appointments may be made on a temporary full-time or part-time basis, depending on the particular objective of the program.

(3) **Processing.** Employees should be processed and appointed as outlined in subparagraph b(2) above. When a large group of students is to be appointed, facility directors may adapt the FL 10-294 to a mass action type document for appointment purposes provided they retain its basic content. Applications for employment need not be solicited unless they are needed to comply with the requirements of section A, paragraph 3, and/or credentialing requirements of section B, this chapter.

(4) **Payments in Kind.** When facilities are available, students in certain designated programs approved by the Under Secretary for Health or designee, in return for services rendered, may be furnished quarters and subsistence during the whole or any part of the training period. Uniforms also may be laundered by VA if facilities are available. Instructions for making such payments "in kind" are contained in M-1. If a payment "in kind" is authorized, additional copies of VA Form Letter 10-294 will be prepared and submitted to appropriate services at the facility.

d. **Noncitizens.** Noncitizens may be utilized on a WOC basis when no qualified citizens are available and it is deemed to be in the interest of the facility.

8. OVERSEAS EMPLOYMENT OF NON-U.S. CITIZENS UNDER TITLE 38 U.S.C. 7405 (a)(1)

a. **Scope.** This paragraph contains basic policies and procedures for appointing non-U.S. citizens at the VA Regional Office Outpatient Clinic, Manila, Republic of the Philippines in the following occupations:

(1) Physicians, dentists, podiatrists, optometrists, RNs, nurse anesthetists, PAs, and EFDAs appointed under 38 U.S.C. 7405 (a)(1).

(2) Individuals appointed under 38 U.S.C. 7405(a)(1) to occupations listed in 38 U.S.C. 7401(3), such as RTs, PTs, and LPNs/LVNs, OTs, and pharmacists.

(3) Medical support personnel.

(4) Trainees in health care or associated health care occupations appointed under 38 U.S.C. 7405(a)(1).

b. **Appointment Authority.** The regional office Director may appoint the following personnel:

(1) The categories of personnel listed in paragraph a(1) and (2) above may be appointed on a temporary full-time, part-time, intermittent, without compensation, or fee basis.

(2) Medical support personnel may be appointed on a temporary full-time basis not to exceed 3 years, or on a temporary part-time or intermittent basis not to exceed one year.

(3) Trainees in health care or associated health care occupations may be appointed on a full-time, part-time or intermittent basis with or without a time limit.

c. **Qualification and Licensure Requirements**

(1) VA Qualification Standards will be used to determine the appropriate grade levels for applicants appointed under provisions of this paragraph. The Regional Office Director may, under unusual circumstances, approve a deviation from the grade requirements when the composite record of qualifications justifies the action.

(2) The Regional Office Director may waive the licensure, registration or certification requirements for the occupation, provided the individual is properly credentialed in the Philippines.

d. **Professional Standards Board**

(1) The Regional Office Director approves appointments and advancements on the recommendation of the Professional Standards Board (PSB).

(2) The PSB for the personnel listed in paragraph a(1) and (2) above, will consist of the Chief Medical Officer, and 2 senior clinic physicians.

(3) A representative of the Human Resources Management office will serve as a technical advisor to the PSB.

(4) When it is not possible to constitute a board, or when a PSB is required for the Chief Medical Officer, the Network Director will forward the personnel folder, Board action and a letter with the Network Director's comments to the Central Office or VISN board for review and recommendation. The personnel folder and related documents will be returned to the Network Director for approval.

e. **Physical Requirements.** The physical requirements and procedures for determining fitness for duty are governed by the provisions of VA Directive and Handbook 5019.

SECTION H. APPOINTMENT OF MEDICAL AND DENTAL RESIDENTS UNDER 38 U.S.C. 7406

1. GENERAL. Medical and dental residents are appointed under authority of 38 U.S.C. 7406 for graduate training leading to qualification in a specialty. (See M-8, pt. II, for policies relating to the establishment and maintenance of medical and dental residency programs in VA.)

2. METHODS OF APPOINTMENT AND COMPENSATION. Medical and dental residents may be given full-time or intermittent appointments and paid directly by VA. (As indicated in M-8, part-time appointments may not be used.) Residents may also be utilized on a WOC (without compensation) basis. Alternatively, when authorized pursuant to the provisions of M-8, part II, chapter 5, they may be appointed and paid through a disbursement agreement with a medical school or other appropriate third party.

3. APPOINTMENT DOCUMENTATION

a. For residents paid directly by VA, the nature of action on the SF-50-B is either "170 Excepted Appointment" or "170 Excepted Appointment-Intermittent," as appropriate, with the following statement in "Remarks:" "This appointment is for the duration of this training unless sooner terminated and is subject to periodic review by the Resident Review Board."

b. Residents paid from disbursement agreements must have intermittent VA appointments. A sample appointment letter has been created for this purpose that can be downloaded from the Office of Academic Affiliation's web site. A copy of this letter and a completed Standard Form (SF) 61, Appointment Affidavit, will serve as the appointment documentation for residents with no prior federal service. These documents may be filed per local facility policy consistent with Privacy Act and Freedom of Information Act (FOIA) requirements. Residents with prior Federal service should be directed to the servicing Human Resources Management Office for any additional processing that might be necessary. Do not establish an personnel folder for, or process into the Personnel Accounting Integrated Data (PAID) system, residents covered by a full disbursement agreement unless the individual has prior Federal service and Civil Service Retirement System (CSRS) retirement coverage.

4. COMPENSATION

a. **Conditions of Direct Compensation.** The VA medical center may elect either pay mechanism stipulated in VA Directive and Handbook 5007, Pay Administration. That is, under the first option, it may elect to pay residents only during VA rotations. When the resident leaves the VA medical center to receive training at a non-VA facility while not receiving a VA stipend, the resident is placed in a nonpay status. This nonpay status is a condition of employment and is not LWOP (leave without pay) for which the individual makes application. It must be recorded, however, as LWOP for certain other purposes. These periods of LWOP are documented on the SF 50-B. For the pay period beginning an assignment to another non-VA facility, the time and attendance report will reflect in the "Remarks" section: "Assigned to (name of medical center and date of assignment)." On return to the VA medical center, the time and attendance report for that period will reflect in the "Remarks" section: "Assigned to VA medical center (date)." The second option is to pay a resident under a without compensation exchange

mechanism. Under this option, the resident continues to receive pay from VA while on training rotations to non-VA facilities based on the presence of exchange residents who hold VA WOC appointments.

b. **Without Compensation.** Residents may be utilized on a WOC basis. They will be processed for appointment as indicated in paragraph 5 below and appointed in accordance with section G, paragraph 7, this chapter.

c. **Disbursement Agreements.** When VA medical centers are authorized to appoint and pay residents through disbursement agreements, the instructions in VHA Directive 98-031 are to be followed.

5. PROCESSING

a. VA Form 10-2850b, Application for Residency, and, when requested by the facility Director, SF-88, Report of Medical Examination, will be submitted. (See VA Directive and Handbook 5019.)

b. Ordinarily, applications will be submitted to the Resident Review Board and to the Deans Committee for review and recommendation as to appointment and grade. Recommendations will be documented on VA Form 10-2850b.

c. On approval by the facility Director, the HRM Officer will effect the resident's appointment. On rejection by the Resident Review Board or the Deans Committee, the Chairman, Resident Review Board, will notify the applicant and explain the reasons. The SF 88 and VA Form 10-2850b will be returned to the applicant.

6. DETAILS. Details are documented and controlled by the office responsible for supervising the resident's training. The documentation includes the resident's name, length and location of detail, and salary.

7. HUMAN RESOURCES MANAGEMENT (HRM) OFFICER'S RESPONSIBILITIES. As part of the HRM Officer's overall staff responsibilities to provide advice and assistance on personnel matters, the HRM Officer will:

a. Advise and assist the Resident Review Board, Deans Committee and appropriate professional personnel in all aspects of the administrative processes.

b. Review resident appointments in relation to scheduling at the end of each 6-month interval. (It is the continuing responsibility of the appropriate service chief or equivalent to schedule residents in accordance with the resident's appointment and pay plan.)

8. CHIEF RESIDENT

a. **Purpose.** Facility directors may approve, with the concurrence of the Resident Review Board and Deans Committee or Medical Advisory Committee, the designation of medical and dental Chief Residents where required for the successful linkage of quality medical care with effective residency training.

b. **Responsibilities.** As the first level representative of the service chief or equivalent, the Chief Resident will be assigned specific responsibility for administration, consultation and education in the total program area. Typical assignments would be: duty scheduling, liaison officer with other facility services including the referrals for consultations, serving as a junior consultant, conducting the morning report and chart review conferences with service chiefs or equivalent, serving as a junior member of the facility, scheduling conferences and other educational activities, teaching students and house staff in formal and informal rounds, and consulting with house staff on the performance and progress of medical and dental residents assigned to the service.

c. **Selection.** The Chief Resident will be in at least the second year of residency training, and will have demonstrated exceptional ability in the specialty as well as teaching and administrative talents. The resident should have tact, understanding, maturity, and the respect of contemporaries. On recommendation of the concerned service chiefs or equivalent, the Chief of Staff will nominate candidates for Chief Resident. Nominations will be reviewed for concurrence by the Resident Review Board and Deans Committee or Medical Advisory Committee. Final approval of Chief Resident nominees rests with the facility Director.

d. **Service as Chief Resident.** Following approval by the Director, the Chief Resident will be paid the approved Chief Resident stipend rate on the date such duties are assumed. The duration of service as Chief Resident will be for any period approved by the Director during the remaining portion of the resident's approved residency training, except that the period may not exceed 1 year beyond the time the resident completes board requirements. Except for receiving the Chief Resident stipend rate in lieu of the rate otherwise payable, the Chief Resident will continue to serve in the same manner as other residents, in the position of "Physician (Resident)" or "Dentist (Resident)" at the grade appropriate to the year of training in accordance with the provisions of this manual.

NOTE: *See VA Directive and Handbook 5007 for information on Chief Resident stipends and MP-6, part V, supplement No. 1.5, for information on PAID processing requirements.*

APPENDIX A. EMPLOYMENT PROCEDURES FOR POSITIONS IN MANILA

1. ANNOUNCEMENT OF VACANCIES. Vacancies for which applicants are desired will usually be announced to all field facilities, or field facilities of the administration concerned, depending on whether such positions are usually filled through agency-wide consideration of candidates or limited to applicants within a single department. Vacancy announcements should be called to the attention of all eligible employees.

2. SUBMITTING AND PROCESSING APPLICATIONS

a. The names of employees who apply and meet qualification standards and legal requirements will be transmitted to the appropriate administration.

b. Employees who are within 3 months of meeting experience or time-in-grade requirements may be considered qualified.

c. The following data will be forwarded to the appropriate administration by the date specified in the vacancy announcement:

(1) Personnel folder;

(2) Current Federal employment application, in duplicate;

(3) Appropriate supervisory appraisals.

(4) Full name, date and place of birth, and relationship of dependents who would accompany employee; and

(5) Recommendation by facility Director as to suitability of the employee for the assignment.

d. When an employee is tentatively selected for assignment, the facility will be notified and requested to forward the following:

(1) SF 86, Questionnaire for National Security Positions, when required, in triplicate;

(2) SF 87, Office of Personnel Management (OPM) Fingerprint Chart;

(3) Reports of medical examination for employee and members of the family who will accompany the employee;

(4) VA Form 8207, Agreement for Assignment After Tour(s) of Duty Outside Continental United States, in triplicate;

(5) Transportation Agreement, in triplicate. (See MP-1, part II, chapter 2, appendix I.)

(6) SF 20, Residence and Dependency Report, in triplicate.

3. TRAVEL ARRANGEMENTS

a. An employee should not make arrangements for departure until notified that the selection is approved.

b. Upon approval of the employee's selection, the appropriate administration will notify the employee's current duty facility and the Manila regional office. Officials at the employee's current facility will ascertain from the employee the anticipated date of departure from the current duty facility, the mode of stateside travel, the expected date of departure from the port of embarkation, estimated weight of household goods and personal effects and whether an automobile will be included in the shipment. This information will be sent by the employee's current duty facility to the Manila regional office for preparation of travel orders.

c. The employee's current facility will initiate the requests for passports for the employee and appropriate family members. Requests will be forwarded through channels to the Director, Office of Human Resources, Veterans Benefits Administration in VA Central Office, at least 30 days prior to scheduled departure.

d. Arrangements for packing and shipping of household goods will be made by the transferee's current duty facility. The acquisition and materiel management officer at the transferee's current facility will counsel the transferee and request routing instructions in accordance with the provisions of VA Directive and Handbook 7240, Transportation and Traffic Management.

APPENDIX B. USE OF PRIVATE SECTOR TEMPORARIES

1. PURPOSE. This appendix provides requirements and guidance on contracting with temporary help service firms for private sector temporaries to meet short-term needs in VA.

2. BACKGROUND. The Government use of private sector temporaries is authorized in 5 CFR, part 300, subpart E. The authority is intended as an option which officials may consider in meeting short-term needs after good faith attempts to locate employees have been unsuccessful. Organizations are required to maintain basic records to establish that use of temporary help services is consistent with OPM requirements.

3. POLICY

a. VA will comply with the requirements identified in 5 CFR, part 300, subpart E, on Use of Private Sector Temporaries, Federal Acquisition Regulation (FAR) and Veterans Affairs Acquisition Regulation (VAAR) when contracting for private sector temporaries.

b. These regulations apply to VA positions under title 5, U.S. Code, in the competitive service as well as Schedules A and B in the excepted service. Temporary help services may not be used for the Senior Executive Service or for the work of managerial or supervisory positions. These regulations also do not apply to occupations covered by title 38, U.S.Code. Established procedures for scarce medical specialist contracts under 38 U.S.C. 7409 remain in effect.

c. Temporary help services shall not be used:

(1) In lieu of the regular recruitment and hiring procedures for permanent appointment in the competitive civil service;

(2) To displace a Federal employee;

(3) To circumvent controls on employment levels; or

(4) In lieu of appointing a surplus or displaced Federal employee as required by: the VA Career Transition Assistance Plan (VA CTAP) under 5 CFR, part 330, subpart F; and the Interagency Career Transition Assistance Plan (ICTAP) under 5 CFR, part 330, subpart G.

4. EQUAL OPPORTUNITY. Equal opportunity principles will be observed in the administration of this authority.

5. RESPONSIBILITIES

a. The Deputy Assistant Secretary for Human Resources Management (051) is responsible for providing assistance to VA officials to ensure that the use of the authority is consistent with OPM regulations.

b. The Deputy Assistant Secretary for Acquisition and Materiel Management (90) is responsible for providing assistance to VA officials concerning the procurement and contract administration processes.

6. DELEGATIONS OF AUTHORITY

a. The authority to determine the need to contract for use of private sector temporaries is delegated to Administration Heads, Assistant Secretaries, Other Key Officials, and Deputy Assistant Secretaries. This authority is further delegated as indicated below and shall not be delegated below the facility Director.

b. Pursuant to 38 U.S.C. 8110, the decision to contract in VHA is delegated to the facility Director.

c. In VA Central Office, the authority to determine the need to contract is delegated to Administration Heads, Assistant Secretaries, Other Key officials, and Deputy Assistant Secretaries with the concurrence of the Director, Central Office Human Resources Service (035).

d. The authority to determine the need to contract is delegated to all other facility directors.

7. PROCUREMENT. Contracts for use of temporary help services must be acquired in accordance with contract types and procedures stipulated in the FAR. In order to expedite the urgent acquisition of such services, establishing indefinite delivery/indefinite quantity contracts may be appropriate. Contracting activities may elect to submit solicitations to Acquisition Policy Team (95A) for technical/legal review if the estimated value is less than the threshold specified in VAAR 801.602-70.

8. REQUEST DOCUMENTATION. The checklist which is included in this appendix is to be used to ensure that work needs are communicated accurately, regulations are followed, and operating relationships among the using office, the Human Resources Management (HRM) office, and the procurement office are reflected. The HRM office should ensure VA's competitive service recruitment obligations are fulfilled before a requesting organization is given part I of the checklist to complete.

9. RECORDS MAINTENANCE INSTRUCTIONS. In all instances of contracting for private sector temporaries, the basis for the determination of the need for private sector temporaries shall be documented, and records pertaining to the procurement action maintained by the HRM office in an auditable form for possible VA or OPM review of individual actions. Facilities may dispose of checklists, justification statements and initial/extension request authorizations after the completion of an OPM compliance and evaluation review or after 3 calendar years have passed, whichever occurs first. Facility records will include the following:

a. Facility name, location, and host organizational element(s);

b. Name and telephone number of facility contact for information about the contract;

c. Request checklist, justification statements, and initial/extension authorization(s);

d. Total amount of money the facility paid to temporary help service firms;

e. Total number of hours worked at the facility by temporary help service firm employees (as reflected on firms' bills or employees' weekly work report);

f. Type of temporary help service performed; e.g., secretarial, typing assistance, accounting, computer support, engineering, medical, technical, other (specify); and

g. Procurement procedure used; e.g., purchase orders, negotiated contracts, blanket purchasing agreements, other (specify).

CHECKLIST FOR USE OF PRIVATE SECTOR TEMPORARIES

PART I. To be completed by requesting/using office.

Private sector temporaries may be used in accordance with requirements in 5 CFR 300, subpart E. At such time as you may wish to use private sector temporaries, please provide the following information for your Human Resources Management (HRM) office. Some of that information will be furnished to temporary help firms to secure outside temporary(ies) to match your particular needs.

1. OPM regulations authorize use of private sector temporaries in the two short-term situations described below. Check the one that exists in your work unit:

a. An employee is absent - for a temporary period because of a personal need, including emergency, accident, illness, parental or family responsibilities, or mandatory jury service. This does not include vacations or other circumstances which are not shown to be compelling in the judgment of the authorizing organization.

b. The organization must carry out work for a temporary period which cannot be delayed in the judgment of the authorizing organization because of a critical need. A critical need is a sudden or unexpected occurrence, an emergency, a pressing necessity, or an exigency. Such occasions are characterized by additional work or deadlines required by statute, Executive order, court order, regulation or formal directive from the agency head or subordinate official authorized to act for the agency head. A recurring, cyclical peak workload. by itself, is not a critical need.

2. Starting date needed: _____ Ending date: _____ If work is other than full-time continuing, also show workdays and/or hours needed.

NOTE: *An organization may use temporary help service firm(s) in a single situation for no more than 120 workdays. Provided that situation continues beyond the initial 120 workdays, an organization may extend its use of those temporary help services up to the maximum limit of 240 workdays. Also, an individual employee of any temporary help firm may work at a major headquarters or field organizational element for up to 120 workdays in a 24-month period. The authorizing organization may make an exception for an individual to work up to a maximum of 240 workdays only after determining that using the same individual's services will prevent significant delay. Otherwise, if an appropriate need still exists, a different outside temporary may be secured.*

3. Identify the exact work to be performed: typist, word processor, secretary, mail or file clerk, data entry clerk, receptionist, accountant, computer programmer, etc.

4. List the specific knowledges, skills, and abilities needed to do the job. (Position descriptions usually are too general for this purpose.)

5. What equipment will be used? Show make and model of personal computer, word processor, typewriter, mail sorter, etc.

6. If a specific computer program is required, show name.

7. Describe the work environment. In what setting will the temporary be working: general office, front office, typing pool, information desk, mailroom, warehouse, etc.

8. List any applicable physical abilities required, such as: a significant amount of walking (mail clerk), bending and lifting (warehousing), standing (clerk-photocopying).

9. List any other special conditions of the work, for example, security clearance requirements.

10. List administrative information such as location or work place, building and room number; daily starting and ending times; and lunch times.

11. Name, room, and telephone number of the person to whom the temporary should report.

12. I certify that no employee can be reassigned or detailed to that work without causing undue delay in the employee's regular work. (In addition, the HRM office must check whether it has any applications from job candidates who are qualified and available for short-term appointment.)

13. Signature and title of requesting official. Date.

PART II. To be completed by Human Resources Management Office.

14. Review part I for compliance with regulatory requirements and for appropriate information to place an order. (As in other procurement actions, procurement specialists usually place orders with firms; when authorized, HRM specialists or other designated personnel also may place orders.)

15. Were the 30 percent or more disabled veteran list, applicant supply file, and reemployment priority list, checked for candidates? If any were available and qualified, list names and disposition. [5 CFR 300.503(b)]

16. For needs exceeding the initial 120-workday authorization, was a vacancy announcement posted to allow VA Career Transition Assistance Plan (VA CTAP) and Interagency CTAP eligibles an opportunity to apply? If any were available and qualified, list names and disposition. [5 CFR 300.503(c)(4)]

17. Signature and title of HRM specialist and date.

PART III. Optional. (The procurement office, at its option, may wish to add as part III of the checklist any procurement steps or information it considers significant for its operations; e.g., firms contacted, price quotes.)

APPENDIX C.
NONCOMPETITIVE CAREER-CONDITIONAL (OR CAREER) APPOINTMENT OF STUDENT TRAINEES IN ASSOCIATED HEALTH CARE DISCIPLINES

1. PURPOSE. This appendix contains requirements and information which supplement paragraphs 2h(1) and (2) of section B, chapter 2, part II of this handbook.

2. BACKGROUND. Under its statutory mission to develop and carry out a program of education and training of health care personnel for the Nation, VA annually trains thousands of affiliated students in associated health care disciplines. In order to provide maximum flexibility in hiring graduates of these programs, Public Law 101-237, dated December, 18, 1989, authorized VA to appoint under title 5, without regard to competitive Federal civil service examining and certification procedures, eligible graduates who have a degree, diploma or certificate in an associated health care discipline from an accredited institution of post-secondary education, and who have successfully completed an affiliated clinical education training program in a VA health care facility. The citation for this authority is 38 U.S.C. 7403(g).

3. AUTHORITY

a. **General.** In accordance with 38 U.S.C. 7403(g), VA facilities are authorized to appoint under title 5, without regard to competitive Federal civil service examining and certification procedures, eligible graduates who have a degree, diploma or certificate in an associated health care discipline from an accredited institution of post-secondary education, and who have successfully completed an affiliated clinical education training program in a VA health care facility.

b. **Exclusions.** This employment authority does not apply to individuals in training programs that will result in post-training appointments under 38 U.S.C. 7401(1) or (3) or under 38 U.S.C. 7405 to an occupation listed under those paragraphs.

4. EQUAL OPPORTUNITY. Consideration for appointment will be made without regard to race, color, religion, sex, national origin, or disability. As part of VA affirmative employment efforts relating to disabled veterans, minorities, persons with disabilities, and women, health care officials need to ensure that appointments fully reflect VA's commitment to equal opportunity.

5. DEFINITIONS

a. **Associated Health Care Disciplines.** Affiliated nationally recognized health care professions with entry level training at the post-secondary level, other than medicine and dentistry (except for exclusions in the preceding subparagraph 3b). A general list of the major associated health care disciplines is provided in appendix C1 of this part. (Reference: VHA Manual M-8, part II, chapter 2)

b. **Clinical Education.** The portion of education or training that takes place at the site of VA clinical care rather than the affiliated institution. Clinical education does not include activities which are: shorter than 40 hours per year; only observational with no patient contact; for laboratory research purposes only; and on-the-job training only.

c. **Undergraduate and Graduate Educational Programs.** Educational activities which take place following secondary education for which a recognized degree or certificate is awarded.

d. **Students.** Persons enrolled in undergraduate and graduate educational programs who participate in clinical education activities at the VA health care facility for 40 hours or more per year and who are appointed on either a paid or without-compensation (WOC) basis.

e. **Affiliated.** Linked by a formal Memorandum of Affiliation (see M-8, part I, chapter 2). Affiliations shall exist only with accredited institutions of post-secondary education.

6. REQUIRED DOCUMENTATION. A personnel folder will be established for eligible student trainees whose appointments are documented on an SF 50-B, Notification of Personnel Action. For those students on WOC appointments, a file folder will be established, and a VHA Form Letter (FL) 10-294, Authorization (WOC Personnel) will be completed. All documents, including the SF 50-B or FL 10-294, relating to a student's VA training must be maintained in these files. These documents are necessary for verification of completion of clinical education, which is one of the eligibility requirements for employment under 38 U.S.C. 7403(g). Although the student is responsible for producing this verification, the file for each student on a WOC appointment will be maintained in the Human Resources Management (HRM) office for at least 1 year after completion of all eligibility requirements.

a. **Initial Associated Health Student Trainee Appointment (Temporary or WOC).** VA automated personnel system remark code #T is to be included on the student trainee's appointment SF 50-B or FL 10-294. Remark code #T reads: "UPON SATISFACTORY COMPLETION OF THE ASSOCIATED HEALTH CARE TRAINING PROGRAM, AND WITHIN 1 YEAR AFTER GRADUATION, YOU ARE ELIGIBLE FOR A NONCOMPETITIVE CAREER-CONDITIONAL (OR, IF APPROPRIATE, CAREER) APPOINTMENT TO A VA POSITION IN THE HEALTH CARE DISCIPLINE FOR WHICH TRAINED. COMPLETION OF THESE REQUIREMENTS DOES NOT, HOWEVER, GUARANTEE APPOINTMENT." HRM officials will ensure that students, clinical educators, and other VA officials responsible for administering VA's clinical education programs are thoroughly briefed on the eligibility requirements for appointment under this authority, including the importance of maintaining all employment forms required to verify successful completion of training. A recommended sample information letter is located at the end of this appendix.

b. **Upon Completion of the Associated Health Student Trainee Appointment (Temporary or WOC).** Upon completion of training, an SF 50-B will be issued for employees on whom a personnel folder has been maintained. For the SF 50-B, use VA automated personnel system remark code T – "Reason for Termination: Training completed at this station." The following statement is also to be placed on the SF 50-B or the FL 10-294: "Clinical education successfully completed, which satisfies one of the requirements for basic eligibility for noncompetitive appointment under the provisions of 38 USC 7403(g)."

7. APPLICATION PROCEDURES. Openings for which student trainees may qualify will be publicized as widely as possible within each VA facility as well as in affiliated institutions. Upon request, the HRM office will assist applicants in obtaining the necessary forms.

a. Each application package must include:

(1) Completed Optional Form (OF) 612 - Optional Application for Federal Employment, or resume. A Standard Form (SF) 171 – Application for Federal Employment is also acceptable. (The HRM office should have blank OF 612's available.)

(2) Copy of degree, diploma, license (if appropriate), or certificate documenting graduation in a health care discipline covered under the provisions of 38 USC 7403(g).

(3) Copy of SF 50-B or FL 10-294 documenting completion of VA affiliated clinical education. (The HRM office would assist with, or advise on, requests for the individual's SF 50-B or FL10-294.)

b. Applications may be accepted from students who will meet all eligibility requirements within 6 months. These applications may be processed and employment commitments made subject to completion of all requirements. The HRM office/Shared Service Center is responsible for ensuring that selectees meet minimum qualification requirements, including training, education, and necessary credentials, prior to entry on duty.

c. Applicants who wish to be considered for employment at a VA facility other than the one in which they trained may contact the facility of their choice to inquire about prospective openings about 2 months before they are available for appointment. Facility officials may assist applicants by checking the VA Vacancy Database on the VA intranet for appropriate openings for which these individuals are eligible.

8. SELECTION PROCEDURES. The HRM office will forward a certificate of candidates qualified for this noncompetitive appointment to the selecting official. Preference will be given to disabled veterans and other preference eligibles as follows.

a. All eligible, qualified candidates will be assigned a basic score of 70. Extra points will be added to this score for preference eligibles. For all positions, candidates will be referred in the following priority group order:

(1) Disabled veterans who have a service-connected disability of 10 percent or more, who have 10 points added under 5 U.S.C. 3309;

(2) Preference eligibles as defined under 5 U.S.C. 2108(3)(C) through (G), other than those in the preceding paragraph 8a (1), who receive 10 points;

(3) Preference eligibles as defined under 5 U.S.C. 2108 (3)(A) and (B), who receive 5points;

(4) All other candidates.

b. Regardless of preference category, any preference eligible may be selected. However, a preference eligible may not be passed over for selection of a nonpreference eligible.

c. If there are no disabled veterans or other preference eligibles, any candidate may be selected.

9. RECORDS. A case file will be established for every new appointment made under this authority. Include in the file a copy of the announcement, all applications with supporting documentation, the register of applicants, the certificate of candidates referred, and the selecting official's decision. This file will be maintained in accordance with General Records Schedule (GRS) 1, item 15.

10. APPOINTMENTS. Appointments under this authority are subject to all competitive service appointment requirements, except for those concerning use of competitive Federal civil service examining and certification procedures. HRM officials will ensure that academic, training, and qualification requirements are met before making appointments. Appointees are subject to the provisions of title 5, U.S.Code. in all other employment matters such as performance appraisal, leave, hours of duty, and adverse actions.

a. **Conditions for Eligibility.** Individuals are eligible for a noncompetitive appointment upon completion of the following:

(1) Successful completion of a course of study in an accredited institution of post-secondary education. Associate's, Bachelor's, Master's or Doctoral degrees or certificates or diplomas in a major field of study which satisfy requirements in the qualification standard for the entry position are acceptable. Completion must be verified by diploma or certificate, degree, or other official school document. The institution must be accredited by a nationally recognized agency that has been identified by the U.S. Department of Education. Information on accredited institutions is contained in either: the reference Accredited Institutions of Postsecondary Education, published annually by the American Council on Education (ACE) and distributed for ACE by Oryx Press, P.O. Box 33889, Phoenix, AZ 85067-3889, phone: 800-279-6799 or 602-265-2651; or the Higher Education Directory on colleges or universities, published annually by Higher Education Publications, Inc., 6400 Arlington Boulevard, Suite 648, Falls Church, VA 22042, phone: 888-349-7715 or 703-532-2300.

(2) Satisfactory completion of an affiliated associated health clinical education training program, as required by the institution's curriculum, in a VA health care facility. Completion of the training program is to be verified by a copy of the SF 50-B or FL 10-294.

(3) Meet all qualification standard requirements, including certification/licensure, if required.

(4) Are applying for an appointment to a position in a health care occupation for which they trained.

(5) Meet United States citizenship requirements (5 CFR 338.101).

(6) As required by law, registration with the Selective Service System (5 U.S.C. 3328; 5 CFR, part 300, subpart G).

b. **Time Limit on Appointment Eligibility.** Qualified individuals are eligible for this noncompetitive appointment within 1 year after graduation, with date to be verified by diploma or certificate, degree, or official school document. However, the dietetic internship may also be served following graduation. Therefore, for this occupation, it may be appropriate to use completion of the

American Dietetic Association (ADA)-accredited VA internship as the start date of this 1-year eligibility requirement. The VA information sheet, titled DIETETIC INTERNSHIPS IN VA, lists the acceptable ADA-accredited VA dietetic internships.

c. **Grade Level.** Students may be noncompetitively appointed to a position for which they trained at any grade level for which they qualify.

d. **Tenure and Status.** An individual appointed under this authority becomes a career-conditional employee (or a career employee if the service requirement has been met (5 CFR 315.201).

e. **Probationary Period.** An individual appointed under this authority must serve a 1-year probationary period. Time in the student trainee position is not creditable toward completion of the probationary period (5 CFR 315.801-2).

f. **Service Computation Date (SCD).** Time served under the temporary student trainee appointment in a paid status is counted toward the SCD and is considered creditable service for leave purposes only. Time served under a WOC appointment is not counted toward the SCD and, therefore, is not creditable for leave. Student trainee appointments are excluded by law from retirement coverage under the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS) (5 U.S.C. chapters 83 and 84; 5 U.S.C. 5351).

g. **Appointment Authority.** Appointments will be effected in accordance with instructions in OPM's Guide to Processing Personnel Actions, chapter 9, Career and Career-Conditional Appointments, Table 9-G. Use Nature of Action Code 101 for career-conditional (or, if appropriate, 100 for career) for individuals no longer on VA rolls, and 501 (or 500) to convert those currently on VA rolls. Although OPM's Guide indicates that the proper authority code is ZLM, that code is generic and without definition in VA's automated personnel system. In its place, use VA legal authority code Z41, which prints properly on the SF 50-B as "ZLM 38 U.S.C. 7403(g)(1)(B)."

h. **Movement after Noncompetitive Appointment.** The time-after-competitive appointment restriction does not apply to this noncompetitive appointment (5 CFR 330.501).

11. WAIVERS. The Under Secretary for Health or designee may approve justifiable waivers of the 1-year time limit for noncompetitive appointment of a student trainee. Facility directors must send to VA Central Office (10NA/051), through their Network Director, requests for such waivers for individuals who, because of unusual circumstances, were not able to accept an appointment within the 1-year period after graduation. Requests will be evaluated on a case-by-case basis.

APPENDIX C1. LIST OF MAJOR ASSOCIATED HEALTH CARE DISCIPLINES

Public Law 101-237, section 203, authorized noncompetitive title 5 appointments under 38 U.S.C. 7403(g) of graduates in certain associated health-care disciplines who have successfully completed a course of study in an accredited institution of post-secondary education that is affiliated with the Department of Veterans Affairs (VA). As part of a course of study, students must have successfully completed a required clinical education training program in a VA health care facility.

A general list follows of the associated health care disciplines for which VA training is currently being provided. To assist in determining which disciplines may be appropriate for appointment under this authority, classification series representing the predominant General Schedule occupations for each educational program are provided. Questions concerning any series (listed or not) may be directed to the HRM Programs and Policies Service (051) in VA Central Office.

Audiology and Speech Pathology (GS-665)

Biomedical Instrumentation and Machine Operation

Biomedical Instrumentation Technician (GS-802)
Biomedical/Clinical Engineer (GS-858)
Electroencephalograph Technician (GS-649)
Cardiovascular Perfusionist (GS-649)
Cardiopulmonary Technician (GS-649)

Certified Nursing Assistant (GS-621)

Dental Auxiliaries

Dental Assistant (GS-681)
Dental Hygienist (GS-682)
Dental Laboratory Technician (GS-683)

Dietetics

Dietitian (GS-630)
Clinical Dietetic Technician (GS-640)

Health Services Research and Development (GS-601)

Health System Administrator (GS-670)

Health System Specialist (GS-671)

Librarian

Hospital Librarian (GS-1410)
Hospital Librarian Technician (GS-1411)

Medical and Clinical Laboratory

Clinical Laboratory Technician/Assistant (GS-645, 601)
Cytotechnologist (GS-601)
Histologic Technician/Technologist (GS-646, 601)
Medical Laboratory Technologist (GS-644)
Medical Laboratory Technician (GS-645)

Medical Media

Medical Illustrator (GS-1020)
Medical Photographer (GS-1060)

Medical Records

Medical Records Administrator/Specialist (GS-669)
Medical Records Technician (GS-675)

Nuclear Medicine Technologist (GS-601)

Patient Health Educator (GS-1701)

Pharmacy Technician (GS-661)

Rehabilitation

Educational Therapist (GS-639)
Manual Arts Therapist (GS-637)
Occupational/Physical Therapy Assistant (GS-636)

Orthotist/Prosthetist (GS-667)

Psychologist (GS-180)

Radiology

Diagnostic Radiologic Technician/Technologist (a.k.a. Radiographer) (GS-647)
Therapeutic Radiologic Technician/Technologist (a.k.a. Radiation Therapy Technologist) (GS-648)

Recreation

Recreation Assistant (GS-189)
Recreation/Creative Arts Therapist (Arts/Music) (GS-638)

Rehabilitation Counseling

Alcohol/Drug Rehabilitation Counselor (GS-101)
Blind Rehabilitation Specialist (GS-601)
Mental Health Associate (GS-640)
Vocational Rehabilitation Counselor (GS-1715)

Social Work

Social Worker (GS-185)
Social Work Associate (GS-187)

Sonography

Diagnostic Medical Sonographer (GS-640)

Surgical Auxiliaries

Ophthalmic Medical Assistant (GS-640)

Veterinary Science

Biological Science Technician (GS-404)

APPENDIX C2. EMPLOYMENT INFORMATION - RECOMMENDED SAMPLE LETTER

Dear Student:

Upon satisfactory completion of your Department of Veterans Affairs (VA) affiliated clinical education training program, and within 1 year after graduation (**to be modified for Dietetic Interns completing internship after graduation to say . . . "Upon completion of your American Dietetic Association (ADA)-accredited Department of Veterans Affairs (VA) internship . . ."**) or certification from an accredited institution of post-secondary education, you will be eligible for a direct appointment with VA. Employment opportunities will depend on vacancies at each health-care facility. Openings are publicized within each VA facility and copies of announcements, as well as all forms, are available in the Human Resources Management (HRM) office.

To apply, forward the following information to the HRM office: a completed Optional Form (OF) 612, Optional Application for Federal Employment, or a resume [also acceptable: a completed Standard Form (SF) 171, Application for Federal Employment]; a copy of your diploma, license (if appropriate), certificate, or degree documenting completion of course study in the affiliated educational program; and a copy of any SF 50B, Notification of Personnel Action, or VA Form Letter 10-294, Authorization (Without-Compensation Personnel) documenting completion of your VA clinical education.

If you wish to be considered for employment at a VA facility other than the one in which you trained, you may contact the facility of your choice to inquire about prospective openings about 2 months before you are available for appointment. Facility officials may assist you by checking the VA Vacancy Database on the VA intranet for appropriate openings for which you are eligible. You should follow application instructions in vacancy announcements in which you are interested.

Sincerely yours,

APPENDIX D.
SAMPLE BACHELOR'S DEGREE STUDENT CAREER EXPERIENCE PROGRAM AGREEMENT

STUDENT CAREER EXPERIENCE PROGRAM (SCEP) AGREEMENT BETWEEN

_____, hereinafter referred to as "school," and _____, hereinafter referred to as "VA."
(college/university) (VA facility)

In accordance with regulations set forth by the United States Office of Personnel Management and policies of the Department of Veterans Affairs, this agreement provides for the employment of students in attendance at _____ by _____
(college/university) (VA facility)
under a Student Career Experience Program (SCEP) of the Federal Student Educational Employment Program.

I. NATURE OF THE PROGRAM

This Student Career Experience Program (SCEP) provides for study supplemented by study-related work experience. SCEP participants pursue a baccalaureate curriculum in which the work experience is related to the student's academic/career goals. This work experience must be carried out in accordance with a planned schedule. SCEP participants who successfully complete this program may be considered for conversion to regular (Career-Conditional, Term, or if appropriate Career) appointments in VA.

II. RESPONSIBILITIES OF VA

VA will appoint a member of its staff to serve as liaison with the school in all matters pertaining to the SCEP. VA will keep the school informed of work experience opportunities as they arise. VA has final responsibility for determining eligibility for employment and for selection of students to be appointed to the program. Selection will be made from eligible candidates referred by the school. VA will handle all personnel processing involved with the appointment of students.

Each student's work experience program will be carefully planned to enrich the learning experience and orient the student to the occupation and the work setting. Individual work experience programs will be monitored to ensure that the student is receiving the maximum benefit from the work experience. VA will keep the school informed of each student's progress and will notify the school toward the end of each work-education period of its intention to release or retain the student.

III. RESPONSIBILITIES OF THE SCHOOL

The school will appoint a member of its staff to serve as liaison with VA in all matters pertaining to the SCEP. The school will inform prospective candidates of SCEP opportunities with VA and will refer candidates, including all qualified honorably discharged veterans, who express an interest in being considered for SCEP positions with VA. When candidates are referred, the school will provide information on each student which will be helpful to VA in making a selection and which the school is

authorized to release. The school will keep VA informed of any changes in academic status which may affect the student's participation in the SCEP. In addition, the school will make every effort to strengthen the relationship between study and work assignments.

IV. STUDENT ELIGIBILITY REQUIREMENTS

To be considered for a SCEP position, a student:

a. Must meet all eligibility requirements referenced in 5 CFR 213.3202(b) on the Student Career Experience Program (SCEP).

b. Must be in attendance at and enrolled in a baccalaureate curriculum and recommended for appointment by the school.

c. Must be a citizen of the United States, or lawfully admitted as a permanent resident or otherwise authorized to be employed and paid.

d. May be the relative of an employee of the Department of Veterans Affairs only if permitted by 5 CFR 213.3202(a)(7) and 5 CFR, part 310.

e. Must maintain, based on a 4-point scale, a 2.0 average in courses in the major field of study and in the overall academic program. The student's overall record must indicate the potential for successful completion of all requirements for graduation.

V. GRADE AND PROMOTION

SCEP students may be appointed to positions at grades GS-2 through GS-5, depending upon qualifications. No initial appointment may be made at the GS-5 level. Students who meet qualification standards and whose performance justifies advancement may be promoted up to grade GS-5.

VI. WORK AND SCHOOL SCHEDULES

Individual work schedules will be arranged for each student employed under this agreement. Work schedules will be arranged to avoid interfering with the student's academic schedule and performance, so as to facilitate timely educational program completion while also satisfying all requirements for conversion to career-conditional appointment (or career, if appropriate), as specified in section IX of this agreement.

During non-work periods, students will be placed in a leave-without-pay status.

VII. PAY AND BENEFITS

Students will be paid the salary to which their grade and step entitles them under the current General Schedule salary scale. They are entitled to all Federal benefits for which they qualify. Annual leave, sick leave and paid holidays will also be granted in accordance with the regulations.

NOTE: *If the field facility plans to pay educational expenses under conditions specified in 5 U.S.C. chapter 41 and 5 CFR, part 410, a short statement to this effect should be included.*

VIII. TRIAL PERIOD AND PERFORMANCE APPRAISAL

The student's first work-education period will be considered a trial period during which the student's progress will be closely observed. Before the end of this period, the student's performance will be appraised. Based on this appraisal and the Service/Division Chief-level manager's recommendation, the facility Director will decide whether to retain or release the student. Both the student and the school will be notified immediately of this decision. In the case of release, the reasons will be provided to both parties.

The decision to retain the student will be reconsidered during each work-education period based on a current appraisal of performance.

IX. CONVERSION TO CAREER-CONDITIONAL APPOINTMENT (OR CAREER, IF APPROPRIATE)

A SCEP student may be converted non-competitively to a career-conditional appointment, term (or if appropriate, career) appointment to a GS-5 or GS-7 position in the field of work in which the student's training is received provided the following conditions are met:

a. The student meets the appropriate qualification standards.

b. VA recommends conversion.

c. The student has successfully completed all requirements for a bachelor's degree within the preceding 120 days.

d. The student has completed the appropriate amount of SCEP work experience (640 hours minimum) as described in 5 CFR 213.3202(b)(11)(B).

e. The student is a citizen of the United States and meets the employment of relatives requirements on the date conversion is recommended.

X. EQUAL EMPLOYMENT OPPORTUNITY

Selection of students to participate in this Student Career Experience Program will be made without regard to race, color, sex, age (except for statutory limitations), marital status, national origin, religious or political affiliation, or nondisqualifying disability.

This agreement will remain in effect subject to annual review and renewal by both VA and the school. It will become void if no students from the school are employed under the provisions hereof within a twelve (12) month period.

EFFECTIVE DATE:

Approved:

By _____
(title)

For _____
(college/university)

Approved:

By _____
(title)

For _____
(VA facility)

APPENDIX E.
HEALTHCARE SYSTEM MANAGEMENT ADMINISTRATION RESIDENTS, INTERNS AND TRAINEES

1. HEALTHCARE SYSTEM MANAGEMENT ADMINISTRATION RESIDENTS

a. Healthcare system management administration residents are graduate students pursuing a master's degree in a program approved by the Accrediting Commission on Education for Health Services Administration (ACEHSA). Practical experience is for 1 year and is usually performed following the completion of 1 academic year of graduate study.

b. Residents will be appointed under 5 CFR 213.3202(b).

c. Compensation for residents is locally established by Directors at appropriate levels within maximums prescribed by Federal civil service regulations and VA. (See VA Handbook 5007, Pay Administration.)

d. Residents appointed under 5 CFR 213.3202(b) may be noncompetitively converted to career-conditional, term, or career appointments, as appropriate, provided all requirements of 5 CFR 213.3202(b) are met.

2. HEALTHCARE SYSTEM MANAGEMENT ADMINISTRATION INTERNS

a. Healthcare system management administration interns are graduate students pursuing a master's degree in a program approved by the ACEHSA. Practical experience is typically available during the summer between 2 years of graduate level academic study and is for a period of 2 to 4 months.

b. Interns whose work assignments are anticipated to equal or exceed 640 hours necessary for non-competitive conversion must be appointed under 5 CFR 213.3202(b). Those interns whose work assignments are not anticipated to meet the 640 hours requirement under 5 CFR 213.3202(b) will be appointed under the authority of 38 U.S.C. 7405.

c. Compensation for interns appointed under 5 CFR 213.3202(b) is locally established by Directors at appropriate levels within maximums prescribed by Federal civil service regulations and VA. (See VA Handbook 5007.) Compensation for those interns who are appointed under the authority of 38 U.S.C. 7405 will be in accordance with the provisions of VA Handbook 5007.

d. Interns appointed under 5 CFR 213.3202(b) may be noncompetitively converted to career-conditional, term, or career appointments, as appropriate, provided all requirements of 5 CFR 213.3202(b) are met.

3. HEALTHCARE SYSTEM MANAGEMENT ADMINISTRATION TRAINEES

a. Healthcare system management administration trainees are undergraduate students pursuing a bachelor's degree in health care administration or a closely related field. Practical experience is usually from 2 to 4 months during the summer between the junior and senior years.

b. Trainees whose work assignments are anticipated to equal or exceed 640 hours must be appointed under 5 CFR 213.3202(b). Appointment will be at the GS-3 grade level if the trainee has completed 2 years of college and at the GS-4 grade level if the trainee has completed 3 years of college. Those trainees whose work assignments are not anticipated to meet the 640 hours requirement necessary under 5 CFR 213.3202(b) for non-competitive conversion to career-conditional or career appointments, as appropriate, will be appointed under 38 U.S.C. 7405.

c. Compensation for trainees appointed under 5 CFR 213.3202(b) will be at the pay levels for GS-3 or GS-4, as appropriate. Compensation for those trainees who are appointed under authority of 38 U.S.C. 7405 will be in accordance with the provisions of VA Handbook 5007.

d. Trainees appointed under 5 CFR 213.3202(b) may be noncompetitively converted to career-conditional, term, or career appointments, as appropriate, provided all requirements of 5 CFR 213.3202(b) are met.

4. CONVERSION TO CAREER-CONDITIONAL AND CAREER APPOINTMENTS. Students meeting all the requirements specified in 5 CFR 213.3202(b) may be converted to career-conditional or career positions, as appropriate, at the employing medical facility. If there is no appropriate position available locally for a student who is considered a good candidate for conversion, the medical facility or the student may check lists of vacancies published by VA Central Office and contact other VA installations at which the student is interested in being employed.

APPENDIX F1. QUALIFICATION STANDARD

CHAPLAIN **GS-060-11/15**

AUTHORITY: 5 CFR 213.3102(a)

This qualification standard for Chaplain, GS-060-11/15, applies to all Chaplain positions in VA.

BASIC REQUIREMENTS FOR ALL GRADES: Candidates must meet the following requirements:

Ecclesiastical Endorsement: Candidates must have ecclesiastical endorsement, dated within the past 12 months, from the official national endorsing authority of their faith group or denomination. For the purpose of this standard, ecclesiastical endorsement is a written official statement, by the official national endorsing body of the faith group or denomination, certifying that the applicant is in good standing with the applicant's group or denomination; and stating that the individual is, in the opinion of the endorsing body, qualified to perform the full range of ministry required in the VA pluralistic setting.

Education: Candidates must possess the Master of Divinity degree, normally based upon completion of 3 years of graduate study, or possess equivalent educational qualifications. Equivalent educational qualifications means possession of a bachelor's degree of at least 120 semester hours plus successful completion of 70 semester hours of graduate study which included or was supplemented by all of the following: 20 semester hours of pastoral ministry (examples: homiletics, preaching, ministry, pastoral counseling, supervised ministry and/or practice); 20 semester hours in any combination of theology, ethics, and philosophy of religion; 10 semester hours in religious history or world religions; and 20 semester hours in the study of sacred or religious writings, including the study of languages in which sacred or religious writings are written.

NOTE: *Education achieved prior to the issuance of this standard that included the post-baccalaureate Bachelor of Divinity or Bachelor of Sacred Theology Degrees is generally considered substitutable for the Master of Divinity Degree.*

Accreditation: At the time the education was obtained, the entire institution, applicable school within the institution, or the applicable curriculum must have been appropriately accredited by an accrediting organization recognized by the Secretary, United States (U.S.) Department of Education; or the specific courses taken must have been accepted for college-level credit by such an accredited institution. **NOTE:** *Institutions with acceptable accreditation are listed in the Directory of Postsecondary Institutions, U.S. Department of Education, National Center for Education Statistics.*

Clinical Pastoral Education (CPE): Candidates must have completed at least two units of CPE as defined by the Association for Clinical Pastoral Education (ACPE) or the National Association of Catholic Chaplains (NACC) or have equivalent training. Equivalent training is not less than 800 hours of supervised ministry in a health-care setting, such as a hospital or nursing home, which incorporated both ministry formation and pastoral care skills development. Combinations of CPE and appropriate supervised ministry which total 800 hours meet this CPE requirement. The requirement for CPE may be waived for part time GS-11 positions, of not more than 416 hours per annum, which involve liturgical

ministry with no participation in interdisciplinary health-care activities. Experience in such a position would not be creditable as "equivalent training" toward meeting the CPE requirement. Individuals for whom the CPE requirement is waived may not be reassigned or promoted to other chaplain positions until meeting the CPE requirement.

EXPERIENCE REQUIREMENTS

GS-11: In addition to meeting the basic requirements, 2 years experience, following completion of the basic education described under Education above which has demonstrated both practical pastoral knowledge and skill, and the ability to minister in a pluralistic setting. Supervised or guided pastoral experience completed during graduate professional education may be credited for up to 1 of the 2 years of experience required for GS-11.

Substitution of Education for Experience: Successful completion of a doctoral degree which is directly related to pastoral ministry, at an accredited college or university, may be substituted for 1 of the 2 years of required experience (unless the doctoral degree is being used to satisfy the minimum educational requirement).

GS-12: In addition to meeting the requirements for GS-11, 1 year of progressively responsible specialized professional experience equivalent in complexity and responsibility to the GS-11 level. This experience must have demonstrated the following:

a. Ability to serve as consultant or expert to a multidisciplinary treatment team.

b. In-depth knowledge of related professional fields, particularly in the behavioral sciences.

c. Understanding of, and ability to respond to, the particular concerns and issues pertaining to treatment of veterans.

d. Knowledge of the structure, regulations, practices, and programs of health care delivery systems.

e. Ability to interpret and apply a body of rules, regulations, policies, and procedures in professional practice.

f. Ability to develop and maintain liaisons with a variety of outside organizations.

NOTE: *In addition to meeting the preceding requirements, candidates for supervisory positions must have demonstrated the ability to perform responsible administrative duties in a complex organization.*

GS-13 and Above: In addition to meeting the preceding requirements for GS-12, candidates must have 1 year of specialized professional experience equivalent in complexity and responsibility to the next lower grade. For supervisory positions, candidates must also have demonstrated ability to supervise a staff of chaplains from various faith groups.

SPECIALIZED PROGRAM AREAS: For positions in specialized treatment programs, such as substance abuse programs, in addition to meeting the requirements of the particular grade, candidates must have demonstrated through their education and professional experience the necessary specialized knowledges, skills, and abilities to satisfactorily perform the duties of the position.

USE OF SELECTIVE FACTORS

1. Consider only qualified members of the specified faith group appropriate to the position to be filled.

2. For positions organizationally titled: "Clinical Pastoral Education Supervisor," which involve major responsibility for developing and coordinating an accredited CPE Program, candidates must, in addition to meeting the requirements for the particular grade, meet the designated selective factor of being certified as a Supervisor of CPE, or an Associate Supervisor of CPE, by either ACPE, or NACC.

ENGLISH LANGUAGE PROFICIENCY: Applicants for this occupation must be proficient in basic written and spoken English.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

EXCEPTIONS: Notwithstanding the provisions of paragraphs 5c and 5d, section C, chapter 2, this part, the experience requirements of this standard may be modified or waived for temporary employment of chaplains at GS-11, when no fully qualified candidates are available, with the prior written approval of the Director, Chaplain Service. Candidates so appointed may not be placed in any other chaplain position until fully meeting the qualification requirements. Experience gained under such an appointment is creditable toward meeting the experience requirements of this standard.

NOTE: *All persons currently employed as permanent GS-060 VA Chaplains on the effective date of this standard are considered to have met all qualification requirements for the position held. They may be promoted, demoted, or reassigned within the GS-060 occupational series because they are considered to have met those qualification requirements. Any employee initially retained in this manner who leaves this job series loses this protected status and must meet the full requirements of this standard in effect at the time of reentry.*

GUIDANCE ON USE OF THE VA QUALIFICATION STANDARD FOR CHAPLAIN GS-060-11/15

1. BACKGROUND: On March 2, 1998, the Department of Veterans Affairs (VA) issued a new qualification standard for the occupation of Chaplain GS-060-11/15. The new standard: updates terminology; deletes the ordination requirement; adds a requirement for Clinical Pastoral Education, in keeping with private sector practice; reduces the minimum experience requirement; provides for selective factors; limits the conditions under which waivers of experience may be granted; and defines what education is considered equivalent to the Master of Divinity degree. The examining function for Chaplains in VA is performed by the Board of Excepted Service Examiners at the Central Office Chaplain Service, in Hampton, VA. Field facilities were delegated certain personnel management authorities for chaplains. **NOTE:** *For additional guidance, refer to expired Veterans Health Administration (VHA) Directive 10-94-068, issued 08-05-94, and Human Resources Management Letter 05-95-5, issued March 22, 1995. It is recommended that this information be retained as reference material.*

2. OCCUPATIONAL INFORMATION: Chaplains are endorsed by specific faith groups to meet the unique religious needs of patients of their faith group, while simultaneously providing a pastoral ministry to patients of all faith groups. Chaplains represent hundreds of different religions, with widely varying histories and beliefs. There is a particularly conspicuous variation in each religion's qualification requirements for clergy. Although chaplains' cultural diversity is vital in the pluralistic VA environment, equally important are the knowledges, skills, and abilities required to provide professional pastoral care in a modern health care setting. VA Chaplains, while remaining clergy, are also Federal employees with secular responsibilities. They must be able to assess the spiritual needs of patients of all faith groups, must know their religion-specific needs, and, most importantly, must understand how to provide patients the opportunity to express their religion while simultaneously preventing any imposition of religion, whether by chaplain, staff, or other patients. VA Chaplains interact with health care professionals of many different fields, to address the spiritual component of health and wellness in every patient-care setting. Chaplains deal both with staff and patients on sensitive issues of medical ethical decision-making, which are frequently difficult to distinguish from theological and cultural issues. Chaplains discuss complex and highly emotional issues with persons who are under unusual stress and who often have illnesses and/or disabilities which substantially impair their ability to understand and to communicate their desires. Last but not least, chaplains ensure that pastoral care does not "stand alone," but is well integrated into the healing and wellness model used by the facility.

3. EDUCATION: The Master of Divinity, the historical benchmark of educational preparation for chaplaincy, is a Christian degree. The educational equivalency standard must be used to assure that all applicants possess comparable educational preparation, without eliminating candidates, or faith groups, on the basis of purely religious or cultural differences.

a. The content of graduate courses frequently overlaps two or more of the four subject-matter categories of the educational equivalency standard. The semester hour credit for such courses may be divided between categories based on an analysis of course content. For example, a course entitled "New Testament Theology" may be divided between theology and study of sacred writings. "Classics of the Jewish Tradition," or "Qur'anic Studies," may be divided between religious history and study of sacred writings.

b. Languages in which sacred writings are written are sometimes studied as an undergraduate. Undergraduate courses in appropriate languages may be counted towards the sacred writings or languages category, but may not be counted towards the 70 semester hour minimum graduate credit requirement.

c. The creditability of course work must be interpreted within the context of the applicant's own faith group. It may be necessary to determine, for example, whether particular writings are sacred to a particular group; or whether a language studied is one in which sacred writings of that faith group are/were written.

d. It is strongly recommended that Veterans Affairs Board of Excepted Service Examiners (BESE) at VHA Central Office Chaplain Service be consulted on all questions of educational equivalency. BESE will obtain additional faith group-specific information from the Ecclesiastical Endorsing office of the faith group if necessary, and will make a final eligibility determination.

4. ACCREDITATION: The accreditation of educational institutions attended by applicants must be verified. Many educational institutions providing graduate education in theology, religion or divinity do not seek accreditation from secular accrediting bodies. There are some accrediting organizations which are not recognized by the U.S. Department of Education. In addition, it is not uncommon for clergy to complete some or all of their education overseas. Evaluation of education from non-accredited institutions will be in accordance with instructions in the OPM Qualifications Standards Handbook, page II-11. Some non-accredited institutions hold such stature in the educational community that their graduate course work is accepted by accredited institutions as the equivalent of their own. BESE keeps records of such institutions. The ultimate source of information is the U.S. Department of Education, Accreditation and State Liaison Division, at (202) 708-7417. Information on closed institutions may be obtained from them at (202) 708-7243.

5. CONTRACT AND FEE-BASIS UTILIZATIONS: Fee-basis and contract chaplains must meet all requirements of the Chaplain qualification standard.

APPENDIX F2. QUALIFICATION STANDARD

VOCATIONAL REHABILITATION COUNSELOR **GS-101-9/11/12**

AUTHORITY: 38 U.S.C. 3118(c) (for VBA); 38 U.S.C. 7402 (for VHA)

This standard applies to all Vocational Rehabilitation Counselor positions in VA.

DUTIES: Provides a wide range of rehabilitation and personal adjustment counseling and case management services, including coordination of rehabilitation, training, and employment services to disabled veterans. Vocational Rehabilitation Counselors assess data received from medical, psychological and vocational evaluations, and develop individualized rehabilitation plans. In the Veterans Benefits Administration (VBA), they also make eligibility and entitlement determinations.

BASIC REQUIREMENT FOR ALL GRADES: Satisfactory completion in an accredited college or university of all the requirements for a master's degree in rehabilitation counseling, including an internship; **or** a master's degree in counseling psychology or a related field, including at least 30 semester hours of course work in such areas as foundations of rehabilitation counseling, human growth and development, counseling theories and techniques, vocational assessment, career development, job placement, case management, and medical/psycho-social aspects of disability. Total graduate study must have included or been supplemented by a supervised internship.

EDUCATION AND EXPERIENCE REQUIREMENTS

GS-9: Must meet the basic requirements.

GS-11: In addition to meeting the basic requirements, 1 year of professional vocational rehabilitation counseling experience, equivalent to the next lower grade level. NONQUALIFYING EXPERIENCE: Vocational rehabilitation experience obtained prior to completion of the requirements for the master's degree is not qualifying.

OR

In addition to meeting the basic requirements, successful completion of 3 full years of progressively higher level graduate education or a Ph.D. or equivalent doctoral degree in rehabilitation counseling or counseling psychology.

GS-12: In addition to meeting all basic requirements, applicants must have 1 year of professional vocational rehabilitation experience equivalent to the next lower grade level.

APPENDIX F3. QUALIFICATION STANDARD

PSYCHOLOGY SERIES **GS-180-11/15**

AUTHORITY: 38 U.S.C. 7402

This standard applies to all psychologist positions in the Veterans Health Administration (VHA).

DUTIES: Psychologists engage in professional and scientific work which relates to behavior, capacities, traits, interests and emotions. This work may include any one or a combination of the following: providing professional clinical services, conducting research, carrying out education and training activities, clinical consultation, supervision and administration. Such work functions involve:

1. Applying psychological principles, theories, methods and techniques in the delivery of professional services in health and rehabilitation service settings.

2. Developing scientific principles or theories concerning the relationship of behavior to factors of environment, experience or physiology; or to seek and develop practical applications of research findings.

3. Furnishing professional advice, opinion or assistance to solutions of problems, on feasibility and evaluation of projects, programs, research plans, data or techniques in connection with services, research, training and administration.

4. Carrying out education and training in psychological principles, theories, methods and techniques.

At full professional performance levels, work is with a wide range of patients: using, refining or developing new techniques in psychodiagnosis, assessment and evaluation, psychotherapy, behavior modification, vocational evaluation and counseling, job placement and follow-up; designing and evaluating therapeutic programs; identifying and developing community resources; and providing placement evaluations necessary for the placement of severely physically disabled individuals in productive jobs.

BASIC REQUIREMENTS FOR ALL GRADES: (Public Law 96-151 codified in 38 U.S.C. 7402) Hold a doctoral degree in Psychology from a college or university approved by the Secretary of Veterans Affairs, have completed study for such degree in a specialty area of psychology and an internship which are satisfactory to the Secretary, and be licensed or certified as a psychologist in a State, except that the Secretary may waive the requirement of licensure or certification for an individual psychologist for a period not to exceed 2 years on the condition that such psychologist provide patient care only under the direct supervision of a psychologist who is so licensed or certified.

INTERPRETATION OF BASIC REQUIREMENTS

1. Approved doctoral programs are those from an accredited college or university whose curriculum psychology is approved by the American Psychological Association (APA).

2. Completed study in a specialty area of psychology means completion of a full curriculum in clinical or counseling psychology or other specialty area of psychology pertinent to the position being filled, not just incidental courses in these areas as part of a program of study in a specialty area unrelated to the position for which being considered. The specialty area of the degree must be the same as that in which the applicant is to be employed.

3. The internship requirement is a vital and integral part of the basic requirements and as such must be fully and carefully evaluated. This may require the use of a panel of subject matter experts. Acceptable internships consist of an organized training program, in contrast to supervised experience or on-the-job training, designed to provide the intern with a planned, programmed sequence of training experiences with the primary purpose to assure breadth and quality of training. Such internships may be gained in VA training programs which meet APA internship requirements or in other health service settings whose internships are accredited by the APA. Internships normally consist of 1 year of training under a licensed psychologist in an organization with sufficient staff and varied programs to provide the required breadth and quality of training. The sponsoring organization should provide a written statement or brochure describing the goals and content of the internship with clear expectations for the quantity and quality of the trainee's work. **NOTE:** *Prior to 1956 the APA did not accredit internships, but did accredit doctoral programs. Therefore, a pre-1956 graduate of an APA approved doctoral program in an appropriate psychology specialty, whose internship was acceptable to the degree granting school, meets the internship requirements of this standard.*

4. Appointing officers may accept applications from and appoint unlicensed or uncertified candidates who have successfully completed the educational requirements subject to obtaining the required licensure or certification within 2 years following entry on duty. This is a condition of employment required by law and is mandatory for retention beyond the 2-year period. Appointing officers exercising this authority will provide written notice of this condition at the time of employment and make appropriate follow-up to assure the licensure or certification is obtained by the required date.

EXPERIENCE

GS-11: Internship as prescribed in paragraph 3 of "Interpretation of Basic Requirements."

GS-12: One year of postdoctoral experience appropriate to the specialty area of the position. For the clinical and counseling specialties, the experience must have been gained in a professional program concerned with health, rehabilitation, or vocational restoration.

GS-13: Two years of postdoctoral experience as described as experience for a GS-12.

GS-14/15: Three years of postdoctoral experience as described as experience for a GS-12.

The experience must indicate the applicant's ability to perform the duties of a psychologist in the area of work and at the level of difficulty and responsibility of the grade for which being considered. An applicant must have demonstrated supervisory or administrative abilities for positions which include these responsibilities. For positions in grades GS-12-15, 1 year of experience must have been at a level of difficulty comparable to that of the next lower grade in the Federal service.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

Also, all positions involving Federal motor vehicle operation carry the additional medical requirements specified in 5 CFR, part 930, subpart A.

SUPERVISORY POSITIONS: For supervisory positions, the Qualification Standard for Supervisory Positions, in OPM's "Operating Manual for Qualification Standards for General Schedule Positions," section IV A-29, should be used in conjunction with the requirements of this standard.

BASIS OF RATING: No written test is required for any position in this occupation. For competitive and in-service placement at all grade levels, applicants will be rated on the basis of the quality and extent of their total experience, education, and training in relation to the requirements of the specific positions for which they are being considered. Ratings will be based on competitor's statements in their applications and on any additional evidence that may be secured through inquiries of qualifications.

Recency of education, training and professional experience may be considered in the rating, but in no case will lack of recency be the basis for disqualification.

APPENDIX F4. QUALIFICATION STANDARD

PSYCHOLOGY TRAINEE – (All Options) **(File as GS-180)**

NOTE: *Appointments to these positions will be on time limited basis under authority of 38 U.S.C. 7405.*

AUTHORITY: 38 U.S.C. 7402

EDUCATION AND EXPERIENCE REQUIREMENTS: Applicants for all levels must have a bachelor's degree from a college or university of recognized standing. A person who already has an advanced degree in psychology, but lacks necessary experience, may also apply for training. Applicants must be sponsored by one of the participating universities which has been accredited by the American Psychological Association for doctoral programs in clinical and/or counseling psychology or from a university with which VA has a developmental training relationship. An applicant will be entered in the Psychology Training Program at a level commensurate with the applicant's background of education, experience and training, taking into consideration the amount of additional training and experience needed to meet VA qualifications for psychology staff positions. Postdoctoral candidates must have completed all requirements for the doctorate degree with major emphasis in psychology.

The following are provided to guide Facility Psychology Training Committees in the selection of trainees for appointment and in determining their level of qualification and readiness for promotion.

1. **Psychology Trainee, First Level**

a. Minimum education requirements.

b. Recommendation by the Facility Psychology Training Committee.

2. **Psychology Trainee, Second Level**

a. Five hundred hours of post-baccalaureate qualifying experience.

b. At least 1 year of satisfactory graduate work in psychology.

c. Demonstrated ability to acquire professional status.

3. **Psychology Trainee, Third Level**

a. A minimum of 800 hours of progressive qualifying experience.

b. Reasonable certainty that the doctorate can be secured within a 2-year period.

c. Demonstrated progressive responsibility for professional and ethical decisions and actions, and continued acquisition of skills and techniques.

4. **Psychology Trainee, Fourth Level**

a. A minimum of 1,800 hours of progressive qualifying experience.

b. Reasonable certainty that all doctoral requirements will be achieved by the end of the training period.

c. Clear evidence of professional growth in the area of specialization with reasonable certainty of meeting the VA qualification requirements as a staff psychologist by the end of the training period.

5. **Postdoctoral Trainees:** Two types of training are available. The requirements for each type are as follows:

a. Training for psychologists who desire to meet the minimum qualification requirements for appointment to VA staff positions.

(1) Must have completed all requirements for a doctorate with major emphasis in psychology.

(2) Sponsorship of an approved university is required.

(3) Must show evidence of professional growth and maturity.

(4) Should be reasonably certain that they will meet the qualification requirements for VA staff positions by the end of their preplanned training period.

b. Psychologists who already meet the minimum qualification requirements for appointment to VA staff positions, but desire additional specialized training:

(1) Must have completed all requirements for a doctorate with major emphasis in psychology.

(2) Must present evidence of originality, creativity, and breadth of experience which would make for a potentially high level of performance in health settings.

QUALITY OF EXPERIENCE: The experience required for any level is the minimum amount, but length of time alone is not qualifying. The experience must have been of a scope and quality to indicate the candidate's ability to perform assignments typical of the level and the potential to reach the full professional level of performance.

CITIZENSHIP: Applicants must be citizens of the United States, except that a non-citizen who is a bona fide student in a university program conducted in affiliation with VA may be appointed on a paid basis under 38 U.S.C. 7405, upon authorization by the Under Secretary for Health.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required.

However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F5. QUALIFICATION STANDARD

PSYCHOLOGY TECHNICIAN **GS-181-5/9**

AUTHORITY: 38 U.S.C. 7402

PART I

DUTIES: Performs one or more of a variety of technical tasks in a program of research or other professional services in psychology. Performance of these tasks requires a practical understanding of some of the general principles, theories, methods and techniques of psychology in order to carry out duties which are performed under the supervision of a professional psychologist. These duties may include one or more of the following: (1) assist in research as in systematic collection of psychology research data, recording and collecting of data, preparing tabular or graphic presentation of data, in accordance with a predetermined research plan; (2) assist counseling psychologist in contacting potential employers for purpose of making vocational placement, providing follow-up consultation, administering and scoring of interest, achievement and aptitude tests, securing work history and other relevant vocational information; (3) assist neuropsychologist in administering and scoring of selected tests of a neuropsychology battery in accordance with clearly defined procedures; (4) assist psychologists in completing behavior rating scales or in conducting behavior modification.

REQUIREMENTS

Education: Bachelor's degree from an accredited college or university with a major in an appropriate social or biological science, which included or was supplemented by 12 semester hours in psychology.

Experience

GS-5: None.

GS-7: One year of technical work under the direction of a professional psychologist in a program of professional services, training or research.

GS-9: Two years as described for a GS-7.

SUBSTITUTION OF EDUCATION FOR EXPERIENCE

One full year of graduate study in psychology in an accredited college or university may be substituted for 1 year of experience and meets in full the requirements at the GS-7 level.

Two years of such study meet in full the requirements at the GS-9 level.

SUPERIOR ACADEMIC ACHIEVEMENT: The standards for Superior Academic Achievement, OPM's "Operating Manual for Qualification Standards for General Schedule Positions," section II.E.4.(f), apply.

QUALITY OF EXPERIENCE: Except for those who qualify solely on the basis of education, candidates for grades GS-7 and GS-9 must have had at least 6 months of experience comparable in difficulty and responsibility to the next lower grade in the Federal service, or 1 year comparable to the second lower grade.

PERSONAL CHARACTERISTICS: Must be able to deal effectively with a variety of people, be tactful, and must have demonstrated ability to exercise good judgment.

BASIS OF RATING: No written test is required. Applicants will be rated on their experience, education, and training based upon information furnished in the application and other information which may be obtained by the Federal civil service examiners. Recency of experience, education, and training will be considered.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

PART II

EXAMINING GUIDE (INTERNAL USE ONLY)

NOTE: *In the announcement and in recruiting for these positions, applicants are to be informed that appropriate credit will be given for voluntary participation in community, social service, and similar activities.*

BASIS OF RATING: Rating procedure III is suggested. Some positions may require special knowledges or skills attained through additional specialized education and/or training and experience. In these instances selective certification procedures should be provided.

RECENCY: Recency of education, training, and experience will be considered in the rating, but in no case will lack of recency be the sole basis of disqualification.

WAIVERS: If specific requirements of this standard are not met, but composite qualifications of an individual show superior potential or demonstrated ability to perform at the required level, requirements may be modified or waived by the Under Secretary for Health, or designees. (See chapter 2, section D, paragraphs 8-12 of this part.)

NOTE: *The educational requirements are waived for VA employees performing at the technician level in these positions as of the date of this standard, March 14, 1969.*

APPENDIX F6. QUALIFICATION STANDARD

REHABILITATION TECHNICIAN (ALCOHOLISM) GS-181-3/11
REHABILITATION TECHNICIAN (DRUG DEPENDENCE)
REHABILITATION TECHNICIAN (ALCOHOLISM AND DRUG DEPENDENCE)

AUTHORITY: 38 U.S.C. 7402

PART I

DUTIES: Performs a variety of therapeutic and supportive technician tasks in assisting physicians and other professional personnel in a rehabilitation treatment program for alcohol and/or drug-dependent patients. Under professional supervision, performs such duties as: interviewing alcohol or drug-dependent patients to develop information for medical histories; orienting patients to the treatment program; observing patients for symptoms, actions, reactions, indications, and contraindications to treatment; assisting in individual or group therapy sessions or in behavior therapy sessions; providing supportive assistance to patients placed on maintenance therapy; leading patient discussion groups; providing individual guidance to patients; providing liaison with other agencies or facilities concerned with the treatment and rehabilitation of alcohol or drug-dependent patients; and, establishing contacts with various rehabilitation and placement organizations to provide referral opportunities for employment, training, or retraining.

REQUIREMENTS: Except for the substitutions provided for below, applicants must have had the kind and amount of experience shown and described below:

Grade	General (Years)	Specialized (Years)	Total (Years)
GS-3	1	0	1
GS-4	1 ½	½	2
GS-5	2	1	3
GS-6	2	2	4
GS-7	2	3	5
GS-8 and above	2	4	6

General Experience: Experience involved in dealing with others which has demonstrated the applicant's aptitude for acquiring the skills and knowledges needed for medical rehabilitation work. For example, experience that demonstrated ability to establish and maintain effective person-to-person relationships, skill in oral and written communication, ability to inspire confidence and motivate individuals, and capacity for leadership is qualifying as general experience. This experience may have been gained in positions concerned with health care, counseling, social service, teaching, business, or other similar fields.

Specialized Experience: This is experience which has demonstrated the knowledge, skill and ability: to assist professional personnel in effective operation of a rehabilitation treatment program for alcohol or drug-dependent patients; to act as a liaison and intermediary between patients and professional personnel; to understand and cope with the physical and psychological needs of these patients; and to guide and assist patients in following a prescribed treatment program. This experience must also have demonstrated that the applicant possesses knowledges, skills and abilities which enable the applicant to understand the problems, actions, reactions and symptoms of alcohol or drug-dependent persons and is able to relate to, empathize with, communicate with, motivate, and influence changes in behavior patterns of alcohol or drug-dependent patients.

SUBSTITUTION OF EDUCATION AND TRAINING FOR EXPERIENCE: Study in an accredited college or university, junior college, or similar institution may be substituted on the basis of 1 academic year of study for 1 year of general experience.

Two years of study in an accredited college or university, junior college, or similar institution, which included or was supplemented by at least 12 semester hours in such courses as health sciences, nursing, behavioral science, social science, premedicine, predentistry, prelaw, guidance, counseling, teaching, pharmacy, the biological sciences or related fields, may be substituted in full for the experience requirement at the GS-4 level.

Successful completion of all the requirements for the bachelor's degree from an accredited college or university with a major study in health sciences, nursing, behavioral science, guidance, counseling, social science, pharmacy, education, the biological sciences or other fields related to rehabilitation of alcohol or drug-dependent persons may be substituted for 3 years of experience including 1 year of specialized experience and meets in full the requirements at the GS-5 level.

Successful completion of a training course for rehabilitation technicians, with major emphasis on the treatment and rehabilitation of alcohol or drug-dependent persons, may be substituted on a month-for-month basis for specialized experience. Completion of such a program of at least 12 months in duration will meet in full the requirements at the GS-4 level. Successful completion of other training programs in rehabilitation counseling may be substituted on a month-for-month basis for specialized experience up to a maximum of 1 year.

QUALITY AND LEVEL OF EXPERIENCE: For eligibility at grade GS-4, candidates must have had at least 6 months of specialized experience comparable in difficulty and responsibility to the GS-3 level in the Federal service.

For eligibility at grade GS-5, candidates must have had at least 1 year of experience comparable in difficulty and responsibility to the GS-4 level in the Federal service, of which at least 6 months must have been specialized experience.

For eligibility at grades GS-6 and above, at least 1 year of the required specialized experience must have been comparable in difficulty and responsibility to the next lower grade in the Federal service, or 2 years comparable to the second lower grade in the Federal service.

For any grade, the required amount of experience and education will not in itself be accepted as proof of qualification for a position. The candidate's total record of experience and education must show that the candidate has the ability to perform the duties of the position to be filled.

PERSONAL CHARACTERISTICS: Must be able to interrelate and communicate effectively with a variety of people and to work as a member of a team; must have demonstrated ability to exercise good judgment and tact.

BASIS OF RATING: No written test is required. Applicants will be rated on their experience, education and training based on information furnished in the applications and other information which may be obtained by the Federal civil service examiners. Recency of experience, education, and training will be considered.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

Medical examiners may require medical evidence to support a finding of successful rehabilitation for applicants who have been patients in an alcohol or drug treatment program.

PART II

INFORMATION FOR USE IN EXAMINING APPLICANTS

RATING: Rating procedure III is suggested. Successful experience which has provided a first-hand knowledge of the physical and psychological needs, symptoms, actions, and reactions of alcohol or drug-dependent patients and a knowledge of the rehabilitation techniques and procedures used with these patients will be evaluated at the highest quality level. Recency of education, training and experience may be considered in relative ranking, but will not be the sole basis of disqualification.

MODIFICATIONS AND WAIVERS: The requirements of this standard may be modified or waived in accordance with the appropriate provisions of chapter 2, section D, paras. 8-12, this part.

NOTE: *In the announcement and in* recruiting *for these positions, applicants are to be informed that appropriate credit will be given for voluntary participation in community, social service, and similar activities.*

APPENDIX F7. QUALIFICATION STANDARD

SOCIAL WORKER **GS-185-9/15**

AUTHORITY: 38 U.S.C. 7402

DUTIES: Department of Veterans Affairs (VA) social workers provide clinical social service to veterans and other VA beneficiaries in VA medical centers, clinics, domiciliaries, nursing care facilities and in community care settings. In performing these duties, VA social workers use such methodologies as casework, group work, community organization, and social work research. Social work supervisors provide professional guidance to social work staff and students. Some supervisory positions have primary responsibilities in the areas of administration, education or research.

BASIC REQUIREMENTS FOR ALL GRADES: The basic requirements for employment as a VA social worker are prescribed by statute, Title 38 United States Code (U.S.C.) §7409(b)(9), as amended by section 205 of Public Law 106-419, November 1, 2000. All applicants for the position of social worker in VHA, to qualify for appointment, must:

a. Have a Master's degree in social work from a school of social work accredited by the Council on Social Work Education.

b. Be licensed or certified at the Master's level to independently practice social work in a state.

Exception. VA may waive the licensure and/or certification requirement for persons who are otherwise qualified, pending completion of state prerequisites for examination. VA social workers who are not licensed at the time of appointment must be licensed or certified at the Master's level, within 3 years of their appointment as a social worker <u>or</u> 1 year from the day they meet the full requirements of the state for licensure or certification, whichever is longer. Those who fail to obtain state licensure or certification within the required time frames must be removed from the General Schedule (GS)-185 social worker series. This may result in termination of employment.

NOTE: *Persons, who were permanently employed as social workers, GS-185 series, in VHA on or before August 14, 1991, do not have to satisfy the licensure and/or certification requirement. These employees may be promoted, demoted, or reassigned within the GS-185 occupational series. However, if an employee initially retained in this manner leaves this job series, either voluntarily or through adverse action, the employee loses protected status. If subsequently hired or reassigned as a social worker in VHA, that employee would have to meet the full requirements (including licensure and/or certification) in effect at the time of reentry.*

EDUCATION AND EXPERIENCE REQUIREMENTS

GS-9: Must meet all basic requirements.

GS-11: In addition to meeting all basic requirements, 1 year of professional social work experience, equivalent to the next lower grade level, under qualified social work supervision. This experience must have been in a clinical setting and must have demonstrated the potential to perform advanced assignments independently. NON-QUALIFYING EXPERIENCE: Clinical social work experience obtained prior to completion of the requirements for a Master's Degree in Social Work does not satisfy this requirement. **NOTE:** *A clinical setting is a medical center, clinic (medical or psychiatric), a residential treatment center, or any other type of facility where social work participates in collaborative treatment and is identified with the medical profession.*

or

In addition to meeting basic requirements, a doctoral degree in social work from a school of social work. A doctoral degree in social work from a school of social work may be substituted for the required 1 year of professional social work experience in a clinical setting.

GS-12 and Above: In addition to meeting all basic requirements, applicants must have 1 year of professional social work experience equivalent to the next lower grade level. This experience must have demonstrated broad knowledge of social work and superior skill and judgment in professional practice. For research, education and program administration positions, the 1-year requirement must have been in social work research, social work education (class or field instruction) or program administration, as appropriate. Except for social work research positions, the requirement for 1 year of experience in a clinical setting must also be met.

RESEARCH POSITIONS: For social work research positions, applicants must have knowledge of research methods and have demonstrated competence or observed skill in planning, developing, and carrying through studies of social work practice or of social work processes.

For social work research positions at GS-13 and above, applicants must have successfully completed all the requirements for a doctoral degree in social work or have otherwise fully demonstrated ability to perform this work at the professional level. Those with a master's degree from an accredited school of social work and a doctorate in a related social science field will be considered. for appointment or promotion to this grade.

EDUCATION POSITIONS: For positions with social work educational responsibilities, the required experience must have included experience in planning or conducting a staff development program for graduate social workers, extensive experience in field instruction of social work students or teaching in an accredited school of social work.

PROGRAM ADMINISTRATION: For positions with social work administration responsibilities, the required experience must have included supervision or program management in a social work program.

PERSONAL QUALITIES: Persons selected for appointment must be suited in personal qualities and temperament for this type of work. They must have a sense of responsibility, initiative, respect for clients and colleagues, and a desire to help people. They must possess sound judgment and sympathetic insights in dealing with those they serve, as well as patience in accommodating the behavior of others.

RECENCY: Recency in experience, education, training or other participation in professional social work will be considered.

SUPERVISORY POSITIONS: The Qualification Standard for Supervisory Positions, in the Office of Personnel Management's (OPM's) "Operating Manual for Qualification Standards for General Schedule Positions," Section IV–A-29, is to be used in conjunction with this standard.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to, the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules. All positions involving Federal motor vehicle operation carry the additional medical requirements specified in 5 CFR, part 930, subpart A.

All positions involving Federal motor vehicle operation carry the additional medical requirements specified in 5 CFR 930, subpart A.

DRIVER'S LICENSE: For certain positions, a current driver's license may be required from the State in which assigned.

BASIS OF RATING: Applicants are rated on a scale of 100 on the basis of education, experience, and training in relation to the specific position for which being considered. Ratings will be based on evaluation of personal and professional qualifications from the information furnished in the application. Confidential inquiries to the applicant's supervisors and other professional references may be made to obtain information concerning the applicant's knowledge, skill, and ability in social work practice, supervision, and administration.

GUIDANCE ON USE OF THE VA QUALIFICATION STANDARD FOR SOCIAL WORKER, INCLUDING LICENSURE AND/OR CERTIFICATION REQUIREMENT

1. 38 U.S.C. 7402(b)(9) as amended by section 205 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419), requires that social workers employed in VHA must be licensed or certified to independently practice social work in a state. Prior to this change, social workers were the only VA health care professionals required to obtain licensure and/or certification in the state of practice. The licensure requirement could be waived for new hires, but social workers had to complete the process and obtain their state license and/or certification within 3 years. Licensing requirements vary from state to state. In some states it was not possible to satisfy the social work licensure requirements within the 3-year time frame. Under the revised standard, those social workers who are not licensed and/or certified at the time of appointment are now required to obtain licensure and/or certification within 3 years <u>or</u> within 1 year from the date they meet the state prerequisites for examination; whichever is longer. It is long-standing Department policy that all social workers employed in VHA be licensed or certified to

independently practice social work (i.e., at the Master's level), regardless of such state law exemptions. (In 1991, Congress enacted legislation requiring that VA social workers be licensed under state law. Some states exempt Federally employed social workers from the state licensure and/or certification requirements).

2. Prior employment as a VA social worker GS-185 series will count toward completion of the state licensure requirements. For example, if a state requires 5 years of supervised practice before a social worker can sit for the exam and an individual was previously employed as a social worker in VHA for 3 years, that employee would have 3 additional years to obtain licensure or certification. Counting the 3 years of prior service, the social worker would complete the state requirements within 2 years. Under the revised standard, the social worker must be licensed and/or certified within 1 year from that date.

3. The Director, Social Work Service, VA Central Office, 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for interpretation of the social worker licensure or certification requirements.

4. The Human Resources Management Programs and Policies Service (051), VA Central Office, 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for intpretation of the requirements for qualifications as stated in this handbook.

APPENDIX F8. QUALIFICATION STANDARD

JUNIOR SOCIAL WORKER **(File as GS-185)**

NOTE: *This standard is for temporary full-time positions appointed under 38 U.S.C. 7405.*

AUTHORITY: 38 USC 7402

DUTIES: The Junior Social Worker employed temporarily for the period between the applicant's first and second years of graduate training (usually the summer) works under close supervision. Assignments are similar to those performed by student trainees, but with major emphasis on assisting patients and their families with environmental problems.

EDUCATION AND EXPERIENCE REQUIREMENTS: All applicants must have successfully completed the first year of graduate training in an accredited school of social work including supervised fieldwork in casework or clinical group work. In addition, applicants must be enrolled or accepted for enrollment in the second year of graduate training for the next full academic year following the summer employment.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

All positions involving Federal motor vehicle operation carry the additional medical requirements specified in 5 CFR, part 930, subpart A.

APPENDIX F9. QUALIFICATION STANDARD

SOCIAL WORK TRAINEE – STUDENT **(File as GS-185)**

NOTE: *These positions are established and all appointments are made under 38 U.S.C. 7405 for paid trainees or under 38 U.S.C. 513 for Without Compensation (WOC) trainees.*

AUTHORITY: 38 U.S.C. 7402

DUTIES: The social work trainee-student engages in fieldwork under close supervision at an approved VA establishment. The duties are performed in keeping with the requirements of an accredited graduate school of social work.

EDUCATION AND EXPERIENCE REQUIREMENTS

First Level: All applicants must have a bachelor's degree from a college or university of recognized standing and shall be enrolled or accepted for enrollment in the first year program of an accredited graduate school of social work. In addition, the applicant must have had an above average academic record in the applicant's undergraduate school. Although the major subject is not prescribed, the record must show that the applicant has had a good liberal arts education and a well-rounded knowledge of the social sciences obtained through study of <u>some</u> of the following subjects: economics, political science, sociology, history, cultural anthropology, psychology, and social welfare. The required personal interview must show a combination of personal qualities essential for professional practice of social work such as: intellectual capacities, health, social adjustment, a genuine interest in people, and a ready ability to establish relationships with them. **NOTE:** *The accredited graduate schools of social work are those accredited by the Council on Social Work Education (CSWE) and schools listed by the CSWE as associate members working toward accredited status.*

Second Level: All applicants must have successfully completed the first year of graduate training in an accredited school of social work including supervised fieldwork. In addition, applicants must be accepted for admission to the second year curriculum in an accredited school of social work. The record during training must give evidence of personal qualities desirable for employment in a medical setting.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F10. QUALIFICATION STANDARD

SOCIAL WORK ASSOCIATE **GS-187-5/8**

AUTHORITY: **38 U.S.C. 7402**

PART I

DUTIES: Performs a wide variety of duties in support of professional social workers, providing assistance and services as prescribed for individual cases by social workers in conjunction with their professional treatment. Assignments include interviewing patients and others for informational or service purposes; handling selected referrals to social and health facilities; obtaining and compiling data and similar types of work. GS-5 is a trainee level. At the higher grades work is more complex and there is less close supervision.

REQUIREMENTS

Education: Bachelor's degree from an accredited college or university in major fields of study such as: social welfare, sociology, psychology, public administration, philosophy, education, anthropology, history, economics and/or English.

Experience

GS-5: None.

GS-7: One year of experience as a social welfare worker or social work assistant in a voluntary, public, social, or health agency.

GS-8: Two years of such experience, which must have included 1 year in a medical setting.

QUALIFYING EXPERIENCE: Must have been of a quality and scope to enable applicants to perform assignments typical of the grade level for which considered. For GS-7/8, applicants must have had 1 year of experience at a level of difficulty and responsibility equivalent to the next lower grade in the Federal service.

BASIS OF RATING: Applicants are rated on a scale of 100 on the extent and quality of education and experience in relation to the requirements for these positions. Ratings based upon information furnished in application and any additional evidence available.

PERSONAL QUALITIES: Applicants must be suited in personality and temperament for this work and must have demonstrated ability to work well with others.

INTERVIEW: Before appointment, qualified candidates may be requested to appear for an interview.

DRIVER'S LICENSE REQUIREMENT: A driver's license in the State or Territory in which assigned may be required. If required, candidates must pass a Federal service driving test.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

All positions involving Federal motor vehicle operation carry the additional medical requirements specified in 5 CFR, part 930, subpart A.

PART II

EXAMINING GUIDE (INTERNAL USE ONLY)

BASIS OF RATING: Rating procedure III is suggested. Transcripts and evaluations from teachers should be obtained to determine quality of educational performance. Evaluations should also be obtained from supervisors of previous employment, including part-time and summer.

Relatedness, quality, and extent of education and experience should all receive consideration in the rating schedule established. Completion of the undergraduate curricula in social welfare in a college or university, which is a constituent member of the Council on Social Work Education, should be rated higher than other less related curricula.

RECENCY: Recency of education and/or experience may be considered in relative ranking, but will not be the sole basis of disqualification.

PERSONAL CHARACTERISTICS: Any evidence that an applicant lacks the ability to work well with others should reduce the applicant's rating.

APPENDIX F11. QUALIFICATION STANDARD

RECREATION AID AND ASSISTANT SERIES **GS-189-1/6**

AUTHORITY: 38 U.S.C. 7402

The Qualification Standard for Recreation Aid and Assistant, GS-189, in OPM's "Operating Manual for Qualification Standards for General Schedule Positions," section IV-A and IV-B-36, has been approved for use in VA.

NOTE: *In the announcement and in recruiting for these positions, applicants are to be informed that appropriate credit will be given for voluntary participation in community, social service, and similar activities.*

WAIVERS: If specific requirements of this standard are not met, but composite qualifications of an individual show superior potential or demonstrated ability to perform at the required level, requirements may be modified or waived by the Under Secretary for Health, or designees. (See chapter 2, section D, paragraphs 8-12 of this part.)

APPENDIX F12. QUALIFICATION STANDARD

REHABILITATION MEDICINE COORDINATOR **GS-301-9/15**

AUTHORITY: 38 U.S.C. 7402

PART I

DUTIES: Supervises and coordinates the medical administrative activities of a Physical Medicine and Rehabilitation Service at a VA medical center, domiciliary, or clinic, including all or most of the following therapies: corrective, educational, manual arts, physical, occupational, recreation and blind rehabilitation. Responsible for rehabilitation counseling and for coordinating such functions with other medical services and rehabilitation activities.

REQUIREMENTS

Education: Bachelor's degree from an accredited college or university with a major in one of the therapies under preceding paragraph "Duties;" or, study, which included an average of at least 6 semester hours per year in one or any combination of the following: education (general, physical, or health), industrial arts, industrial education or agriculture.

Experience

	Total	General	Specialized *
GS-9	2 years	1 year	1 year
GS-10	2 ½ years	1 year	1 ½ years
GS-11/15	3 years	1 year	2 years

*3 months must have been of type A or B. (See the substitution list below.)

General: Experience as a therapist, or instructor-therapist, in a physical medicine and rehabilitation therapy activity of a hospital program of medical rehabilitation or reconditioning which included an organized group of therapy activities; or, experience in one or more of the following fields: hospital management; medical administration, supply or human resources management; medical or psychiatric social work; vocational counseling, guidance or placement for persons with physical disabilities or other disabilities; clinical psychology; teacher or supervisor of teachers of disabled individuals in a hospital, rehabilitation center, school for persons with disabilities, or homebound educational program.

Specialized

a. Medical administrative director, coordinator, or comparable official of a program of physical medicine and rehabilitation or reconditioning at a hospital in which the duties included medical administrative supervision and coordination of an organized group of therapy activities.

b. Assistant to, or trainee for, this position under the medical administrative director or coordinator of a program of physical medicine and rehabilitation or reconditioning at the hospital level.

c. Supervisor of a complete medical rehabilitation therapy specialty of a hospital or clinic program of physical medicine and rehabilitation or reconditioning.

Level and Quality of Experience: Applicants for positions at grades GS-11 and below must have had at least 6 months of experience at a level equivalent to the next lower grade in the Federal service, or 1 year equivalent to the second lower grade. Applicants for grades GS- 12 and above must have had at least 1 year of experience equivalent to the next lower grade.

The required amount of experience will not in itself be acceptable as proof of qualification. The applicant's record of experience and training must show the ability to perform all of the duties of the position.

Substitution: Master's degree from an accredited college or university in one of the specified educational fields which included or was supplemented by clinical practice or equivalent experience in a therapy specialty for 1 year of general experience.

Doctoral degree from an accredited college or university with a concentration of study in one of the fields outlined under Education which included or was supplemented by clinical practice or equivalent experience, meets the requirements for grades GS-10/11 provided at least 3 months of A or B type specialized experience is shown.

BASIS OF RATING: Applicants are rated on a scale of 100, based on extent and quality of experience and training. Rating based upon application and any additional evidence secured. Recency of experience and training considered.

PERSONAL CHARACTERISTICS: Ability to work effectively as part of a team, to deal with people in a tactful manner, and to exercise good judgment.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

PART II

EXAMINING GUIDE (Internal Use Only)

BASIS OF RATING: This standard is primarily for use in noncompetitive actions. If competitive examinations are conducted, rating procedure III is suggested. Relatedness, quality and extent of education and experience should all receive consideration in the rating schedule established. Recency of education and experience will be considered in relative ranking, but will not be the sole basis for disqualification.

TRAINEE POSITIONS: This standard may be adapted for use with a "trainee" position by eliminating the requirement of 3 months A or B type specialized experience for noncompetitive actions.

WAIVERS: If specific requirements of this standard are not met, but composite qualifications of an individual show superior potential or demonstrated ability to perform at the required level, requirements may be modified or waived by the Under Secretary for Health. (See chapter 2, section D, paragraphs 8-12 of this part.)

NOTE: *In recruiting and examining for these positions, there should be assurance that appropriate credit is given to applicants for participation in community, social service, and similar volunteer activities.*

APPENDIX F13. QUALIFICATION STANDARD

MICROBIOLOGIST **GS-403-5/15**

AUTHORITY: 38 USC 7402

DUTIES: Microbiologists perform professional and scientific work in connection with the identification, culture, study, control, and use of microorganisms. Most of the work is performed in a laboratory environment and is generally concerned with research and development or medical activities. The nature of the work may vary considerably with the assignment, some dealing primarily with specific kinds of microorganisms, such as the protozoa, bacteria, microparasites, algae, fungi, viruses, rickettsiae, and similar microscopic and submicroscopic forms; some being concerned with a specific field or area of work, such as immunology, serology, physiology, genetics, taxonomy, and cytology, as these fields relate to microbiology; some placing emphasis on micoorganisms as pathogenic and immunizing agents; and some relating to the development and use of specific kinds of methodologies and techniques or to the use of organisms in medical, sanitary, and similar fields where the science of microbiology is applied.

REQUIREMENTS

Education: All applicants must have successfully completed a full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree with major study in microbiology, bacteriology, biology or chemistry with at least 30 semester hours in biological science and 20 semester hours in the physical and mathematical sciences.

This course-work must have included:

a. At least 10 semester hours in microbiology in such subjects as bacteriology, microbiology, immunology, serology, algology, mycology, parasitology, protozoology, rickettsiology, tissue culture, or virology.

b. At least 10 semester hours in microbiology in such subjects as food, dairy, soil, industrial, public health, agricultural, applied bacteriology, or microbiology, genetics, physiology, metabolism, taxonomy, epidemiology, animal, or plant physiology or pathology, and similar courses, provided these courses were oriented toward the study of microorganism. (The remaining 10 semester hours may have been in other biological science courses.)

c. Course-work in qualitative and organic chemistry or biochemistry, physics and college algebra, or their equivalent.

The quality of this course-work must have been such that it would serve as a prerequisite for more advanced courses in the field of science to which it pertains.

Qualifying Course-Work in Microbiology and Bacteriology: This standard considers microbiology to be a broad field of science encompassing a number of scientific disciplines or areas of science, the fields in which this science is applied, and related fields where the work is concerned with or involves microbiology. The scientific disciplines or areas of this science include bacteriology, immunology, serology, algology, mycology, parasitology, protozoology, rickettsiology, tissue culture, virology and similar disciplines or areas of science. The applied fields include food, dairy, public health, industrial, medical laboratories, and similar areas in which microbiology is applied. Related fields include taxonomy and systematics, plant or animal physiology or pathology, epidemiology, ecology, and similar disciplines or areas of science where the work is directly related or applied to microbiology. Except where the course-work deals with a limited and specific segment of the science, where it might be limited in usefulness, most of the work, including that dealing with the development and use of microbiological methods, procedures, and techniques, is qualifying. In interpreting the substantive value of the course-work, partial or total credit may be given for courses in related fields, depending on the degree to which it is related to microbiological work.

Experience: In addition to meeting the educational requirements stated in the preceding paragraphs, applicants must have had appropriate experience in (1) the general field of microbiology, (2) one of the specialized areas or applied fields of microbiology, or (3) a field of science directly related and applicable to microbiological work or microbiological research as follows:

GS-5: No additional training or experience needed.

GS-7: At least 1 year of professional experience in a microbiological science.

GS-9: At least 2 years of professional experience in a microbiological science which shows that the applicant has (a) a general working knowledge of microbiology or of one or more areas of specialization, (b) a working knowledge of and ability to apply the methodology required, and (c) the ability to perform work independently.

The quality of the experience, graduate study or combination of graduate study and experience must be such that it shows the applicant possesses (1) a knowledge and understanding of the laboratory techniques applied in the type of work for which the applicant is being considered, and (2) the ability to exercise independent judgement in evaluating and interpreting the results of his/her work and/or an aptitude for research work.

GS-11: At least 3 years of professional experience in microbiological science which shows that the applicant has (a) a thorough grasp and working knowledge of the science of microbiology, including an understanding of the biological and biochemical theories, laws, and principles underlying the work, (b) a working knowledge of and the ability to apply either general microbiological methodology or the specific methodology typical of the discipline or area of specialization in which the applicant is expected to work, and (c) the ability to perform difficult work with only general supervision.

GS-12: At least 3 years of professional experience in a microbiological science, or comparable professional experience in a directly related area of science where the work is microbiological in nature, which shows that the applicant has (a) a comprehensive understanding of the scientific theories, laws, and principles underlying microbiology, as well as a thorough knowledge of microbiology or one of the

areas of specialization, (b) a sound working knowledge of, and ability to apply, adapt, and develop the specific methodology required for the work, (c) the ability to work independently and perform difficult, responsible, and highly specialized work, and (d) either the ability to direct microbiological work of a highly complex nature, or the ability to plan, organize, carry out, interpret, and report on the results of work of a difficult nature.

This experience must have been equivalent in difficulty to that of the GS-11 grade in this series of positions, and must show that the applicant has a broad knowledge and understanding of the scientific principles and procedures involved, the ability to plan, conduct, and report on research as an independent investigator, and the ability to prepare the results for publication.

GS-13: At least 3 years of professional experience in a microbiological science, or a comparable professional experience in a directly related area of science where the work is microbiological in nature or can be related directly to the specific area of specialization for which the applicant is being considered, which shows that the applicant has (a) a comprehensive knowledge and understanding of the sciences underlying microbiology and of how the theories, laws, principles, and practices of these sciences apply to microbiology or to the areas of specialization in which the applicant is expected to work, and (b) a comprehensive understanding and working knowledge of the methodology applied in the applicant's work, and the ability to apply, adapt, and develop methods, procedures, and techniques to fit the needs of the applicant's specific work situation. The quality of the applicant's experience or combination of graduate study and experience should be such that it clearly shows that the applicant has (1) the ability to perform difficult, complex, and responsible microbiological work which requires the ability to plan, schedule, coordinate, and advise on special problems or phases of work, or (2) the ability to act as a consultant on work of a similar nature and difficulty. The applicant's total experience must also have demonstrated, through accomplishment, the ability to initiate and pursue to a logical conclusion (1) original scientific research of considerable importance involving and requiring extensive knowledge of several disciplines or specialized areas of microbiology, or (2) advanced original research in a limited but highly specialized complex areas of microbiology.

GS-14: At least 3 years of professional experience in a microbiological science, or comparable professional experience in a directly related area of science where the work is microbiological in nature and can be applied directly to the specialization for which the applicant is being considered, which shows the applicant has (a) a comprehensive and authoritative knowledge of microbiology and the related sciences and the ability to plan, organize, and perform exceptionally difficult and responsible work of a nature which must meet high and exacting professional standards; (b) the ability to plan, schedule, coordinate, and advise on special phases of microbiological work, and the ability to perform exceptionally difficult microbiological work, or (c) the ability to act as a consultant on work of similar nature and difficulty.

The total experience must have demonstrated, through accomplishment, (1) the ability to plan, organize, initiate, and carry out very difficult and original scientific research which requires comprehensive knowledge of scientific principles and techniques and outstanding competence in their application, or (2) the ability to assume the responsibility for the technical direction of a group of scientists engaged in difficult and complex original scientific research.

GS-15: At least 3 years of professional experience which shows that the applicant has (a) an outstanding and comprehensive knowledge of microbiology and the related sciences; and the ability to plan, direct, and conduct extremely difficult microbiological work, where the work is of major significance and the incumbent must be recognized for the applicant's outstanding professional competence and leadership in the field, or have received wide recognition for personal attainment in the field, or (b) the ability to act as a consultant on work of similar nature and difficulty.

This experience must have afforded outstanding personal recognition in the field of biological research or have demonstrated the ability to plan, organize, and administer a major research program.

SUBSTITUTION OF EDUCATION FOR EXPERIENCE

For GS-7: Successful completion of 1 academic year consisting of a full program of graduate study creditable toward meeting the requirements of an advanced degree with major study in microbiology may be substituted for the 1 year of experience.

For GS-9: Successful completion of 2 academic years consisting of a full program of graduate study creditable toward meeting the requirements of an advanced degree with major study in microbiology may be substituted for the 2 years of experience.

For GS-11: Successful completion of all requirements, including the thesis, for a Ph.D. or equivalent degree in microbiology, or in a closely related field of science, where the total training can be applied directly to the type of microbiological work the applicant will be expected to perform may be substituted for the 3 years of experience.

At the GS-12 and Higher Grades: Except for applicants who qualify for the GS-12 grade on the basis of superior graduate study, graduate study may not be substituted for the required year of experience equivalent in difficulty to that of the next lower grade.

QUALITY GRADUATES: Persons who have either a bachelor's degree, master's degree, 2 years of graduate study, or a Ph.D. degree appropriate to microbiology work as described in this standard may be rated eligible for the next higher grade; i.e., GS-7, GS-9, GS-11, and GS-l2, as the case may be, provided the superior graduate criteria prescribed in OPM's "Operating Manual for Qualification Standards for General Schedule Positions," section II.E.4.(f) are met.

STUDENT TRAINEE EXPERIENCE: Appropriate student trainee experience which meets the criteria prescribed in OPM's "Operating Manual for Qualification Standards for General Schedule Positions," section II.E.3.(j), may be credited toward the GS-7 experience requirements on a month-for-month basis up to a maximum of 12 months.

QUALITY OF EXPERIENCE REQUIRED: For positions at grades GS-11 and below, applicants must show 1 year of experience at a level of difficulty comparable to that of the second lower grade in the Federal service. For grades GS-12 and above, applicants must show 1 year of experience at a level of difficulty comparable to that of the next lower grade in the Federal service. This requirement is met when applicants qualify on the basis of education as outlined above under substitution of education for experience, quality graduates, and student trainee experience.

For positions at GS-9 which involve a substantial amount of work in a specific specialized area or applied field of microbiology, at least 6 months of the experience at the second lower grade must have been in the appropriate area for which the applicant is being considered.

For the GS-11 and higher grades of such specialized positions, at least 1 year of experience must have been (1) sufficiently specialized to insure adequate familiarity with the area of specialization or applied field of microbiology involved and (2) equivalent in difficulty to that of the second lower grade in the Federal service.

For all grades and kinds of positions, in order to meet the minimum requirements, applicants must show that their total background of education, training, and experience has given them the specific knowledges, skills, and abilities needed to perform the duties of the position for which they are being considered, considering that they will be given a reasonable amount of orientation on the job.

QUALIFYING FIELDS OF GRADUATE STUDY: Graduate study used to meet the requirements of positions in grades GS-7 through GS-12 is generally considered to be fully qualifying if it placed major emphasis on such fields as microbiology or bacteriology, or on specific areas of study such as mycology, algology, protozoology, parasitology, immunology, serology, microbial genetics, or dealt with specific applied fields of microbiology, such as public health, epidemiology, etc. Graduate study in related fields, such as biochemistry, animal or plant physiology, genetics, plant pathology, insect disease control, etc., may also be pertinent, provided it involves or has direct application of microbiological work. The value of such study is judged on the basis of whether it was in a major or minor field of study, its contribution to the applicant's total background of experience and training, and its value in relation to the specific requirements of the positions for which the applicant is being considered.

COMBINATIONS OF SUPERIOR COLLEGE OR GRADUATE WORK AND EXPERIENCE: Applicants whose records show that they either met, or would have met, the superior college or graduate student requirements for GS-7, GS-9, GS-11, or GS-12 within 2 years of the time they are rated, but who did not enter the Federal service, provided their subsequent experience has been progressive and responsible and has kept them up to date in their field, and provided at least 1 year of the experience has been of a level and difficulty equivalent of the college work, may be rated eligible for the next higher professional grade, i.e., GS-9, GS-11, GS-12, or GS-13. (See OPM's "Operating Manual - Qualification Standards for General Schedule Positions.")

CREATIVE OR OUTSTANDING RESEARCH: Where applicants show positive evidence that they have performed highly creative or outstanding research, which has led or can lead to major advances in a specific area of research, or to a major advance in the field of microbiology, they may be rated on this basis for highly demanding research positions which require similar abilities in order to perform the work. Applicants who meet this criterion may be rated eligible for the next higher grade above that for which they would normally be rated, provided they have not been rated at this grade on the basis of meeting one of the superior college study requirements described in the preceding paragraphs.

To receive this credit, the work must have been creative in the sense that it developed a basic principle, concept, method, approach, or technique (or provided a body of basic information) which opened the way for major advances in the field of microbiology by providing a method of solving other problems,

opening areas of research, or providing the means of exploiting the application of the science in a major area.

SUPERVISORY OR MANAGERIAL ABILITY: The duties of some microbiologist positions involve supervisory and managerial responsibilities related to the operation of laboratories or laboratory programs, especially at the GS-12 and higher grades. For these positions, applicants must show that their experience and training have equipped them to manage a laboratory or laboratory program.

QUALIFICATIONS INQUIRIES: For all grades of these positions, confidential inquiries, including contacts with the applicants' supervisors and associates or with other persons familiar with their qualifications, may be made to obtain further information about their technical, professional, scientific, and personal qualifications, and their character and suitability for these positions.

SELECTIVE CERTIFICATION: As outlined under quality of experience, many positions in this series require highly specialized knowledges in one or more specific scientific areas or fields of microbiology, or the ability to apply highly specialized scientific techniques to problems peculiar to a specific type of research. Examining offices may restrict certification to eligibles meeting such specialized requirements or may establish registers of eligibles based upon such requirements.

BASIS OF RATING: No written test is required. Applicants' qualifications will be rated on a scale of 100, and will be evaluated on the basis of their education, training, and experience as shown in the application and on corroborative evidence obtained by Federal civil service examiners.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F14. QUALIFICATION STANDARD

NUCLEAR MEDICINE TECHNOLOGIST GS-601

AUTHORITY: 38 U.S.C. 7402

DESCRIPTION OF WORK: Nuclear Medicine Technologists (NMTs) perform a wide variety of functional studies of organs/systems involving static and dynamic imaging procedures, the injection of radionuclides and radiopharmaceuticals and the use of such specialized equipment as integrated computer/imaging systems, single photon emission tomography, etc., in combination with a variety of radioimmunoassay (in vitro) laboratory procedures on biological specimens. The work requires a professional knowledge of the field of nuclear medicine technology and those aspects of chemistry, physics, mathematics, and the biomedical sciences that relate to nuclear medicine.

BASIC REQUIREMENT: All applicants must be certified in nuclear medicine by the Nuclear Medicine Technology Certification Board (NMTCB) or the American Registry of Radiologic Technology (ARRT).

Exceptions for Applicants: Uncertified applicants who otherwise meet the eligibility requirements for NMTCB or ARRT certification (see section 3, Certification Eligibility) may be given a temporary appointment not to exceed 1 year; **or** they may be appointed subject to obtaining the required certification during their probationary period. Those who fail to obtain NMTCB or ARRT certification in nuclear medicine during that year must be removed from the GS-601 NMT series, which may result in termination of employment. A statement citing this condition of employment must be signed by each NMT appointed under these provisions and filed in the employee's personnel folder. Requests for extending uncertified NMTs beyond the probationary period are inappropriate.

If, after positive recruitment activities, there are no acceptable applicants who meet these requirements, the Chief Patient Care Services Officer may authorize a medical center director to recruit otherwise qualified candidates who show evidence of training, experience, and competence to be equally protective of patient health and safety. Requests to initiate broad-based recruitment using a modified standard that meets the requirements of chapter 2, section D, paragraph 9 of this part, should be submitted, through channels, to the Deputy Assistant Secretary for Human Resources Management, Human Resources Management Programs and Policies Service (051).

Exceptions for Current Employees

Nuclear Medicine Technologists: Each uncertified NMT who was permanently employed on June 21, 1986, and whose competence in the safe administration of radiopharmaceuticals was affirmed in writing by a licensed VA physician not later than January 1, 1987, and documented in the employee's personnel folder; or any licensed NMT hired before receipt of this standard, is considered to meet the certification requirements and may be reassigned or promoted in this occupation.

Nuclear Medicine Technicians: Upon receipt of this November 8, 1990 standard, any permanently employed Nuclear Medicine Technician whose competence was certified as stated in the preceding, is considered fully qualified in this occupation at their present grade **if** the following conditions are met:

a. The employee is found to be performing professional NMT duties on a regular and recurring basis, as evidenced by a thoroughly documented position review, and

b. The employee's job is reclassified to the GS-601 Nuclear Medicine Technologist occupation. ANY employee initially retained under these exceptions who leaves this occupation in VA or transfers to another facility loses protected status and must meet the full requirements in effect at the time of reentry. A statement to this effect is to be signed and dated by the incumbent, the Chief, Nuclear Medicine Service (or equivalent position), and the Chief of Staff, and retained on the right side of the employee's personnel folder.

Certification Eligibility: NMTCB or ARRT certification eligibility requirements are normally satisfied by one of the following:

a. Graduation from an educational program in nuclear medicine technology accredited by the Committee on Allied Health Education and Accreditation;

b. National certification as a registered medical technologist, registered radiologic technologist, registered nurse, or a bachelor's or associate's degree in one of the physical or biological sciences, and 4 years of clinical nuclear medicine technology experience.

NOTE: *Candidates who have obtained ARRT or NMTCB certification in nuclear medicine through methods other than those listed above meet minimum requirements for GS-5.*

EXPERIENCE REQUIREMENTS: In addition to meeting the basic requirement, applicants must have professional nuclear medicine technology experience as specified in the following:

GS-5: None beyond the basic requirement.

GS-7: 1 year of experience equivalent to GS-5.

GS-9: 1 year of experience equivalent to GS-7.

GS-11: 1 year of experience equivalent to GS-9.

SUPERIOR ACADEMIC ACHIEVEMENT: The superior academic achievement provisions in OPM's "Operating Manual for Qualification Standards for General Schedule Positions," section II.E.4.(f), apply.

PERSONAL CHARACTERISTICS: NMT positions usually require frequent contact with patients and with professional and supportive personnel who provide patient care. Such contact requires technologists to be tactful, courteous, empathic, and patient. They must also be able to deal effectively with a variety of people, to work as team members, and to exercise good judgment.

SUPERVISORY POSITIONS: The Qualification Standard for Supervisory Positions, OPM's "Operating Manual - Qualification Standards for General Schedule Positions," section IV-A-29, is to be used in conjunction with this standard.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F15. QUALIFICATION STANDARD

DIETITIAN AND NUTRITIONIST SERIES **GS-630**

AUTHORITY: **38 U.S.C. 7402**

REQUIREMENTS: The qualification requirements for Dietitian And Nutritionist, GS-630, found in the Qualification Standards for Professional and Scientific Positions, in OPM's "Operating Manual - Qualification Standards for General Schedule Positions," section IV-A-19, have been approved for use in VA with the following additional requirement:

a. All applicants must be registered with the Commission on Dietetic Registration**,** the credentialing branch of the American Dietetic Association (ADA).

b. All persons permanently employed as GS-630 VA Dietitians at the time this February 15,1990 standard is received are considered to have met the registration requirements in full. They may be promoted, demoted or reassigned within the GS-630 occupational series. Any employee initially retained in this manner who leaves this job series loses protected status and must meet the full requirements in effect at the time of reentry. A statement to this effect (see sample that follows this qualification standard) is to be signed and dated by the Chief, Nutrition and Food Service, and the Chief, Human Resources Management Service, and retained on the right side of the employee's personnel folder.

c. All persons permanently employed as GS-630 VA Dietitians who <u>are</u> registered at the time this February 15, 1990 standard is received must maintain registration on a current basis to continue their employment in such positions.

Exceptions

a. Non-registered applicants who otherwise meet the minimum requirements in the basic qualification standard may be given a temporary appointment not to exceed 1 year; **<u>or</u>** they may be appointed subject to obtaining the required registration during the probationary period. Those who fail to obtain ADA registration during that year must be removed from the GS-630 Dietitian series, which may result in termination of employment. A statement citing this condition of employment must be signed by each Dietitian appointed under these provisions and filed in the appointee's personnel folder.

b. If, after positive recruitment activities, there are no acceptable applicants who meet these requirements, the Chief Patient Care Services Officer may authorize a medical center to hire otherwise qualified applicants, provided such persons show evidence of equal competence. Requests which meet the requirements of paragraph 9, section D, chapter 2, this part, should be submitted, through channels, to the Deputy Assistant Secretary for Human Resources Management, Human Resources Management Programs and Policies Service (051).

SAMPLE CERTIFICATION FOR DIETITIAN

An amendment to VHA Qualification Standards, dated February 15, 1990, imposed a new American Dietetic Association registration requirement. This is to certify that

____(name)_____ was permanently employed as a non-registered VA Dietitian, GS-630-__ , on

____(date)_____ when the new standard was received in the _____(facility)_____ VAMC Human Resources Management Office. Under paragraph a(2) of the VA Dietitian and Nutritionist qualification standard, _____(name)_____ may be promoted, demoted, or reassigned within the GS-630 occupational series in VA. The employee's signature below attests to their awareness that if they leave this job series in VA or transfer to another agency, _____(name)_____ loses protected status and must meet full requirements in effect at the time of reentry.

_____	_____
(Chief, Human Resources Management Office)	(Date)
_____	_____
(Chief, Dietetic Service)	(Date)
_____	_____
(Employee)	(Date)

THIS IS A QUALIFICATION DETERMINATION THAT IS TO BE RETAINED AS A PERMANENT RECORD IN THE PERSONNEL FOLDER.

APPENDIX F16. QUALIFICATION STANDARD

DIETETIC INTERN **(File as GS-630)**
DIETETIC INTERN (COORDINATED MASTERS)

AUTHORITY: 38 U.S.C. 7402

DUTIES: Participate in a formal training program under guidance of the Education Director in Dietetics and under direct supervision of qualified dietitians. Receives didactic and clinical learning experience in food service systems management, clinical dietetics and community nutrition which meet the essential requirements of the American Dietetic Association.

EDUCATION REQUIREMENTS: Bachelor's degree from an accredited college or university. This education must meet current requirements established by the American Dietetic Association (ADA) for entrance into an ADA accredited internship. **NOTE:** *Information on ADA requirements may be obtained from the American Dietetic Association, 216 W. Jackson Boulevard, Chicago, Illinois 60606-6995.*

Applicants for the Coordinated Masters degree program must meet curriculum requirements and grade point average required for admission to the university associated with the VA dietetic internship.

PERSONAL CHARACTERISTICS: Ability to work effectively as part of a team, to deal with patients and personnel in a tactful manner, and to exercise good judgment. Demonstrated qualities of leadership and initiative in situations where independent action is warranted and the ability to adjust to existing situations.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F17. QUALIFICATION STANDARD

DIETETIC RESIDENT **(File as GS-630)**

AUTHORITY: **38 U.S.C. 7402**

DUTIES: The dietetic residency is an 18-month combined academic and professional program. The resident, assigned to a VA medical center, performs dietetic duties, including activities relating to the area in which graduate study is being taken. In addition, the resident attends graduate classes to satisfy the requirements for a master's degree in dietetics or an allied field.

REQUIREMENTS: Applicants may qualify on the basis of the following:

1. Completion of an approved dietetic internship in a VA medical center. Applicants will be considered for selection from dietetic interns in VA, subject to completion of the course, or

2. Completion of an approved dietetic internship outside VA, provided they are dietitians on duty in VA.

3. Ability to get along well with others, to deal with patients in a tactful and sympathetic manner, and to exercise good judgment.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

NOTE: *In recruiting and examining for these positions, there should be assurance that appropriate credit is given to applicants for participation in community, cultural, social service, and similar volunteer activities.*

APPENDIX F18. QUALIFICATION STANDARD

OCCUPATIONAL THERAPY TRAINEE – STUDENT **(File as GS-631)**

AUTHORITY: 38 U.S.C. 7402

DESCRIPTION OF TRAINING: Students enrolled in schools of occupational therapy accredited by the American Medical Association (AMA) receive clinical training in occupational therapy at those VA medical facilities which provide an affiliated clinical training program in the fields of psychiatry, physical disabilities or geriatrics. Such training is a portion of that required for graduation from accredited schools of occupational therapy.

REQUIREMENTS

1. All applicants must have completed those portions of the prescribed didactic (classroom) program applicable to the medical specialty area or areas in which clinical training is requested.

2. All applicants must be candidates for a degree or certificate from a school of occupational therapy accredited by the AMA.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

All positions involving Federal motor vehicle operation carry the additional medical requirements specified in 5 CFR, part 930, subpart A.

APPENDIX F19. QUALIFICATION STANDARD

CORRECTIVE THERAPIST **GS-635-6/15**

AUTHORITY: 38 U.S.C. 7402

DESCRIPTION OF WORK: Corrective therapists perform professional corrective therapy work requiring application of a knowledge of the concepts, principles, and practices of corrective therapy, and the use of therapeutic corrective exercises to maintain or improve the general state of health of patients by preventing muscular deterioration, conserving and increasing strength, maintaining function and retaining mobility. Corrective therapists evaluate the history of patients by interviews, tests and measurements, and use such findings and the therapy orders of physicians to develop and implement corrective therapy programs for individual patients. These teaching activities are directed toward achieving therapeutic objectives such as instructing patients in ambulation and educating patients to develop skill and understanding in activities of daily living.

BASIC REQUIREMENTS FOR GS-5 TRAINEES: Applicants who have successfully completed a course of study in an accredited college or university leading to a bachelor's degree with a major in physical education or corrective therapy meet minimum requirements for temporary employment in VA training programs at the GS-5 level.

BASIC REQUIREMENTS FOR ALL GRADES, GS-6 AND ABOVE: Candidates for all positions must have successfully completed a course of study in an accredited college or university leading to a bachelor's degree with a major in physical education or corrective therapy. This education must have included or been supplemented by clinical practice obtained in a VA approved training program or its equivalent. **NOTE:** *This training program is the transitory period between an academic environment and the medical environment which enables the student to apply textbook knowledges as a professional corrective therapist in an actual medical treatment situation.*

In addition to a knowledge of the goals, principles, methods, and techniques of the broad general field of corrective therapy, candidates must possess the following therapy-oriented knowledges, skills and abilities:

a. Knowledge of anatomy, physiology, kinesiology and social psychology.

b. Knowledge of normal body mechanics and human locomotion.

c. Knowledge of disease entities including causes, course of disease, symptoms and signs, treatment and prognosis (this includes accident-caused abnormalities).

d. Ability to devise appropriate programs of therapeutic exercise.

e. Skill in teaching various physical activities to patients.

f. Knowledge of applied psychological principles.

g. Knowledge of physical skills and applied techniques.

h. Knowledge of physical fitness tests and procedures.

i. Knowledge of prosthetics and orthotics.

These knowledges, skills or abilities are typically acquired through a degree program in physical education together with a degree-related program of clinical practice in a rehabilitation medicine setting which has given the candidate exposure to the corrective therapy needs of persons who are ill, disabled, or aging.

GS-6. These requirements which apply to all grades are fully qualifying for positions at grade GS-6. Completion of the required substantial program of clinical practice planned to assure professional competence in addition to the bachelor's degree is considered sufficient experience for this entry level.

EXPERIENCE REQUIREMENTS

Amounts of Experience: In addition to the education requirements, applicants must meet the following:

GS-6: None.

GS-7: In addition to the requirements for the GS-6 level, 6 months of professional corrective therapy experience which shows a full professional understanding of the theories of treatment in corrective therapy and their proper application through the use of corrective and therapeutic physical rehabilitation and reconditioning procedures.

GS-9: In addition to the requirements for the GS-7 level, 1 year of professional corrective therapy experience which demonstrated a broad knowledge and understanding of the principles and techniques in the use of corrective therapy. This experience must include interpretation of physicians' prescriptions, modification of standard techniques in unusual cases and programming for patients. For positions that have the responsibility for conducting a special program, e.g., spinal cord injury, psychiatric, hemiplegic, chronic lung disease, cardiopulmonary evaluation and conditioning, clinical training, specialized experience and/or training in such a program is required.

GS-11: In addition to the requirements for GS-9, 1 additional year of corrective therapy experience. This must demonstrate an extensive knowledge and understanding of the principles and techniques in the use of corrective therapy.

GS-12 and Above: No additional years of experience. The experience must show, however, the ability to plan, or assist in the planning of a complete integrated corrective therapy program (see the quality level of experience requirements paragraph following).

QUALIFYING EXPERIENCE: Experience must have been in a program of corrective and therapeutic physical rehabilitation or reconditioning in a hospital, domiciliary, convalescent or nursing home, rehabilitation center, school or private office of a physician, or other organized treatment program which was medically directed.

Quality (Level) of Experience: For positions at all grade levels, the experience required must have been at a sufficiently high level of difficulty and responsibility to demonstrate the ability to perform the duties and responsibilities of the positions for which the candidate is applying. Therefore, for positions in grades GS-11 and below, at least 6 months of the required experience must have been at a level of difficulty comparable to that of the next lower grade, or 1 year comparable to the second lower grade, in the Federal service. For grades GS-12 and above, at least 1 year of the required experience must have been at a level of difficulty comparable to that of the next lower grade in the Federal service. Applicants qualifying solely on the basis of education will be considered to have met the quality of experience requirements.

REGISTRATION OR CERTIFICATION: Registration or certification by the American Corrective Therapy Association (ACTA) or other State or medical society sponsored registry board is not required. Such registry or certification may, however, be used, along with other pertinent information, as a quality level indicator in the evaluation of candidates.

SUBSTITUTION OF GRADUATE EDUCATION FOR EXPERIENCE

GS-7: Successful completion of 1 year of graduate study at an accredited college or university in a field appropriate to corrective therapy such as physical education with substantial study in anatomy, physiology, kinesiology, etc., and completion of the required clinical practice as described under basic requirements. Eighteen semester hours are considered equivalent to a full academic year of graduate education.

GS-9: Successful completion of all requirements for a master's degree or 2 full years of graduate education as described in the preceding paragraph, and completion of the required clinical practice.

SUPERIOR ACADEMIC ACHIEVEMENT: Superior academic achievement at the baccalaureate level is qualifying at grade GS-7. A combination of superior academic achievement and appropriate professional experience is qualifying at grade GS-9. In each case the pertinent criteria in OPM's "Operating Manual for Qualification Standards for General Schedule Positions," section II.E.4.(f), must be met.

PERSONAL CHARACTERISTICS REQUIRED: The work of the corrective therapist requires sympathy and sensitivity to the needs and feelings of patients. It calls for such personal traits as empathy, stability, objectivity, resourcefulness, adaptability, and sound judgment.

Corrective therapist positions require the ability to work harmoniously and effectively with others and to establish and maintain satisfactory working relationships with individuals and groups. Another requirement is the ability to inspire self-confidence in and to motivate patients to carry out therapy treatments.

In filling positions through either competitive or inservice placement, appointing officers should assure themselves that candidates possess these qualities to the degree necessary for satisfactory performance of the duties of the position.

BASIS OF RATING: No written test is required. Candidates will be rated on a scale of 100. The basis of rating will be an evaluation of the quantity and quality of an applicant's education, training, experience, and personal qualifications in relation to the duties and requirements of the specific position for which the applicant is being considered. Ratings will be based on statements in the application form, any supplemental information forms, college transcripts, and any additional evidence which may be received.

SUPERVISORY POSITIONS: For supervisory positions, use the Qualification Standard for Supervisory Positions in section IV-A-29 of OPM's "Operating Manual for Qualification Standards for General Schedule Positions," in conjunction with this standard.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F20. QUALIFICATION STANDARD

OCCUPATIONAL THERAPY ASSISTANT **GS-636-4/5/6/7/8**

AUTHORITY: 38 U.S.C. 7402

This standard applies to all Occupational Therapy Assistant positions in VA.

DUTIES: Under the supervision of an Occupational Therapist, the Occupational Therapy Assistant provides restorative and maintenance therapy that ensures maximum practicable development of patients' functional skills. The Occupational Therapy Assistant aids the Occupational Therapist in planning and implementing complex treatment programs and applies occupational therapy procedures to patients under the general supervision of an occupational therapist.

BASIC REQUIREMENT FOR ALL GRADES: Successful completion of a 2-year degree in an accredited community college, junior college, college, or university in a program in occupational therapy approved by the American Occupational Therapy Association.

NOTE: *All persons permanently employed as a GS-636 Occupational Therapy Assistants on or before July 17, 1996 (the date of this standard), are considered to have met this requirement in full. They may be promoted, demoted, or reassigned within the GS-636 Occupational Therapy Assistant series. Any employee initially retained in this manner who leaves this job series loses protected status and must meet the full requirements in effect at the time of reentry. A statement citing this condition of employment (see sample that follows this qualification standard) must be signed by all current Occupational Therapy Assistants and filed in their personnel folder.*

EDUCATION AND EXPERIENCE REQUIREMENTS

GS-4: Must meet the basic requirements.

GS-5: In addition to meeting the basic requirements, must have 6 months of occupational therapy assistant experience, equivalent to the next lower grade level.

GS-6: In addition to meeting the basic requirements, must have 1 year of occupational therapy assistant experience, equivalent to the next lower grade level.

GS-7 and Above: In addition to meeting the basic requirements, must have 1 year of occupational therapy assistant experience, equivalent to the next lower grade level which includes the full range of duties of Occupational Therapy Assistants and demonstrates the potential to perform occupational therapy assistant duties independently.

QUALIFYING EXPERIENCE

1. The Occupational Therapy Assistant must have a knowledge of:

a. Basic biological and/or medical science and psychology to assess patients and determine their needs, and to plan and administer patient treatments.

b. Occupational therapy data collection and assessment techniques to assist the Occupational Therapist in the evaluation of patients and their needs.

c. Medical devices and treatments in order to plan and administer appropriate treatments.

d. Issues related to patient safety and skill in their application to ensure that patients are not subjected to unnecessary risk in the course of their treatment.

2. The Occupational Therapy Assistant must have written communication skills necessary to document progress and change in status, discharges, and patient or caregiver education.

SAMPLE
CONDITION OF EMPLOYMENT
FOR OCCUPATIONAL THERAPY ASSISTANT

This is to certify that ____(name)____ was permanently employed as an Occupational Therapy Assistant, on _____(date)_____. _____(name)_____ may be promoted, demoted, or reassigned within the GS-636, Occupational Therapy Assistant positions in VA. The employee's signature below attests to their awareness that if they leave this position in VA or transfer to another agency, they lose protected status and must meet full requirements in effect at the time of reentry.

_____ _____
(Chief, Human Resources Management Office) (Date)

_____ _____
(Employee) (Date)

THIS IS A QUALIFICATION DETERMINATION THAT IS TO BE RETAINED AS A PERMANENT RECORD IN THE PERSONNEL FOLDER

APPENDIX F21. QUALIFICATION STANDARD

PHYSICAL THERAPY ASSISTANT **GS-636-4/5/6/7/8**

AUTHORITY: 38 U.S.C. 7402

This standard applies to all Physical Therapy Assistant positions in VA.

DUTIES: Under the supervision of a Physical Therapist, the Physical Therapy Assistant provides services that promote the prevention, remediation, and rehabilitation of acute and chronic physical dysfunction. The Physical Therapy Assistant participates with the Physical Therapist in planning and implementing complex treatment programs and applies physical therapy procedures to patients under the general supervision of a Physical Therapist.

BASIC REQUIREMENT FOR ALL GRADES: Successful completion of a 2-year degree in an accredited community college, junior college, college, or university in a program in physical therapy approved by the American Physical Therapy Association.

NOTE: *All persons permanently employed as a GS-636, Physical Therapy Assistant on or before July 17, 1996 (the date of this standard), are considered to have met this requirement in full. They may be promoted, demoted, or reassigned within the GS-636 Physical Therapy Assistant series. Any employee initially retained in this manner who leaves this job series loses protected status and must meet the full requirements in effect at the time of reentry. A statement citing this condition of employment (see sample that follows this qualification standard) must be signed by all current Physical Therapy Assistants and filed in their personnel folder.*

EDUCATION AND EXPERIENCE REQUIREMENTS

GS-4: Must meet the basic requirements.

GS-5: In addition to meeting the basic requirements, must have 6 months of physical therapy assistant experience, equivalent to the next lower grade level.

GS-6: In addition to meeting the basic requirements, must have 1 year of physical therapy assistant experience, equivalent to the next lower grade level.

GS-7 and Above: In addition to meeting the basic requirements, must have 1 year of physical therapy assistant experience, equivalent to the next lower grade level which includes the full range of duties of Physical Therapy Assistants and demonstrates the potential to perform physical therapy assistant duties independently.

QUALIFYING EXPERIENCE

1. The Physical Therapy Assistant must have knowledge of:

a. Basic biological and/or medical science and psychology in order to assess patient data and make a preliminary determination of their needs, develop treatment goals and objectives, and implement patient treatment plans.

b. Physical therapy data collection and assessment techniques in order to perform specified aspects of patient evaluation and to recommend treatment needs.

c. Medical devices and physical therapy treatments in order to plan and implement appropriate treatments.

d. Issues related to patient safety and skill in their application to ensure that patients are not subjected to undue or unnecessary risk in the course of their treatment.

2. A Physical Therapy Assistant must have written communication skills necessary to document preliminary data assessments, progress or change in status, discharge status, and patient or caregiver education.

SAMPLE
CONDITION OF EMPLOYMENT FOR PHYSICAL THERAPY ASSISTANT

This is to certify that ____(name)____ was permanently employed as a Physical Therapy Assistant, on (date)_____. _____(name)_____ may be promoted, demoted, or reassigned within the GS-636, Physical Therapy Assistant positions in VA. The employee's signature below attests to their awareness that if they leave this position in VA or transfer to another agency, they lose protected status and must meet full requirements in effect at the time of reentry.

_____ _____
(Chief, Human Resources Management Office) (Date)

_____ _____
(Employee) (Date)

THIS IS A QUALIFICATION DETERMINATION THAT IS TO BE RETAINED AS A PERMANENT RECORD IN THE PERSONNEL FOLDER

APPENDIX F22. QUALIFICATION STANDARD

CLINICAL DIETETIC TECHNICIAN **GS-640-4/6**

AUTHORITY: 38 U.S.C. 7402

DESCRIPTION OF WORK: Clinical Dietetic Technicians (CDTs) are paraprofessionals who assist and support professional Dietitians in providing nutrition care to patients. Under the guidance of a Clinical Dietitian, their duties include interviewing patients and using pre-established criteria to identify patients at nutritional risk; gathering information from, and documenting in, the medical record; developing nutritional care plans for patients not at nutritional risk; monitoring and assisting in the evaluation of food intake; adjusting meal patterns and nourishments for selected patients to accommodate preferences and tolerances; counseling selected patients about their prescribed diets; teaching selected classes for groups of patients.

GENERAL REQUIREMENTS: Candidates for CDT positions must possess the following knowledges, skills, abilities, and other characteristics (KSAOs):

1. **Knowledge of Human Nutrition Requirements In Health And Disease:** This includes knowledge of the nutrient needs and the indicators for nutritional care; ability to identify individuals at nutritional risk within the patient population using pre-established screening data; and ability to develop and/or adjust a nutritional care plan for patients not at nutritional risk.

2. **Ability to Gather Data from the Medical Record and Document Information Pertinent to Nutritional Care:** This requires knowledge of medical terminology, abbreviations, laboratory tests, clinical, social and anthropometric data sufficient to understand nutrition-related material in a medical record; ability to interpret a physician's diet order; and ability to record accurate and understandable nutrition care plan information, for example, diet history, screening data, etc.

3. **Ability to Monitor and Influence the Patient's Nutritional Intake:** This requires the ability to accurately observe and/or record dietary information from individual patients; knowledge of factors that influence or limit individual food choices, preferences and acceptance; knowledge of the psychological effect of food on the patient; ability to calculate the nutritional content of food intake; knowledge of the four basic food groups and the recommended amount of foods from each group; and knowledge of the principles and nutrient content of modified diets.

4. **Ability to Provide Nutrition Education for Selected Groups of Patients:** This includes the ability to identify basic nutrition education needs of individuals; ability to plan and present nutrition information for a pre-established patient outcome; ability to identify and use appropriate methods to determine a patient's understanding, compliance and use of nutrition principles; knowledge of meal planning, preparation, sanitation and food safety principles and the ability to teach them to patients.

5. **Skill in Patient Interviewing and Nutrition Counseling:** This includes knowledge of the principles of effective communication and ability to evaluate information obtained in a patient interview.

6. **Ability to Interact and Communicate Orally with People from a Variety of Backgrounds:** This includes other members of the health care team.

7. **Ability to Function Effectively in a Support Position within a Clinical Dietetic Section of a General Medical and Surgical and/or Psychiatric Hospital:** This involves the ability to follow oral and/or written instructions, ability to accomplish work within established time frames; ability to work under pressure with constant interruptions; and ability to maintain composure under adverse conditions.

EDUCATION REQUIREMENTS: Candidates must have successfully completed a course of study in an accredited college leading to an associate's degree in Dietetic Technology with an emphasis in Nutrition Care or the equivalent post-secondary education. In determining whether a candidate's education is equivalent, close attention should be paid to the numbers and types of courses completed and their content. The education should provide the candidate with the KSAOs listed above, particularly numbers 1 through 5 (KSAOs 6 and 7 can generally be acquired through experience). To do this it must have included instruction in nutrition care/diet therapy, the natural sciences (e.g., anatomy, physiology, biochemistry), social sciences (e. g., psychology, sociology), food sciences, medical terminology, communications and education. Because course titles vary, it is important to carefully evaluate course content in order to determine that these subjects are covered. In addition, qualifying education must include supervised field experience in a hospital or similar clinical setting.

NOTE: *Each permanent employee whose position description reflects the full range of CDT duties as of the issue date of this qualification standard and whose job is reclassified to that title is considered fully qualified. These employees may be promoted or reassigned within this occupation.*

Employees qualified for CDT positions under this provision who subsequently leave the occupation must meet the new qualification requirements to re-enter the occupation.

GUIDANCE FOR EVALUATING EDUCATION: An associate's degree in Dietetic Technology (Nutrition Care) from a program approved by the American Dietetic Association (ADA) is preferred. Because the occupational study on which this standard is based showed graduates of these programs to be better equipped to provide substantive assistance and support to Clinical Dietitians, they should be given preferential consideration in the applicant evaluation process.

Applicants with an associate's degree in Dietetic Technology without a designated subspecialty which included instruction in the subjects described in the preceding section EDUCATION REQUIREMENTS also meet minimum requirements. Those programs approved by the American Dietetic Association provide such instruction.

Individuals holding a Bachelor's degree in Dietetics also meet the requirements of this position. The role of CDTs, however, is to support and assist professional Dietitians. Because the focus of associate degree Dietetic Technician programs is specifically to train people for these support positions, it is the preferred degree and should be so credited in rating and ranking qualified applicants.

Candidates with an associate's degree in Dietetic Technology with an emphasis in Food Service Management generally do not possess the KSAOs required in a CDT position unless their degree has

been supplemented by additional courses in nutrition care or by clinical experience which demonstrates possession of the required KSAOs.

EXPERIENCE REQUIREMENTS: Candidates who meet the education requirements described above are fully qualified for the GS-4 level. To qualify for higher grades, candidates must have had progressively responsible experience in the field of clinical dietetic technology in which they have demonstrated successful use of the KSAOs listed in the General Requirements section of this standard. Candidates for GS-5 positions must have at least six months of specialized experience equivalent to GS-4. Candidates for GS-6 and above must have at least 1 year of specialized experience equivalent to the next lower grade.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

QUALIFICATIONS GUIDELINES FOR UPWARD MOBILITY PROGRAMS

Minimum Qualifications: Applicants for Upward Mobility Programs which involve enrollment in a course of study leading to an Associate's degree in Clinical Dietetic Technology should meet all entrance requirements of the college in question.

KSAOs: The following KSAOs have been determined through a job analysis to be necessary for satisfactory performance as a CDT. Since these KSAOs, while they may be enhanced, are not necessarily acquired through college level coursework, applicants for the Upward Mobility Program should possess them to the degree needed to perform satisfactorily the duties of a CDT. Persons responsible for making minimum qualification determinations should use locally established criteria in ensuring that applicants have these KSAOs. The KSAOs are:

1. Ability to communicate orally and interact with people from a variety of backgrounds.

2. Ability to follow oral and written instructions.

3. Ability to work under pressure with constant interruptions.

4. Ability to maintain composure under adverse conditions.

Rating and Ranking Criteria

1. The following rating factors were shown by a job analysis to be useful in distinguishing superior from barely acceptable performance (They are provided for optional use in rating applicants for the Upward Mobility Program):

a. Ability to follow oral and written instructions.

b. Ability to accomplish work within established time frames.

c. Ability to work under pressure with constant interruptions while maintaining composure.

2. Persons developing crediting plans for Upward Mobility selections should keep in mind the likely applicant pool and include examples of experience, training, education, etc., which these individuals are likely to cite and which will aid in identifying the best qualified applicants. Because many applicants may not have had extensive work experience, it is particularly important to consider outside or unpaid activities and to include examples of these in quality levels. Many applicants may have demonstrated a high degree of these KSAOs through parenting, running a household or volunteer work in a church or community organization. These types of examples should be included in quality levels, and raters should be cautioned to give them appropriate weight in the rating process.

3. If, after applying the crediting plan, further distinctions need to be made to identify the best applicants, an individual or panel interview may be useful. The interview should be structured so consistent, job-related information can be obtained from each applicant who scored highly using the crediting plan. Particular attention should be paid to those skills and abilities which were not measured or not fully measured using the crediting plan. For example, oral communication skills are important to the CDT and can be easily demonstrated and observed in an interview. Also, since the Upward Mobility Program consists of enrollment in, and completion of, a course of study leading to an associate degree, career goals and motivation might be explored in the interview. A method for assessing applicant performance during the interview should be devised and followed consistently in evaluating each applicant.

APPENDIX F23. QUALIFICATION STANDARD

NUCLEAR MEDICINE TECHNICIAN SERIES **GS-642**

AUTHORITY: **38 U.S.C. 7402**

GENERAL REQUIREMENTS: The qualification requirements for Nuclear Medicine Technician, found in the Group Coverage Qualification Standard for Technical and Medical Support Positions, in OPM's "Operating Manual - Qualification Standards for General Schedule Positions," section IV-A-7 to IV-A-11, have been approved for use in VA with the following additional requirements:

1. **Certification:** All applicants must be certified in Nuclear Medicine by one of the following:

a. The Nuclear Medicine Technology Certification Board (NMTCB), or

b. The American Registry of Radiologic Technology (ARRT).

2. **Exceptions for Applicants:** Uncertified applicants who otherwise meet the eligibility requirements for NMTCB or ARRT certification (see section 4, Certification Eligibility) may be given a temporary appointment not to exceed 1 year; **or** they may be appointed subject to obtaining the required certification during the probationary period. Those who fail to obtain NMTCB or ARRT certification in nuclear medicine during that year must be removed from the GS-642 series, which may result in termination of employment. A statement citing this condition of employment must be signed by each Nuclear Medicine Technician appointed or assigned under these provisions and filed in the employee's personnel folder. Requests for extending uncertified Nuclear Medicine Technicians beyond the probationary period are inappropriate.

If, after positive recruitment activities, there are no acceptable applicants who meet these requirements, the Chief Patient Care Services Officer may authorize a medical center director to recruit otherwise qualified applicants, who show evidence of training, experience and competence to be equally protective of patient health and safety. Requests to initiate broad-based recruitment using a modified standard that meets the requirements of chapter 2, section B, paragraph 9, this part, may be submitted, through channels, to the Deputy Assistant Secretary for Human Resources Management (051).

3. **Exceptions for Employees:** Each uncertified Nuclear Medicine Technician who was permanently employed on June 21, 1986, and whose competence in the safe administration of radiopharmaceuticals was affirmed in writing by a licensed VA physician not later than January 1, 1987, and documented in the employee's personnel folder, or any licensed Nuclear Medicine Technician hired before receipt of this standard, is considered fully qualified, and may be promoted, demoted or reassigned within the GS-642 occupation. Any employee initially retained in this manner who leaves this occupation in VA or transfers to another facility loses protected status and must meet the full requirements in effect at the time of reentry. A statement to this effect is to be signed and dated by the incumbent, the Chief, Nuclear Medicine Service and the Chief of Staff, and retained on the right side of the employee's personnel folder.

4. **Certification Eligibility:** NMTCB or ARRT certification eligibility requirements are normally satisfied by the following:

a. Graduation from an educational program in nuclear medicine technology accredited by the Committee on Allied Health Education and Accreditation;

b. National certification as a registered medical technologist, registered radiologic technologist, registered nurse, or a bachelor's or associate degree in one of the physical or biological sciences, and 4 years of clinical nuclear medicine technology experience.

NOTE: *Candidates who have obtained ARRT or NMTCB certification in nuclear medicine through methods other than those listed above meet minimum requirements for GS-5.*

APPENDIX F24. QUALIFICATION STANDARD

MEDICAL TECHNOLOGY TRAINEE –- STUDENT **(File as GS-644)**

NOTE: *Appointment to these positions will be on a time-limited basis under authority of 38 U.S.C. 7405.*

AUTHORITY: 38 U.S.C. 7402

DESCRIPTION OF TRAINING: Trainee-students will be enrolled in an approved curriculum that provides hospital clinical training experience in medical technology. The training course is approved by the Council on Medical Education of the American Medical Association. Trainees completing the course will be eligible to take the examination of the Board of Registry of Medical Technologists of the American Society of Clinical Pathologists. The course may lead to a bachelor's degree in collaboration with an affiliated college or university.

REQUIREMENTS: Candidates for medical technology trainee status must:

1. Be accepted as a student in an affiliated school of medical technology approved by the Council on Medical Education of the American Medical Association.

2. Be a candidate for a bachelor's degree or submit evidence of having completed all of the requirements for the degree.

3. Meet the latest educational requirements of the Board of Registry of Medical Technologists of the American Society of Clinical Pathologists. Completion of at least 3 years (90 semester hours) of college is required. In certain States the educational requirements of the State licensing authority must be met, e.g., California, which requires a bachelor's degree prior to entry into training.

Current educational requirements may be obtained from the Board of Registry of the American Society of Clinical Pathologists, Post Office Box 12277, Chicago, IL 60612-0277.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F25. QUALIFICATION STANDARD

DIAGNOSTIC RADIOLOGIC TECHNICIAN/TECHNOLOGIST GS-647-3/8

AUTHORITY: 38 U.S.C. 7402

The Qualification Standard for Diagnostic Radiologic Technologist, GS-647, in OPM's "Operating Manual - Qualification Standards for General Schedule Positions," sections IV-A-7 and IV-B-105, has been approved for use in VA with the following additional requirements:

1. All applicants must be certified as a Diagnostic Radiologic Technologist by the American Registry of Radiologic Technologists (ARRT).

2. Each uncertified VA Diagnostic Radiologic Technician/Technologist who was permanently employed on June 21, 1986, and whose competence in the safe administration of ionizing radiation was affirmed, in writing, by a VA licensed physician not later than January 1, 1987, is considered fully qualified. These employees may be promoted, demoted or reassigned within the GS-647 occupational series. Any employee initially retained in this manner who leaves this job series loses protected status and must meet the full requirements in effect at the time of reentry.

3. **Exceptions**

a. Applicants who have completed an approved training program may be given a temporary appointment not to exceed 1 year. Failure to acquire ARRT certification during that year is justification for termination of the temporary appointment. The temporary appointment may be extended for 1 additional year (total of 2 years of temporary employment) if circumstances indicate satisfaction of all requirements and permanent appointment is probable.

b. If there are no acceptable applicants who meet these requirements, the Chief Patient Care Services Officer may authorize a medical center to hire otherwise qualified applicants, provided such persons show, evidence of training, experience and competence to be equally protective of patient health and safety.

APPENDIX F26. QUALIFICATION STANDARD

THERAPEUTIC RADIOLOGIC TECHNICIAN/TECHNOLOGIST GS-648-3/8

AUTHORITY: 38 U.S.C. 7402

The Qualification Standard for Therapeutic Radiologic Technologist, GS-648, in OPM's "Operating Manual - Qualification Standards for General Schedule Positions," Section IV-A-7, and IV B-106 to 107, has been approved for use in VA with the following additional requirements:

1. All applicants must be certified as a Therapeutic Radiologic Technologist by the American Registry of Radiologic Technologists (ARRT).

2. Each uncertified VA Therapeutic Radiologic Technician/Technologist who was permanently employed on June 2l, 1986, and whose competence in the safe administration of ionizing radiation was affirmed, in writing, by a VA licensed physician not later than January 1, 1987, is considered fully qualified. These employees may be promoted, demoted or reassigned within the GS-648 occupational series. Any employee initially retained in this manner who leaves this job series loses protected status and must meet the full requirements in effect at the time of reentry.

3. **Exceptions**

a. Applicants who have completed an approved training program may be given a temporary appointment not to exceed 1 year. Failure to acquire ARRT certification during that year is justification for termination of the temporary appointment. The temporary appointment may be extended for 1 additional year (total of 2 years of temporary employment) if circumstances indicate satisfaction of all requirements and permanent appointment is probable.

b. If there are no acceptable applicants who meet these requirements, the Chief Patient Care Services Officer may authorize a medical center to hire otherwise qualified applicants, provided such persons show evidence of training, experience and competence to be equally protective of patient health and safety.

APPENDIX F27. QUALIFICATION STANDARD

AUDIOLOGIST AND/OR SPEECH PATHOLOGIST TRAINEE (File as GS-665)

NOTE: *Appointment to these positions will be on a time-limited basis under authority of 38 U.S.C. 7405.*

AUDIOLOGIST AND/OR SPEECH PATHOLOGIST CLINICAL FELLOWSHIP TRAINEE

NOTE: *Clinical Fellowship Trainee appointments are made on a part-time basis for a period NTE 9 months under the authority of 38 U.S.C. 7405.*

AUTHORITY: 38 USC 7402

DESCRIPTION OF TRAINING: To gain professional knowledge and ability, the trainees will be assigned a variety of activities and duties. These functions are performed concurrently with the academic study at a college or university except that Clinical Fellowship Trainees are not required to be currently enrolled in an academic institution.

The objective of these training programs is to provide professional clinical experience in audiology and/or speech pathology under the direct supervision of qualified audiologists and speech pathologists.

The activities of trainees in audiology and/or speech pathology in VA are carried out in outpatient clinics, hospitals, and domiciliaries under the direction of the Chief, Audiology and Speech Pathology Service.

DEFINITIONS

1. An audiologist and/or speech pathologist trainee is any master's or doctoral graduate student currently enrolled in an academic institution with which VA has a training agreement who is selected for the VA training program.

2. An audiologist and/or speech pathologist clinical fellowship trainee is a post-master's individual selected to receive clinical experience in an active VA Audiology and Speech Pathology Service. These individuals will not be currently enrolled in an academic institution.

EDUCATION REQUIREMENTS: Applicants for these positions must meet the requirements outlined as follows:

Level I Trainees

1. Must have completed all the requirements for a bachelor of science (B.S.) degree from an accredited college or university.

2. Current enrollment in a master's program in Audiology and/or Speech Pathology at an accredited college or university.

Level II Trainees

1. Must have completed a master's degree program in Audiology and/or Speech Pathology from an accredited college or university.

2. Current enrollment in a doctoral graduate program in Audiology and/or Speech Pathology at an accredited college or university.

Clinical Fellowship Trainees. Completion of a master's degree in Audiology and/or Speech Pathology from an accredited college or university.

PERSONAL CHARACTERISTICS: Audiologist and/or Speech Pathologist Trainee and Clinical Fellowship Trainee positions require frequent contact with the public and with patients. Applicants should possess the ability to work effectively with all types of people, the ability to communicate clearly and effectively both in writing and orally, the ability to exercise good judgment, and the ability to work effectively under pressure.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F28. QUALIFICATION STANDARD

ASSOCIATE MEDICAL CENTER DIRECTOR (TRAINEE) GS-670-12/13

NOTE: *Normal entry level is GS-12/13; however, in those exceptional instances in which higher level positions (including Medical Center Director Trainee) may be established, the provisions of this standard will apply.*

AUTHORITY: 38 U.S.C. 7402

PART I

DUTIES: Associate Medical Center Director Trainees serve in a preceptorship under a health care facility director for the purposes of orientation and indoctrination in the specialized functions peculiar to health care administration.

In accordance with a planned, comprehensive training schedule, trainees rotate among assigned services, both medical and administrative, to observe and perform a variety of functions and activities so as to become thoroughly familiar with administrative and management problems encountered by Associate Medical Center Directors and Medical Center Directors in day-to-day operations. This includes participation in budget preparation and control, operational planning, and assignment to various committees. Trainees may also be involved in the completion of special studies, projects, and assignments, as assigned by the preceptor; as a, team member, in the Systematic External Review Program (SERP); and participation in appropriate management seminars.

Trainees may serve as Acting Associate Medical Center Director for designated periods with full responsibility and authority.

EXPERIENCE REQUIREMENTS

General: Candidates must have had 3 years of progressively responsible administrative experience which has provided a broad basic knowledge of methods, principles and practices of supervision, administration, and management.

Specialized Experience: Three years of progressively responsible administrative experience in a health care facility or in an office having supervisory, advisory, or directional authority over such facilities. This experience may be gained in administrative fields such as medical administration, human resources, fiscal, engineering, supply, building management, or management analysis; or in medical care and support fields such as nursing, social work, medical rehabilitation, dietetics, or psychology. The preceding list of functional areas is not intended to be all-inclusive, but rather is intended to illustrate some of the career fields in which an applicant could potentially gain the necessary specialized experience. Regardless of the functional area in which the experience is gained, it must have provided a general knowledge of the mission and organization of a health care facility and the procedures and attending administrative problems of such organizations.

SUBSTITUTION OF EDUCATION FOR EXPERIENCE: Undergraduate education successfully completed in an accredited college or university may be substituted for the required general experience at the rate of 1 academic year of education for 9 months of experience up to a maximum of 4 years of education for 3 years of general experience.

The completion of all the requirements for a master's degree in health care administration or public health, or a master's degree in business administration with major study in health care administration may be substituted for 1 year of the specialized experience. This master's degree, coupled with the successful completion of a 1-year residency in health care administration, may be substituted for 2 years of specialized experience.

INSERVICE PLACEMENT PROVISIONS: In inservice placement actions, the experience described below may be accepted as meeting the specialized experience requirements:

1. Three years of high level, progressively responsible administrative, management, or, professional experience in VA activities not directly involved in health care when such experience has provided a good knowledge of overall VA operations and the ability to plan, direct, and coordinate diverse activities. To be considered qualifying, there must be evidence that such experience, when considered in context of an applicant's composite qualifications, has provided potential to advance to positions with top-level executive responsibilities.

2. Illustrative of the type of assignments which would normally provide the necessary experience on an inservice basis are:

a. Division chief (or equivalent) or higher, level at VA field establishments.

b. Management or responsible staff positions in VA Central Office administration programs or in staff office functions at a level of responsibility comparable to that described in subparagraph a above.

NOTE: *These inservice provisions recognize the need to enhance career opportunities for VA career employees and, at the same time, provide reasonable assurance that those who qualify under these provisions have the potential to perform successfully in target assignments. It is also recognized that individual development plans for those who may be qualified and selected under these provisions will need to be adapted and adjusted to provide greater in-depth orientation and training in matters unique to health care delivery.*

PERSONAL CHARACTERISTICS: Associate Medical Center Director (Trainee) positions require frequent contact with the public and with patients. Applicants should possess the ability to work effectively with all types of people; the ability to communicate clearly and effectively both in writing and in speaking; the ability to delegate authority; and the ability to exercise good judgment, to work effectively under, pressure and to work effectively with a minimum of supervision or guidance.

QUALITY OF EXPERIENCE: For any grade the required amount of experience will not in itself be accepted as proof of qualification for, any of these positions. The candidate's record of experience and training must indicate ability to exercise sound judgment, the qualities of leadership, the ability to work harmoniously with other individuals and groups, and the ability to otherwise perform the duties of the

position. Candidates must show 1 year of qualifying experience at a level of difficulty comparable to that of the next lower grade in the Federal service.

BASIS OF RATING: No written test is required. Applicants will be rated on the extent and quality of their experience, education and training. Recency of experience, education and training will be considered.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

PART II

EXAMINING GUIDE

RATING: Some positions may require special knowledges or skills attained through additional specialized education, training and/or experience. In these instances selective certification or quality ranking procedures will be provided, when appropriate. Recency of education, training and experience will be considered in relative ranking, but will not be the sole basis of the rating.

APPENDIX F29. QUALIFICATION STANDARD

RESIDENT IN HOSPITAL ADMINISTRATION **(File as GS-670)**

AUTHORITY: 38 U. S.C. 7402

DESCRIPTION OF RESIDENCY: Hospital administration residencies are provided at selected VA medical centers in collaboration with affiliated universities offering approved graduate degree programs in hospital administration. Their purpose is to complement the academic preparation of the graduate student by providing practical instruction and guided working experience in a hospital environment which is required by the university to satisfy the graduate degree requirements. The specific content of the resident's training program is devised by the medical center preceptor, in consultation with the resident's academic counselor, and in conformity with guidelines recommended by the American College of Health Care Administrators. Typically included are: orientation to the functions of all departments of the medical center; working assignments in selected administrative and professional activities or functions; participation in management activities, such as budgeting, staffing control, studies and investigations, reports and evaluations, and community relations. Residencies are normally of 12 months duration. However, additional training may be considered for the purpose of continuing research or for special development.

REQUIREMENTS: Applicants must have completed the academic work in a program of study in hospital administration leading to a graduate degree at an accredited college or university, which is required by that college or university for entrance into the residency. The program of study in hospital administration must be approved by: (1) the Accrediting Commission on Education for Health Services Administration, which has been accorded formal recognition by the National Commission on Accrediting and the U.S. Department of Education; or (2) the Council on Education for Public Health, an accrediting body of The Association of Schools of Public Health which is sanctioned by the Council on Post Secondary Education and the U.S. Department of Education. The education required for entrance into residency must be completed not later than the beginning date of the residency for which applicants are applying, and successful completion of a residency must be an essential curriculum requirement in order for the student to receive the graduate degree. Offer of appointment may be made prior to the completion of the required education; but, before their entrance on duty, applicants must submit to VA proof of completion of the academic requirements.

BASIS OF RATING: No written test is required. Eligibility will be based on the information shown in an individual's application and other available information.

PHYSICAL REQUIREMENTS: The following requirements apply to employees occupying positions covered by this standard as well as to applicants for such positions. Applicants and employees must have the capacity to perform the essential functions of the position without risk to themselves or others. In most cases, a specific medical condition or impairment will not automatically disqualify an applicant or employee. A physical condition or impairment may be disqualifying only if the condition, for good medical reason, precludes assignment to or warrants restriction from, the duties of the specific position. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining a

candidate's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

In positions where there is exposure to environmental agents for which there are occupational/ environmental standards which require protective measures or medical surveillance, applicants and employees shall undergo initial and periodic medical evaluation in accordance with the surveillance requirements.

All positions involving Federal motor vehicle operation carry the additional medical requirements specified in 5 CFR, part 930, subpart A.

APPENDIX F30. QUALIFICATION STANDARD

MEDICAL RECORD TECHNICIAN **GS-675-4/7**

AUTHORITY: 38 U.S.C. 7402

DESCRIPTION OF WORK: Medical record technicians analyze medical records for completeness, consistency, and compliance with requirements; code medical record information; and retrieve and compile medical record data. The work requires application of a practical knowledge of medical terminology, anatomy, physiology, the internal organization and consistency of the medical record, medical record references and procedures, and the medical and legal significance of medical records.

EXPERIENCE, TRAINING, AND RELATED REQUIREMENTS

Experience Requirements: Candidates must have experience as described. (Education may be substituted for experience.)

Grade	General experience (years)	Specialized experience (years)	Total experience (years)
GS-4	1 ½	½	2
GS-5	2	1	3
GS-6	2	2	4
GS-7	2	3	5

General Experience: General experience is that which has provided (a) knowledge of clerical procedures that would be helpful in developing skill in medical record technician work or (b) background knowledge of the medical environment or hospital procedures. Such experience may have been gained in positions such as the following:

General clerk, file clerk, or typist;
Correspondence clerk;
Statistical clerk;
Nursing assistant or practical nurse;
Medical technician, x-ray technician, medical corpsman;
Dictating machine transcriber.

Specialized Experience: This is experience which has provided the knowledges and skills needed to perform medical record technician work. The specialized experience must have provided the candidate with a basic knowledge of medical terminology and medical record procedures and techniques. The specialized experience required for GS-4 may have been gained in positions such as the following located in a medical facility:

Medical record clerk;
Admission or discharge clerk;
Statistical clerk;
Coding clerk;
Medical administrative specialist (military experience);
Dictating machine transcriber (of medical information).

The specialized experience required for GS-5 and above must have included the analysis of medical records for completeness, consistency, and compliance with requirements.

Supervisory Positions: For supervisory positions, the Qualification Standard for Supervisory Positions in OPM's "Operating Manual for Qualification Standards for General Schedule Positions," section IV-A-29, must be used in conjunction with this standard.

Quality and Level of Experience

GS-4: For eligibility at grade GS-4, the 6 months of required specialized experience must have been comparable in difficulty and responsibility to the GS-3 level.

GS-5: For eligibility at grade GS-5, at least 1 year of the required experience must have been comparable in difficulty and responsibility to the GS-4 level. At least 6 months of this experience at the GS-4 level must have been specialized experience that included the analysis of medical records for completeness, consistency, and compliance with requirements.

GS-6 and 7: For eligibility at grades GS-6 and GS-7, at least 1 year of the required specialized experience must have been comparable in difficulty and responsibility to the next lower grade in the Federal service, or 2 years comparable to the second lower grade in the Federal service.

For any grade, the required amount of experience and education will not in itself be accepted as proof of qualification for a position. The candidate's record of experience and education must demonstrate that the candidate possesses the ability to perform the duties of the position.

SUBSTITUTION OF EDUCATION AND TRAINING FOR EXPERIENCE: Successfully completed education and training of acceptable type and quality may be substituted for the experience requirements, as specified in the following:

1. Successful completion of 2 years of study in an accredited junior college, college, or university may be substituted for 2 years of general experience.

2. Successful completion of a course for (a) medical technicians, (b) hospital corpsmen, (c) medical service specialists, or (d) hospital training, obtained in a training program given by the Armed Forces or the U.S. Maritime Service under close medical and professional supervision, may be substituted on a month-for-month basis for up to a total of 1 year of general experience.

3. Successful completion of a post-high school course of study in medical record technology, which included course work in anatomy, physiology, and medical record techniques and procedures, may be

substituted for specialized experience on a month-for-month basis for up to a total of 1 year of specialized experience.

4. Successful completion of post-high school courses for medical administrative personnel, obtained in a closely supervised training program given by the Armed Forces, may be substituted for specialized experience on a month-for-month basis for up to a total of 6 months experience. The training must have included courses in anatomy, physiology, and medical record techniques and procedures.

5. Successful completion of 2 academic years of post-high school study in resident school or institution of medical record technology, or a related health care field that included course work in anatomy, physiology, and medical record techniques and procedures, may be substituted in full for the 2 years of experience required at the GS-4 level (1 ½ years general and ½ year specialized).

Appropriate education and training other than that outlined above, such as in "new careers" training programs, manpower development programs, and in service training programs will be granted credit depending upon its applicability and extent.

Post-high school education or training that is acceptable under these standards may be substituted for part of the required experience on a pro rata basis.

BASIS OF RATING: No written test is required. Competitors for all positions will be rated on the quality and extent of experience, education, or training in relationship to the duties of the positions.

The information for evaluating experience, education, and training will be taken from the application package and any additional information that may be obtained through reference inquiries to supervisors, teachers, and others.

INSERVICE PLACEMENT

Waiving Directly Applicable Specialized Experience Requirement at GS-4: For inservice placement actions only, the requirement for directly applicable specialized experience at grade GS-4 may be waived for lateral reassignment or promotion of candidates provided:

1. The candidate has had experience which has provided a general familiarity with the work of the position for which being considered, and

2. The candidate's experience and performance clearly indicate the possession of necessary skills and abilities, and evidence potential for successful performance of the work.

GUIDE FOR EVALUATION OF CANDIDATES IN RELATION TO JOB REQUIREMENTS

Evaluation of Education: The American Medical Association (AMA), in collaboration with the American Health Information Management Association (AHIMA), accredits educational programs in medical record technology. Appropriate credit should be given to candidates who attended institutions offering such educational programs.

AHIMA offers a correspondence course in medical record technology. OPM's "Operating Manual - Qualification Standards for General Schedule Positions," section II, page II-11, Other Education includes provisions for crediting correspondence school education. AHIMA also issues certificates to those who complete (a) the correspondence course, or a course of study at an accredited institution of medical record technology, and (b) pass a written examination. Completion of the requirements for certification should be considered in evaluating the knowledges and abilities of candidates.

Evaluation of Knowledges, Skills, and Abilities: For technician positions, the evaluation of qualifications logically includes appraisal of personal attributes and characteristics as demonstrated in performance on the job. This includes the degree and scope of the candidate's technical knowledge, skills, and abilities that can be brought to bear upon duties in the position to be filled. Following are some of the more desirable abilities and personal characteristics for candidates for medical record technician positions:

a. Knowledge of specific medical record techniques and procedures involved in the given work situation;

b. Attention to details;

c. Ability to work independently;

d. Reasoning ability;

e. Organizing ability in performing coding, analysis, and other routine functions in an orderly and systematic fashion;

f. Accuracy of work in performing analysis, coding, and other routine functions;

g. Ability to get along with and gain the cooperation of medical and administrative personnel in the health care facility.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F31. QUALIFICATION STANDARD

DENTAL ASSISTANT **GS-681**

AUTHORITY: 38 U.S.C. 7402

The minimum qualification requirements for GS-681 Dental Assistant, found in the Group Coverage Qualification Standard Technical and Medical Support Positions in OPM's "Operating Manual - Qualification Standards for General Schedule Positions," have been approved for use in VA with the following alternative provisions for certification of radiologic competence:

1. Successful completion of the Dental Radiation Health and Safety Examination administered by the Dental Assisting National Board, Inc.; or

2. Successful completion of the education and training, including coursework in radiation health and safety, described by OPM as fully qualifying for GS-3, GS-4, **or** GS-5 (copies of certificates of successful completion, plus transcripts or course descriptions of the required subjects must be filed in the employee's personnel folder); or

3. Successful completion of the Principles and Practice of Dental Radiology and Radiographic Safety courses and examinations developed by the VA Assistant Under Secretary for Dentistry. The Chief, Dental Service, will certify competency (see sample B that follows this qualification standard) based on documentation of successful completion of this training, a copy of which will be filed in the personnel folder.

4. **Exceptions for Applicants:** Uncertified applicants who otherwise meet the minimum qualification requirements may be given a temporary appointment not to exceed 1 year; **or** they may be appointed subject to satisfying radiologic certification requirements during the 1-year probationary period. Radiographic duties will not be assigned until radiographic competence is demonstrated as described paragraphs 1, 2, and 3. Those who fail to meet these requirements during that year must be removed from GS-681 positions which involve the administration of radiation. This may result in termination of employment. A statement citing this condition of employment (see sample A that follows this qualification standard) must be signed by each Dental Assistant appointed or assigned under these provisions and filed in the employee's personnel folder. Requests to extend the appointment of uncertified Dental Assistants beyond 1 year of temporary employment or beyond the probationary period are inappropriate.

5. **Exceptions for Employees**

a. Each uncertified Dental Assistant who was permanently employed on June 21, 1986, and whose competence in the safe performance of radiographic duties was affirmed, in writing, by a licensed VA dentist not later than January 1, 1987, and documented in the employee's personnel folder is considered fully qualified.

b. An uncertified Dental Assistant permanently employed under paragraph 2 of the GS-681 series in OPM's then one-grade technical, medical, and program support requirements between October 23, 1989, and receipt of this December 3, 1991 standard, whose radiographic competence was certified in accordance with the OPM procedures, is also considered fully qualified. These employees may be promoted, demoted, or reassigned within the GS-681 series.

c. An employee initially retained under these provisions who leaves this occupation in VA or transfers to another agency loses protected status and must meet the full requirements in effect at the time of reentry. A statement to this effect (see sample C that follows this qualification standard) is to be signed and dated by the incumbent, the Chief, Dental Service, and the Chief, Human Resources Management Office, and retained on the right side of the employee's personnel folder.

SAMPLE A.
CONDITION OF EMPLOYMENT

I, _____ , understand that I must produce evidence of my competency in the safe administration of the GS-681 Dental Assistant radiographic procedures as described in the VHA qualification standard, to officials of the Department of Veterans Affairs Medical Center, _____ , _____ , not later than ___(date)_____. I have been given a copy of the certification criteria and I understand that failure to acquire such certification and make available documentation of its receipt may result in the termination of my employment.

_____ _____
(Name) (Date)

Witnesses:

_____ _____
(Name) (Date)

_____ _____
(Name) (Date)

SAMPLE B.
CERTIFICATION

I certify that I have thoroughly reviewed documentation of successful completion of VA's Principles and Practices of Dental Radiology and Radiographic Safety courses and examinations by _____ , Dental Assistant, GS-681-__ , VA Medical Center, _____ , _____. I, therefore, attest to _____'s competency in the safe administration of radiographic procedures as a Dental Assistant.

_____ _____ __ , _____
(Chief, Dental Service) (Date)

SAMPLE C.
QUALIFICATIONS CERTIFICATION

An appendix to VHA Qualifications Standards, dated December 3, 1991, revised credentialing requirements for VA Dental Assistants whose positions involve radiographic duties. This is to certify that _____(name)_____ was permanently employed as a Dental Assistant, GS-681-__ on ___(date)__ , 1991, when the December 3, 1991 standard was received in the _____(facility name)____ VA Medical Center, Human Resources Management Office. ____(name)__ was previously determined to have fully met credentialing requirements by:

_____ written affirmation (attached) of applicant's competency in the performance of radiographic duties by a licensed VA dentist not later than January 1, 1987, **or**;

_____ certification of radiographic competency (attached) between October 23, 1989**,** and the date of receipt of this standard in accordance with Office of Personnel Management (OPM) procedures in paragraph 2 of the GS-681 Dental Assistant series requirements of the Group Coverage Qualification Standard for Technical and Medical Support Positions in OPM's "Operating Manual for Qualification Standards for General Schedule Positions."

Under paragraph 5b of the VA Dental Assistant qualification standard, _____(name)_____ may therefore be promoted, demoted, or reassigned within the GS-681 series in VA. The employee's signature below attests to ___(name)____'s understanding that if ___(name)____ leaves this job series in VA, ceases VA employment, or transfers to another agency, ___(name)____ loses protected status and must meet full requirements in effect at the time of reentry.

_____ _____
(Employee) (Date)

_____ _____ _____ _____
(Chief, Dental Service) (Date) (Chief, Human Resources Management) (Date)

APPENDIX F32. QUALIFICATION STANDARD

VETERINARY MEDICAL OFFICER (Laboratory Animal Medicine) GS-701-12/15

AUTHORITY: 38 U.S.C. 7402

DUTIES: Veterinary Medical Officers (Laboratory Animal Medicine) in VA perform such functions as:

1. Direct the operation of the animal facility to ensure compliance with current animal welfare laws, regulations and policies and to support Research and Development (R&D) programs using animal subjects.

2. Provide professional guidance, services and technical support to the health care facility's investigators in planning, executing and directing R&D activities using animal subjects. This includes guidance and consultation on comparative biology and medicine, zoonotic disease, technology, husbandry, medical and surgical care and the selection, procurement, preparation and use of laboratory animals.

3. Conceive and conduct independent and collaborative research including studies designed to gain new knowledge of laboratory animals and improve the quality and humanness of research through the selection of proper and new biological models, research environments and techniques.

4. Establish and maintain programs of adequate veterinary medical care that include the use of appropriate methods to prevent, control, diagnose and treat diseases and injury and the provision of adequate pre-procedural and post-procedural care.

5. Provide education of scientists and technicians on the humane practices of animal maintenance and experimentation.

6. Serve as the laboratory animal medicine specialist member of the Subcommittee on Animal Studies.

7. Contribute to the promotion of favorable community relations and increased public appreciation of the importance of animal studies in improving patient care.

8. Participate in VA Central Office directed efforts that contribute to improved animal research support of R&D programs throughout the VA health care system.

BASIC REQUIREMENT FOR ALL GRADES: All applicants must possess a Doctor of Veterinary Medicine (DVM) degree or Veterinary Medical Doctor (VMD) degree from a school or college accredited by the Council on Education of the American Veterinary Medical Association.

GUIDANCE FOR EVALUATING EXPERIENCE: In addition to meeting the basic requirement, applicants must show qualifying experience, education, or approved residency training of the type described as follows:

Type A: Full-time postdoctoral experience as a veterinary medical specialist in laboratory animal medicine, **or**

Residency training in laboratory animal medicine in a hospital or other institution affiliated with an accredited academic institution.

Type B: Special research or experience in the use of the common species of laboratory animals in the fields of biological and medical sciences, that has application in the specialty of laboratory animal medicine, such as: microbiology, pathology, pharmacology, physiology, preventative medicine, psychology, public health, radiology, or surgery, **or,**

The successful completion of graduate study beyond the DVM or VMD degree, in an accredited college or university in a field of biological or medical sciences provided the study has application in the specialty of laboratory animal medicine (e.g., microbiology, parasitology, pathology, immunology, or similar fields), may be substituted for experience as follows:

1. Successful completion of all the requirements for a master's degree may be substituted for 1 year of type B experience.

2. Successful completion of all the requirements for the Ph.D. degree, including dissertation, may be substituted for 2 years of type B experience.

EXPERIENCE AND TRAINING REQUIREMENTS: The length of experience required for each grade is described as follows:

GS-12

a. Two years of residency training, **or**

b. One year of residency plus having demonstrated superior achievement and ability during the residency training, **or**

c. One year of residency plus 1 year of either type A or type B experience, **or**

d. Two years of type A experience, **or**

e. Two years of any combination of residency, education and experience, provided 1 year was of type A.

GS-13

a. Two years of residency plus having demonstrated superior achievement and ability during the residency training, **or**

b. Three years of type A experience, **or**

c. Three years of any combination of residency, education and experience provided not more than 2 years were type B.

GS-14

a. Two years of residency plus having demonstrated superior achievement and ability during the residency training and 1 year of experience, **or**

b. Two years of residency plus 2 years' experience, **or**

c. Four years of type A experience, **or**

d. Four years of any combination of residency, education and experience, provided not more than 2 years were type B.

GS-15

a. Two years of residency plus demonstrated superior achievement and ability during the residency training and 2 years of experience, **or**

b. Two years of residency plus 4 years' experience, **or**

c. Six years of type A experience, **or**

d. Six years of any combination of residency, education and experience, provided not more than 2 years were type B.

QUALITY OF EXPERIENCE: The number of years experience required for any grade level represents the minimum amount of time necessary to qualify for the position, but length of time alone is not of itself qualifying. The work experience must also have been of a professional quality and scope sufficient to perform functions at the grade level for which being considered. In general, type A experience is considered to be of a higher quality level than type B experience. These positions involve clinical animal medicine, research, consultation, education, program planning and administration; candidates must have demonstrated the ability to perform all such responsibilities in laboratory animal medicine, science and technology at the full professional level. For grades GS-13 and above, evidence of such ability is required. At grades GS-14 and GS-15 the highest quality of experience is reflected in part by certification in laboratory animal medicine by the American College of Laboratory Animal Medicine.

Applicants qualifying on the basis of experience must show at least 1 year of experience at a level of difficulty comparable to that of the next lower grade in the Federal service.

If an applicant has been certified by the American College of Laboratory Animal Medicine (a specialty board of the American Veterinary Medical Association), that applicant's training and experience should be evaluated at a higher level than would otherwise be appropriate. The requirements for certification may be obtained through the American Veterinary Medical Association, 1931 N. Meacham Road, Suite 100, Schaumburg, IL 60173-4360.

WAIVERS: If, after positive recruitment activities, there are no acceptable applicants who meet these requirements, the Chief, Research and Development Officer (12) may authorize a medical center director to recruit otherwise qualified candidates who show evidence of training, experience, and competence to be equally protective of patient health and safety. Requests to initiate broad-based recruitment using a modified standard that meets the requirements of paragraph 9, section B, chapter 2, this part, should be submitted, through channels, to the Deputy Assistant Secretary for Human Resources Management, Human Resources Management Programs and Policies Service (051).

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

ADDITIONAL REQUIREMENT: In addition to meeting the education and/or experience requirements, applicants must possess personal qualities necessary to perform the duties of the position to be filled. These qualities may be evaluated by means of an interview.

APPENDIX F33. QUALIFICATION STANDARD

MEDICAL PHOTOGRAPHER **GS-1060-4/12**

AUTHORITY: 38 U.S.C. 7402

PART I

DUTIES: Photographers in a Medical Center make still and motion pictures of subjects of medical interest in which size, form, texture, color, and motion must be rendered with great accuracy through the use of a variety of photographic techniques and media. Medical photographers must use technical knowledge of the techniques and processes of photography, and must also exercise artistic ability in the course of their work. Many photographers carry out the laboratory work connected with developing and printing photographs. Medical photographers must have a knowledge and understanding of the problems involved in photographing severely ill or handicapped patients, physically and mentally.

Those in the higher grades perform medical photography relating to the development of comprehensive, concise and realistic sources of photographic reference used in medical research. Duties include constant improvisation and implementation of new photographic techniques and methods where no precedent exists in medical photographic literature or reference. They do photomicrography of pathology in organs and tissues, complicated laboratory setups, tests, and techniques. Those in the higher grades may also require technical supervision of the activities indicated above and supervision of subordinate photographers and technicians.

EXPERIENCE REQUIREMENTS: Applicants for these positions must show general and specialized experience of the types below and in the amounts indicated in the table following:

Grade	General Experience (Years)	Specialized Experience (Years)	Total Experience (Years)
GS-4	2	None	2
GS-5	3	0	3
GS-6	3	½	3 ½
GS-7	3	1	4
GS-8	3	1 ½	4 ½
GS-9	3	2	5
GS-10	3	2 ½	5 ½
GS-11	3	3	6
GS-12	3	3	6

GENERAL EXPERIENCE: This is experience which has provided the applicant with knowledge in operating cameras and related equipment, performing developing and printing processes and techniques or a combination of both as required by the position. Experience gained in operating microfilming equipment or other kinds of photoduplicating equipment may be qualifying (up to 1 year of such experience) provided it demonstrates that the applicant has an understanding of the photographic

processes involved. Photographic experience gained in prevailing wage kinds of positions is considered qualifying provided it demonstrates the applicants' understanding of the photographic processes.

SPECIALIZED EXPERIENCE: This is experience in medical photography that may have been gained by responsible activities in a still or motion-picture photographic laboratory, or by planning and completion of very difficult still or motion-picture photographic work of high quality. For grades GS-7 and above, this specialized experience must have included photomicrography or motion picture photography.

QUALITY OF EXPERIENCE: Possession of the length of experience required for a grade will not of itself be accepted as proof of possession of qualifications for that grade. The applicant's record of experience and training must show that he has the ability to perform the work of the position. At all grade levels at least 6 months of the qualifying experience must be of a level comparable to the next lower grade of the Federal service, or 1 year of experience must have been at a level comparable to that of the second lower grade. For positions that involve supervisory duties, the applicant must have had appropriate supervisory experience or have demonstrated the aptitudes required to perform satisfactorily the duties of the position being filled.

SUBSTITUTION OF EDUCATION FOR EXPERIENCE: A successfully completed residence course in basic photography (either in high school or in the Armed Forces) consisting of at least 200 hours of instruction or supervised laboratory work may be substituted for 3 months of the required general experience in any grade.

Advanced photographic training in residence at a technical institute or trade school above high school level may be substituted year for year up to a maximum of 2 years for the required general experience in any grade.

BASIS OF RATING: No written test is required. Applicants will be rated on a scale of 100 on the extent and quality of their experience and training relevant to the duties of the position. The rating of experience will be based upon the applicants' statements in their application, upon the quality of samples submitted, if required, and upon any additional evidence secured by Federal civil service examiners.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

PART II

EVALUATING EXPERIENCE AND TRAINING: In rating applications, experience and training must be evaluated in terms of being progressively responsible from the lower to the higher grades.

Training courses for photography are very limited in number and scope. Some courses are given in vocational schools, technical institutes and in the Armed Forces. These courses may be substituted for the general experience only. Specialized experience or training will be gained in most of all cases on the job. For credit toward the specialized requirements the training or experience must have been gained in responsible medical photography activities.

For grades GS-7 and above, the specialized experience must have included photomicrography or motion-picture photography.

ARTISTIC ABILITY: Most medical photographer positions, and especially grades GS-7 and above, require a degree of artistic ability in the taking and developing of pictures. This artistic ability can best be judged through evaluating samples of the applicant's work. If samples are required to properly evaluate the applicant's work, the evaluation of the samples should be done by a panel of technically qualified individuals, on the basis of a uniform set of standards. If samples are not used to evaluate artistic ability, then vouchers should be used to obtain information about the applicant's artistic ability from supervisors, clients, and teachers.

HOBBY EXPERIENCE: Hobby experience in photography is extremely common. At the same time it may be difficult to equate hobby experience for credit toward the required general experience required in the Qualification Standard. A hobbyist can submit samples showing kinds of photographic work done or may submit photographic awards of prizes as evidence of the applicant's achievement. When such samples or awards are evaluated by professional standards and clearly represent a level of achievement usually attained as a result of full-time photographic experience, appropriate credit may be granted for general experience. Hobby experience also may be used to evaluate the quality of the applicant's work even though it may not be feasible to consider it in meeting the time requirements.

SUGGESTED RATING FACTORS

1. Knowledge of equipment and processes.

2. Use of specialized camera and/or processing equipment.

3. Use of medical photographic equipment and processes.

4. Subject matter knowledge of medical photography including ability to deal with hospitalized patients.

5. Artistic ability.

6. Ability to operate independently.

APPENDIX F34. QUALIFICATION STANDARD

LIBRARIAN **GS-1410-7/15**

AUTHORITY: 38 U.S.C. 7402

PART I

DUTIES: Librarians in VA work in patients' libraries or medical reference libraries, or both. All libraries are under the direction of a Chief Librarian who, in small hospitals, may be the only qualified librarian on the staff.

The patients' librarian is similar to a librarian in a public library--with the addition of several unique functions. Book cart visits are made to the wards to give direct service to non-ambulant patients. Special attention is given to disabled individuals through mechanical aids such as projected and talking book machines, reading tables, prismatic glasses, and page turners. Group work is done with neuropsychiatric patients on a fairly large scale. The librarian participates in the total therapy program through reader's advisory service and bibliotherapy.

In the medical library, the librarian gives reference and bibliographical assistance to the clinical staff, to those engaged in research and training activities, and to the nursing, dietetic, social work service and other related hospital services' personnel. In some hospitals, books and periodicals in the field of management development are housed in the medical library. This collection is used to assist the entire hospital staff in improved performance.

EDUCATION AND EXPERIENCE REQUIREMENTS

Education: Applicants for grades GS-7 and above must have completed one of the following: (1) all the requirements for a master's degree (or 5th year bachelor's degree) in library science from an accredited college or university, or (2) possess a bachelor's degree from an accredited college or university which includes or has been supplemented by at least 24 semester hours in library science plus 1 year of library work experience which included the performance of duties in one or more functional areas of librarianship equivalent in scope and difficulty to grade GS-5, or higher, in the Federal service. (Also see following paragraph SUBSTITUTION OF EDUCATION FOR EXPERIENCE provisions.)

Experience: In addition to the above requirements, applicants for GS-7 and above must present progressively responsible experience as a professional librarian in a program of sufficient size to require a variety of functions such as acquisitions, cataloging, references, and reader's advisory service in the following amounts:

Grade	Additional Experience Required
GS-7	None
GS-8	One-half year
GS-9	One year
GS-10	One and one-half years
GS-11	Two years
GS-12/15	No additional length of experience is required beyond that for grade GS-11. However, the experience must have encompassed administrative duties such as planning and developing a library program, determining the scope and extent of collections and fitting collections to special needs of clientele to be served.

Quality of Experience: For any grade, the required amount of experience will not in itself be accepted as proof of qualification for a position. The quality of experience, rather than the length of time employed, will be given primary consideration. The applicant's total education and experience must give positive evidence of ability to perform adequately the duties of the particular position for which the applicant is rated eligible.

For grades GS-11 and above, the experience must have attained a level such as that involved in directing the work of professional and other library employees. Further, at least 6 months of this experience must have been in (1) providing reference library services to some broad field of medicine, research, or one or more of the biological sciences, or (2) in applying the principles of reader's advisory service, or (3) in bibliotherapy to groups of patients.

For grades GS-11 and below, at least 6 months of the required experience must have been at a level of difficulty comparable to that of the next lower grade, or 1 year must have been at a level of difficulty comparable at least to that of the second lower grade in the Federal service. For grades GS-12 and above, at least 1 year of the required experience must have been at a level of difficulty comparable to that of the next lower grade in the Federal service.

SUBSTITUTION OF EDUCATION FOR EXPERIENCE: Graduate study in library science may be substituted for experience at the rate of 1 academic year of education for 1 year of experience for a maximum of 2 years. Completion of all requirements for a master's degree in library science is fully qualifying for grade GS-9.

SPECIAL NONCOMPETITIVE PROVISION: The educational requirement is not applicable in noncompetitive actions for those who have been or are employed in VA as professional librarians (GS-1410 series only).

BASIS OF RATING: No written test is required. Applicants will be rated on a scale of 100 on the extent and quality of their experience and training relevant to the duties of the position. Recency of such experience will be considered. Such ratings will be based on applicants' statements in their applications.

PERSONAL CHARACTERISTICS: Applicants should possess the ability to work effectively as part of a team, to deal with patients in a tactful manner, and to exercise good judgment.

SUPERVISORY POSITIONS: The Qualification Standard for Supervisory Positions in OPM's "Operating Manual - Qualification Standards for General Schedule Positions," section IV-A-29, is also applicable.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

PART II

EXAMINING GUIDE (INTERNAL USE ONLY)

The following tentative schedule for the GS-7/9 level is suggested; appropriate adjustments for the higher grade levels should be made.

Master's degree from a school of Library Science in an accredited college or university ..... A

Graduate study not resulting in a degree C

For those who meet the education with experience requirement, option (2) in the qualification standard:

1. Experience as a medical reference librarian in a hospital or other medical research setting .... A

2. Experience as a biological services reference librarian in a hospital or medical research setting ..... A

3. Experience as a general librarian concerned primarily with patients in a medical or a rehabilitation setting ..... A

4. Experience as a librarian in a university or college library other than mentioned in preceding number 1 and number 2 C

5. Experience as a general librarian in a public or private library primarily servicing an adult clientele..... C

6. Experience as a librarian in a junior college or high school educational institution or system..... E

Recency: The recency of such experience should be considered in the evaluation of pertinent experience; in no case, however, will such consideration serve to reduce the level below "E."

ADDITIONAL POINTS: The following factors should be considered collectively for the assignment of not to exceed six additional points.

1. Professional proficiency in:

   acquisitions

   cataloging

   reference, particularly medical

   readers advisory service

2. Ability or potential, as appropriate to the grade level, to assume administrative responsibility for budget, fiscal control, personnel, space, supply, building management, and similar activities.

3. Ability or potential to work harmoniously with superiors, a professional medical staff, and other staff members of an institution or similar organization.

4. Ability or potential to effectively supervise subordinate professional, technical, and clerical personnel.

5. Ability or potential to relate effectively and harmoniously with patients and members in an institutional setting.

6. Ability or potential to adapt and efficiently implement new or modified procedures.

7. Ability or potential to creatively solve problems arising from unprecedented situations or conditions.

Additional points may also be added for the following:

Completion of graduate level courses in medical or hospital reference librarianship.....1-2 points

Publication of significant papers or articles in the field of hospital librarianship or other closely related field .....1-2 points

Excess experience one point per year to a maximum of 2 years.....1-2 points

Experience restricted to highly specialized technical subjects (other than medical or biological sciences) not involving experience in the major categories indicated in the preceding .....1 point

Experience in a children's library not involving general library work .....1 point

PERSONAL CHARACTERISTICS: In rating applicants an important consideration should be whether they have demonstrated the ability to get along well with others, and to establish an effective working relationship with others. Since this work involves a close relationship with patients, employees, and the professional staff, ability to deal with people in a tactful and sympathetic manner, and to exercise good judgment, is essential. The applicants should also demonstrate an ability to communicate with patients. It is suggested that any evidence secured by means of confidential inquiries that a candidate is lacking in such qualities or abilities should tend to reduce the applicant's rating severely, if not to remove the applicant from consideration. If such evidence is not secured until the time of a pre-employment interview, it may serve as the basis for submitting an objection to an eligible.

APPENDIX F35. QUALIFICATION STANDARD

HOSPITAL LIBRARIAN TRAINEE **(File as GS-1410)**

AUTHORITY: 38 U.S.C. 7402

DESCRIPTION OF TRAINING: Trainees will be assigned a variety of duties and activities designed to provide professional knowledges, and abilities in hospital librarianship. This practical experience will be performed concurrently with graduate academic study following a schedule acceptable to the student, university and the facility.

EDUCATION REQUIREMENTS: Applicants must have a bachelor's degree from an accredited college or university and must be enrolled or have been accepted for enrollment in a curriculum leading to the degree of master of science or arts in library science.

PERSONAL CHARACTERISTICS: Applicants should possess the ability to work effectively as part of a team, ability to deal with patients and personnel in a tactful manner, and ability to exercise good judgment.

PHYSICAL REQUIREMENTS: Applicants must be physically and mentally able to efficiently perform the essential functions of the position without hazard to themselves or others. Depending on the essential duties of a specific position, usable vision, color vision, hearing, or speech may be required. However, in most cases, a specific physical condition or impairment will not automatically disqualify an applicant for appointment. The loss or impairment of a specific function may be compensated for by the satisfactory use of a prosthesis or mechanical aid. Reasonable accommodation may also be considered in determining an applicant's ability to perform the duties of a position. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters, or adjusted work schedules.

APPENDIX F36. QUALIFICATION STANDARD

GENERAL ATTORNEY **GS-905-9/15**

AUTHORITY: USCSC Rule VI

PART I

BAR MEMBERSHIP REQUIREMENTS: Be a member in good standing of the bar of a State or Territory of the United States, or the District of Columbia. Where the duties of the position call for appearance in court, the applicant must be a member in good standing of the bar, or be eligible for admission to the bar, of the State or Territory of the United States or the District of Columbia which they will serve.

CITIZENSHIP: Be citizens of, or owe allegiance to, the United States.

EDUCATION: Possess a Bachelor of Laws or Juris Doctor degree from a law school or be awarded such before appointment. **NOTE:** *The education requirements are not applicable to those employees serving in Attorney positions in the VA as of September 1, 1968.*

EXPERIENCE: In one or any combination of the following types in the amounts indicated for each grade following:

a. Practice of law.

b. Other legal experience of a responsible nature in any or a combination of the following: As a law clerk; in legal research; in analysis of statutes; or in examination, investigation, or adjustment of claims arising under law, contract, or governmental order.

c. In the military, naval, or other Federal service in the disposition of legal problems, as a reviewing officer, as a member of courts or boards, or investigation activities.

GS-9: None required; however, acquired experience will be considered.

GS-11:

a. One year of experience as described above, or

b. Graduation in the upper one-third of his/her law class <u>or</u> one of the six alternate options of the Superior Law Student Program:

(1) Work or achievement of significance on his/her school's Official Law Review;

(2) Special high-level honors for academic excellence in law school, such as election to the Order of the Coif;

(3) Winning a moot court competition or membership on the moot court team which represents the law school in competition with other law schools;

(4) Full-time or continuous participation in a legal aid program as opposed to one-shot, intermittent or casual participation;

(5) Significant summer law-office clerk experience; or

(6) Other equivalent evidence of superior achievement. Candidates applying under this option will be required to furnish certification from the registrar of ranking and other attainments in law school; or

c. Possession of the LL.M. or JD degree.

GS-12:

a. Two years of progressively responsible experience as described above, or

b. Graduation in the upper 15% of his/her law class and possess the LL.M. or JD degree in a field of law directly pertinent to the work of the position to be filled.

GS-13: Three years of progressively responsible experience as described above.

GS-14: Four years of progressively responsible experience as described above.

GS-15: No additional experience is required, but candidate must have demonstrated the professional and administrative abilities required to perform at the appropriate levels.

For grades GS-12/15 only, a maximum of one year of the above required experience may be acquired prior to admission to the bar.

For any grade, the required amount of experience will not in itself be accepted as proof of qualification. The applicant's experience and training must show that he/she has the ability to perform the duties of the position.

Applicants must submit with their application, in addition to the information required, a list of important suits, prosecutions, cases, or other legal or legislative matter, if any, in which they have participated, describing the nature of each and stating their connection therewith.

ORAL INTERVIEW (GS-9, GS-11 and GS-12 entrants into the legal profession): Applicants must successfully pass an oral interview before appointment is made. The factors to be considered in this interview will be ability to express one's self, aptitude and interest in Federal legal work as a career, and the ability to answer technical questions of law.

PHYSICAL REQUIREMENTS: Must be physically able to perform efficiently the duties of the positions. Good vision in one eye and ability to read without strain printed material the size of

typewritten characters are required, glasses permitted. Ability to hear the conversational voice, with or without a hearing aid is required for most positions; however, some positions may be suitable for the deaf. In most instances, an amputation of leg or foot will not disqualify an applicant for appointment, although it may be necessary that his/her condition be compensated by use of satisfactory prosthesis. Applicants must possess emotional and mental stability. Any physical condition which would cause the applicant to be a hazard to himself or herself or to others will disqualify him/her for appointment.

Specific requirements which would not infract the last stated general requirement may be waived by the appropriate appointing authority. Recommendation of a physician may be obtained.

SELECTIVE CERTIFICATION: Where the volume of work in one particular subject-matter field (such as administrative law, legislation, guardianship, loans, torts, or any of the several veterans benefits, litigations, etc.) is such as to require that the appointee be specifically qualified in that field, selective certification may be used. Such cases will be substantiated by written justification.

PART II

EXAMINING GUIDE

The following Tentative Rating Schedule is to be used.

Selection of attorneys for appointment or promotion will be made on the basis of merit and fitness for the particular position. Each grade from GS-9 to GS-15 will be considered separately and rated on the basis of a full analysis of training and experience, quality of performance, and personal potential for successful employment.

DEFINITION OF TERMS:

a. Practice of law is defined as private, state, or Federal practice in any field of law.

b. Other legal experience of a responsible nature is defined as experience in a law office, government office, or in the legal department of a business establishment, in the armed forces, or other Federal Service, doing legal research, making analysis of statutes, writing opinions; or the writing of authoritative or advisory legal opinions involving interpretation of state or Federal laws, regulations and orders, or the drafting of such regulations or orders; or the drafting, analysis, and other legal activities with respect to bills, regulations, Executive Orders, proclamation, or statutory regulations.

RATING PROCEDURE FOR GS-9 AND GS-11

ASSIGNMENT TO CATEGORIES:

GS-9: The applications of persons meeting the basic requirements will be separated into three categories on the following basis:

Outstanding: Those with Bachelor's degree from an accredited college or university in addition to the required legal degree.

Average: Those showing successful completion of at least 3/4 of the study necessary for graduation with a Bachelor's degree from an accredited college or university in addition to the required legal degree.

Fair: All other qualified applicants.

The Outstanding group will be given an initial rating of 80; the Average group an initial rating of 75; and the Fair group an initial rating of 70. After the initial rating is assigned, if in the discretion of the panel, it is felt that additional information concerning the applicant is desirable, confidential inquiries will be sent out concerning the applicant's character, education and experience.

GS-11: The applications of persons meeting the basic requirements will be separated into three categories on the following basis:

Outstanding: Graduation in the upper 15% of his/her law school class and one of the six alternate options of the Superior Law Student program.

Average: Graduation in the upper one third of his/her law school class and one of the six alternate options of the Superior Law Student program.

Fair: All others graduating in the upper one third of their respective law school classes or one of the six alternate options of the Superior Law Student program.

ASSIGNMENT OF ADDITIONAL POINTS FOR GS-9, 11, and 12: Additional points not to exceed twenty may be added to the initial rating as follows:

Oral Interview: An oral interview shall be conducted by a selected panel for the evaluation of applicants. The panel, after considering such factors as ability to express one's self, aptitude and interest in Federal legal work as a career, and the ability to answer technical questions of law, may add a numerical rating not to exceed ten points to the initial rating of each applicant interviewed. Those applicants who do not successfully pass the oral interview will be eliminated from further consideration.

Experience: The experience presented by the applicant shall be considered by the panel for the evaluation of applicants. The panel may assign a numerical rating not to exceed ten points to the preliminary rating after considering such factors as listed below:

1. The nature, scope, and variety of the experience.

2. The relationship of the experience or education to the duties of the position in question.

3. The progression of responsibility as reflected in the experience.

RATING PROCEDURE FOR GS-11 AND ABOVE

ASSIGNMENT TO CATEGORIES: The applications of persons meeting the basic requirements will be separated into three categories on the following basis:

Outstanding: To be outstanding the experience must demonstrate a high level of competence, variety, and scope of legal experience important to the functions of an attorney; an adequate knowledge of current practices and developments in the legal field. Examples of this type of experience might be found in full-time active practice of law (in or out of government); in an agency administering regulatory statutes requiring legal training and experience; that of Field Attorney in VA, or in a position requiring extensive legal research, preparation and analysis of proposed legislation, thorough professional knowledge or extensive experience in a highly specialized field of law pertinent to work in VA.

Average: Similar experience to that listed above, but of a lesser level of competence, variety and scope. In addition to examples above, there might be included such work as law clerk to a judge; legal advisory service in the armed forces, if varied and significant; legal service in Judge Advocate's Office; legal editorship; investigative work, etc.

Fair: Qualifying experience which because of quantity, scope or variety of legal work, etc., is either of lesser quality than the two types named above or has been concentrated on a type of class or actions in law not pertinent to the work of Attorneys in VA.

In determining the category into which the applicant will be placed, the following general criteria should be applied:

1. Progression of experience and training with particular consideration of the highest level of competence demonstrated.

2. Variety or scope of experience and training pertinent to the functions of an Attorney.

3. Evidence that applicant's experience and training has provided adequate knowledge of current practices and developments in the legal field.

The Outstanding group will be given an initial rating of 90; the Average group an initial rating of 80; and the Fair Group an initial rating of 70. After the initial rating is assigned if in the discretion of the panel it is felt that additional information concerning the applicant is desirable, confidential inquiries will be sent out concerning the applicant's character, education and experience.

ASSIGNMENT OF ADDITIONAL POINTS: Additional points not to exceed ten may be added to the initial rating after considering the factors as described below:

1. The difficulty and complexity of legal work performed and the result thereof .....2 points

2. The level of professional responsibility at which work has been performed .....2 points

3. The professional achievement of the applicant, rate of progress in the profession and general ability; quality and pertinency of academic work at the graduate (LL. M or JD) level.....2 points

4. The variety of legal practice or training such as the extent to which applicant has had contact with diverse legal problems .....2 points

5. Ability to cooperate with supervisors, associates, and subordinates.....2 points

APPENDIX G1. DIRECTOR GRADE QUALIFICATION STANDARD

1. COVERAGE. The use of Director grade is restricted to personnel appointed under 38 U.S.C., chapter 74 who are serving in the position of health care facility director. Positions approved for Director grade are selected on the basis of scope and complexity of assignment and level of responsibility. Following are the overall requirements for appointment to Director grade in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States.

b. **Physical Standards.** See VA Directive and Handbook 5019.

3. SECTION B. DUTIES AND GRADE REQUIREMENTS

a. **Medical Center Director (Includes Directors of Outpatient Clinics (Independent) and Domiciliaries)**

(1) **Duties.** Has overall responsibility for planning, organizing, directing, coordinating and controlling medical, administrative, and supporting operations of a medical facility which administers a variety of medical care and treatment for a large geographic area. The Director is responsible for maintaining and improving health care facility and VA relationships through personal, active participation in the administrative, educational, community and social events of Federal, State, local and other affiliated organizations involved in health care delivery, veterans service organizations, and appropriate civic organizations. These duties are geared to successful accomplishment of the basic patient care mission, as well as such additional missions as teaching and research.

(2) **Grade Requirements.** To be basically qualified, applicants *must* posses *all* of the following KSAOs (knowledges, skills, abilities and other characteristics) needed to perform in the above setting. These KSAOs typically would be gained through progressively responsible management/executive level assignments such as Director, Assistant/Associate, Chief of Staff or equivalent positions in a hospital or allied medical care facility not limited solely to outpatient care.

(a) Ability to establish program objectives and performance goals and to assess progress toward their achievement in carrying out a major health care delivery program.

(b) Ability to deal with persons representing widely divergent backgrounds and interests such as: high level officials in other Federal or State agencies; the medical community (private hospitals, medical schools and medical program); civic, professional, veterans and similar organizations; Members of Congress; representatives of the news media; business leaders; and the general public and to persuade them to consider and accept his/her point of view.

(c) Knowledge of mission, organization, programs and requirements of health care delivery systems, and the ability to manage and direct a health care facility.

(d) Ability to analyze organizational and operational problems of medical facilities and to adjust operations to meet emergency or changing program requirements within available resources and with minimum sacrifice of quantity or quality of work.

(e) Ability to coordinate and integrate the activities of numerous organizational segments of a health care facility.

(f) Knowledge of regulations and standards of various regulatory and medical or other professional credentialing groups, such as the Joint Commission on Accreditation of Health Care Organizations, and ability to reconcile contradictory requirements.

(g) Knowledge of health care fiscal management principles. Also the ability to become readily familiar with the management aspects of Government and agency budget systems, and to develop a comprehensive awareness of the costs and availability of medical equipment, supplies and services.

(h) Knowledge and appreciation of sound human resources management principles and ability to administer a variety of personnel and pay systems based on governing laws or regulations.

(i) Ability to implement Equal Employment Opportunity program objectives and other special employment program objectives.

b. **Medical and Regional Office Center Director**

(1) **Duties.** The medical and regional office center Director has fully delegated line authority and responsibility for executive level management of a consolidated VA health care and veterans benefits facility covering a large geographic area. The Director has responsibility for planning, organizing, directing, coordinating and controlling administrative and supporting operation and for establishing policies and procedures, delegating authority as appropriate to subordinate staff for program administration (often statewide), directing program planning, and directing and participating in the organization, formulation and presentation of the annual budget for the facility. The Director is responsible for maintaining and improving health care facility and VA relationships through personal, active participation in the administrative, educational, community and social events of Federal, State, local and other affiliated organizations involved in health care delivery, veterans service organizations, and appropriate civic organizations. These duties are geared to successful accomplishment of the basic patient care and veterans benefits missions.

(2) **Grade Requirements.** To be basically qualified, applicants *must* possess *all* of the following KSAOs (knowledges, skills, abilities and other characteristics) needed to carry out the assigned responsibilities in the above setting. These KSAOs typically would be gained through progressively responsible management/executive level assignments at the Director or Assistant Director level, or its equivalent, in a medical care facility or regional office.

(a) Ability to analyze, coordinate and integrate the activities of numerous organizational segments necessary to the provision of veterans benefits and/or medical care and treatment, and to adjust facility operations as needed to meet changing program requirements effectively within available resources.

(b) Knowledge of and ability to apply management principles related to planning, organizing, staffing, directing, coordinating, reporting, allocating resources, and selecting, developing and utilizing subordinate staff.

(c) Ability to establish program objectives and performance goals and to assess progress toward their achievement.

(d) Ability to devise solutions for complex management problems and to develop and interpret policies and regulations of the most difficult nature, to provide leadership in policy development, and to implement policies sensitively and effectively.

(e) Knowledge and appreciation of sound human resources management principles and practices and the ability to apply such knowledge creatively and with sound judgment in meeting the human resources management needs of an organization that has a number of different programs with a variety of employees including professionals.

(f) Ability and willingness to implement Equal Employment Opportunity and other special employment program objectives.

(g) Knowledge of fiscal management principles and budget systems and the ability to become readily familiar with the management aspects of Government and agency budget systems and ceiling controls.

(h) Ability to deal in a professional and effective way with persons representing widely divergent backgrounds and interests such as high level officials in other Federal or State agencies; civic, professional, veterans and similar organizations; Members of Congress; representatives of the news media; business leaders; and the general public.

(i) Knowledge of and ability to keep abreast of changing Federal veterans benefits programs authorized by law and/or the mission, organization, programs and requirements of health care delivery systems.

4. SECTION C. DEVIATION. The Secretary may, under unusual circumstances and upon recommendation of the Under Secretary for Health, approve reasonable deviations to the qualification standard requirements, when the composite record of qualifications justifies such action.

Authority: 38 U.S.C. 7304, 7402.

APPENDIX G2. PHYSICIAN QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment as a physician in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education.** Degree of doctor of medicine or an equivalent degree resulting from a course of education in medicine or osteopathic medicine. The degree must have been obtained from one of the schools approved by the Secretary of Veterans Affairs for the year in which the course of study was completed. Approved schools are:

(1) Schools of medicine holding regular institutional membership in the Association of American Medical Colleges for the year in which the degree was granted.

(2) Schools of osteopathic medicine approved by the American Osteopathic Association for the year in which the degree was granted.

(3) Schools (including foreign schools) accepted by the licensing body of a State, Territory, or Commonwealth (i.e., Puerto Rico), or in the District of Columbia as qualifying for full or unrestricted licensure.

(4) For residents, graduation from an approved medical school as described above is required except as provided in M-8, part II, chapter 1.

NOTE: *The Under Secretary of Health or designee in Central Office may approve the appointment under authority of 38 U.S.C. 7405 of a physician graduate of a school of medicine not covered above if the candidate is to be assigned to a research or academic position with no patient care responsibilities. The appointment will be made only in exceptional circumstances where the candidate's credentials clearly demonstrate high professional attainment or expertise in the specialty area. (See chapter 3, section B, paragraph 14 of this part, on waiver of licensure provisions.)*

c. **Licensure and Registration**

(1) **Physicians (Except Residents).** Current, full and unrestricted license to practice medicine or surgery in a State, Territory, or Commonwealth of the United States, or in the District of Columbia. The physician must maintain current registration in the State of licensure if this is a requirement for continuing active, current licensure. The facility Director may waive this licensure requirement if the physician is to serve in a country other than the United States and the physician has licensure in that country.

(2) **Residents.** Current, full and unrestricted license to practice medicine or surgery in a State, Territory or Commonwealth of the United States, or in the District of Columbia before the second year of VA residency, or meet any licensure, registration or other equivalent requirements established for residents of non-VA hospitals with which the VA facility is affiliated for training purposes. The resident must maintain current registration in the State of licensure if this is a requirement for continuing active, current licensure.

(3) **Impaired Licensure.** A physician who has, or has ever had, any license(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status may be appointed only in accordance with the provisions of chapter 3, section B, paragraph 14 of this part.

(4) **Waiver of Licensure.** Licensure may be waived by the Under Secretary for Health or designee in Central Office for individuals in research or academic assignments involving no direct patient care responsibilities in accordance with current regulations.

d. **First-Year Residency (Internship).** Completed a first-year residency, or its equivalent, approved by the Secretary of Veterans Affairs for the year in which it was completed. For a VA resident, the appropriate Deans Committee and Resident Review Board may recommend appointment on the basis of the candidate's acceptability for residency training. Approved residencies are:

(1) Those approved by the Council on Medical Education and Hospitals, American Medical Association, in the list published for the year the residency was completed, or

(2) Other residencies or their equivalents which the Professional Standards Board determines to have provided an applicant with appropriate professional training. The Board may determine that the residency requirement has been met if the candidate has completed 1 year of postgraduate education.

e. **Physical Standards.** See VA Directive and Handbook 5019.

f. **English Language Proficiency.** Physicians, including residents, appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d) and 7407(d).

3. SECTION B. GRADE REQUIREMENTS

a. **Associate Grade.** Meet basic requirements. The individual qualifies to perform general duties under supervision.

b. **Full Grade.** Meet the requirements for Associate grade and have completed additional training, such as the second year of an accredited residency, and/or experience which has qualified the individual to perform general duties without supervision.

c. **Intermediate Grade.** Meet the requirements for Full grade, and have completed additional training, such as an accredited residency in an area not directly related to the specialty area to which the individual is being assigned, and/or experience which has qualified the individual to perform general duties and some specialized functions and procedures without supervision.

d. **Senior Grade.** Meet the requirements for Intermediate grade and have demonstrated recognized professional attainment such as:

(1) Past or present faculty appointment in an approved medical school or

(2) Completion of an accredited residency in the specialty area to which the individual is being assigned or in a related area, or

(3) Current eligibility to sit for the board certification examination in the specialty area to which the individual is being assigned or in a related area, or

(4) Comparable achievements in clinical, educational, administrative or research activities.

e. **Chief Grade.** Meet the requirements for Senior grade plus attainment of additional recognition in clinical, administrative or research areas. Such recognition may be demonstrated by:

(1) Certification by an American Specialty Board, or

(2) Significant accomplishments in clinical practice, educational activities, research or administration which clearly distinguish the physician as having the highest professional qualifications in the specialty area to which assigned, such as:

(a) Past or present faculty appointment at the professional level in an approved medical school, or

(b) Completion of an accredited residency in the primary specialty area or in a related area to which the individual will be assigned and unusual professional accomplishment such as:

1. Publication of articles in nationally recognized professional journals, or

2. Officer in a State or National professional medical organization, or

3. Directorship of a hospital or large clinic.

f. **Executive, Director and Medical Director Grades**

(1) **General.** The use of Executive grade is restricted to the position of Chief of Staff or comparable positions; Director grade, to the position of facility director; and Medical Director grade, to selected positions in Central Office, Distinguished Physicians, and Senior Medical Investigators. Positions are approved for these grade levels based on the scope and complexity of the assignment and the level of responsibility.

(2) **Executive Grade.** Requirements for assignment as a Chief of Staff are contained in M-2, part I. An individual assigned to a position comparable to Chief of Staff must be similarly qualified.

(3) **Director Grade.** An individual assigned as Director must meet the requirements specified in appendix II-G1, Director Grade Qualification Standard.

(4) **Medical Director Grade.** An individual assigned at this level will be a recognized expert in the specialty area with demonstrated leadership ability. A Distinguished Physician will be nationally and internationally recognized for scientific, academic and administrative medicine expertise. (See M-2, pt. 1). A Senior Medical investigator will be an outstanding scientist whose research contributions have a far-reaching clinical effect. (See M-3, pt. II.)

g. **Resident.** Meet requirements specified in section A of this appendix. Postgraduate will be based on the period of time completed by the candidate in approved residency training in the specialty of its creditable equivalent as accepted by the appropriate specialty board. (See M-8, pt. II.)

h. **Attendings**

(1) Meet basic requirements specified in section A of this appendix.

(2) Possess demonstrated ability in the individual field of medicine; be capable of assisting in maintaining accepted standards of professional care in VA facilities; and be capable of accepting full responsibility as chief of the service or the proper care and treatment of assigned patients.

(3) Be capable of giving adequate training to residents assigned to the service in facilities with residency training programs. An attending should be acceptable to the appropriate specialty Review Committee for direction of residency training. An attending not holding a faculty appointment in an associated medical school should be an outstanding member of the profession of the caliber of a faculty member.

i. **Consultants**

(1) Meet basic requirements specified in section A of this appendix.

(2) Possess outstanding professional ability in the particular field of medicine; be capable of affording the Director and service chief or equivalent the benefits of professional experience and counsel; and be capable of providing required professional services to maintain the highest possible level of medical care in VA facilities.

(3) Be capable, in facilities affiliated with approved medical schools, of accepting the responsibility for and direction of the educational training of residents in the appropriate specialty.

(4) A physician who represents a specialty for which no specialty board exists may be appointed as a consultant if the individual possesses outstanding ability in the particular field of specialization.

4. SECTION C. DEVIATIONS. The appointing official may, under unusual circumstances, approve reasonable deviations to the grade requirements in section B of this qualification standard when the candidate's composite record justifies this action. An applicant will not be given a grade commitment until this is received.

Authority: 38 U.S.C. 7304, 7402.

APPENDIX G3. DENTIST QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment as a dentist in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with paragraph 3g, section A, chapter 3, this part.)

b. **Education.** Degree of doctor of dental surgery or dental medicine resulting from a course of education in dentistry. The degree must have been obtained from one of the schools approved by the Secretary of Veterans Affairs for the year in which the course of study was completed. Approved schools are:

(1) United States and Canadian schools of dentistry listed by the Council on Dental Education, American Dental Association, in the list published for the year in which the course of study was completed.

(2) Schools (including foreign schools) accepted by the licensing body of a State, Territory, or Commonwealth (i.e., Puerto Rico), or the District of Columbia as qualifying for full and unrestricted licensure provided the licensure requirements include a written examination measuring science achievement and a performance examination measuring clinical competence.

NOTE: *The Under Secretary for Health or designee in Central Office may approve the appointment under authority of 38 U.S.C. 7405 of a graduate of a school of dentistry not covered above if the candidate is to be assigned to a research or academic position with no patient care responsibilities. The appointment will be made only in exceptional circumstances where the candidate's credentials clearly demonstrate high professional attainment or expertise in the specialty area. (Also see paragraph 2d(4) below on waiver of licensure provisions.) The Under Secretary for Health or designee may also approve the appointment of a graduate of a school of dentistry not covered above as a resident under 38 U.S.C. 7406.*

c. **Residency or Comparable Experience.** At full grade and above, one postgraduate year of hospital training in the form of an approved residency program (general practice or specialty), or comparable experience as a dentist member of a hospital medical staff actively involved in hospital dental care.

d. **Licensure and Registration**

(1) **Dentists (Except Residents).** Current, full, and unrestricted license to practice dentistry in a State, Territory, or Commonwealth of the United States (i.e. Puerto Rico), or in the District of Columbia. The dentist must maintain current registration in the State of licensure if this is a requirement for continuing active, current licensure. The facility Director may waive this licensure requirement if the dentist is to serve in a country other than the United States and the dentist has licensure in that country.

(2) **Residents (Independent and Integrated Programs)**

(a) **United States and Canadian Graduates.** Graduates of approved United States and Canadian schools of dentistry must have a current, full and unrestricted license to practice dentistry in a State, Territory or Commonwealth of the United States, or in the District of Columbia before the second year of VA residency, *or*, for integrated programs, meet any licensure, registration or other equivalent requirements established for residents of non-VA hospitals with which the VA facility is affiliated for training purposes. The resident must maintain current registration in the State of licensure if this is a requirement for continuing active current licensure.

(b) **Foreign Dental School Graduates.** In addition to meeting the requirements in subparagraph (1) above, graduates of foreign schools of dentistry must have successfully completed parts I and II of the examinations given by the National Board of Dental Examiners before the start of the first residency year.

(3) **Impaired Licensure.** A dentist who has, or has ever had, any license(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status may be appointed only in accordance with the provisions of paragraph 14, section B, chapter 3 of this part.

(4) **Waiver of Licensure.** Licensure may be waived by the Under Secretary for Health or designee in Central Office for individuals in research or academic assignments involving no direct patient care responsibilities in accordance with current regulations.

e. **Physical Requirements.** See VA Directive and Handbook 5019.

f. **English Language Proficiency.** Dentists, including residents, appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), 7407(d).

3. SECTION B. GRADE REQUIREMENTS

a. **Associate Grade.** Meet basic requirements for appointment. The individual qualifies to perform dental general practice under supervision.

b. **Full Grade.** Meet basic requirements for appointment, including a residency or comparable experience. (See section A of this appendix). The individual qualifies to conduct a limited hospital dental practice without supervision.

c. **Intermediate Grade.** Meet basic requirements for appointment and have had additional training and/or experience involving:

(1) Satisfactory completion of an accredited 1-year general practice residency plus additional clinical experience to qualify the individual to perform the full range of hospital dental practice procedures without supervision, or

(2) Satisfactory completion of 2 years of accredited postdoctoral training, such as:

(a) A 2-year general practice residency.

(b) Two years, but less than completion, or a training program in a dental specialty.

(c) A combination of a 1-year general practice residency and 1 year in a dental specialty program, or

(3) Comparable professional experience that has qualified the individual to perform the full range of hospital dental practice procedures without supervision.

d. **Senior Grade.** Meet the requirements for Intermediate grade and have demonstrated additional professional attainment such as:

(1) Satisfactory completion of an accredited residency or graduate program in the dental specialty to which the individual is being assigned or in a related area, or

(2) Past or present faculty appointment in an approved dental or medical school, or

(3) Demonstrated proficiency in the practice of hospital dentistry that is considered comparable in value and recognition to either of the above requisites.

e. **Chief Grade.** Meet the requirements for Senior Grade *plus* attainment of additional recognition in clinical, administrative or research areas. Such recognition may be demonstrated by one or more of the following:

(1) Certification by an American Specialty Board.

(2) Eligibility for certification by an American Specialty Board in the dental specialty in which the individual will be assigned, *plus* unusual professional accomplishments, such as:

(a) Publication of articles in nationally recognized professional journals, or

(b) Elected officer in a state or national dental professional organization, or

(c) Past or present faculty appointment at the Associate Professor of Professor level in an approved dental or medical school, or

(d) Directorship of a large dental clinic in the military, governmental, or private sector, or

(e) Assignment (other than temporary or acting) as Chief of Dental Service, Associate Chief of Staff for Education, or Associate Chief of Staff for Research in any VA medical facility.

(3) Significant accomplishments in clinical practice, educational activities, research or administration which clearly distinguish the dentist as having the highest professional qualifications, such as:

(a) Sustained superior performance as a Director of a dental residency program, or

(b) Sustained performance in providing an outstanding level of quality patient care, or

(c) Recognition by a state or national dental professional organization by special award(s) and/or election as an officer, or

(d) Publication of articles in nationally recognized professional journals.

f. **Executive, Director, and Medical Director Grades**

(1) **General.** The use of Executive grade is restricted to a position comparable to Chief of Staff; Director grade, to the position of facility director, and Medical Director grade, to selected positions in Central Office and Senior Medical investigators. Positions are approved for these grade levels based on the scope and complexity of the assignment and the level of responsibility.

(2) **Executive Grade.** An individual assigned as Executive grade must have qualifications comparable to those required for a Chief of Staff in M-2, part I.

(3) **Director Grade.** An individual assigned as Director must meet the requirements specified in appendix II-G1, Director Grade Qualification Standard.

(4) **Medical Director Grade.** An individual assigned at this level will be a recognized expert in the specialty area with demonstrated leadership ability. A Senior Medical Investigator will be an outstanding scientist whose research contributions have a far-reaching clinical affect. (See M-3, pt. II).

g. **Dental House Staff**

(1) **General Practice Resident.** Meet requirements specified in section A. except paragraph 3.

(2) **Residents in Dental Specialties**

(a) **First-Year Residents**

1. A first-year resident must meet the basic requirements in section A. The general practice requirement specified in section A, paragraph c is considered desirable; it may be required as a prerequisite for a dental specialty residency at the option of the program director and facility officials, section A, paragraph c does not apply to the appointment of general practice residents.

2. A resident who has completed a general practice residency may be appointed at the second-or third-year postgraduate level (PG-02 or PG-03), depending on the length of the general practice residency program.

(b) **Second- and Third-Year Residents.** An individual at these levels must have the qualifications of the first-year resident and, in addition, the following periods of time of approved residency training in the specialty or its creditable equivalent:

1. Second-Year Resident 1 Year

2. Third-Year Resident 2 Years

(c) All appointments at or above the PG-04 level require individual name authorization from the Graduate Medical Education Office (141) in Central Office.

h. **Attendings**

(1) Meet basic requirements specified in section A.

(2) Possess demonstrated ability in the individual field of dentistry; be capable of assisting in maintaining accepted standards of professional care in VA facilities; and be capable of accepting full responsibility for the proper care and treatment of assigned patients.

(3) Be capable of giving adequate training to residents assigned to the service in facilities conducting residency training programs. An attending should be qualified specialist acceptable to the appropriate specialty Review Committee for direction of residency training. An attending not holding a faculty appointment in an associated dental school should be an outstanding member of the profession of the caliber of a faculty member.

i. **Consultants**

(1) Meet basic requirements specified in section A.

(2) Possess outstanding professional ability in a dental specialty; be capable of affording the Director and the Chief, Dental Service, the benefits of professional experience and counsel; and be capable of rendering required professional services to maintain the highest possible level of dental care in VA facilities.

(3) Be capable, in facilities affiliated with approved dental schools, of accepting responsibility for and direction of the educational training of residents in the appropriate specialty. A consultant not holding a faculty appointment in an associated dental school should possess equivalent professional qualifications.

(4) A dentist who represents a specialty for which no specialty board exists may be appointed as a consultant if the individual possesses outstanding ability in the particular field of specialization.

4. SECTION C. DEVIATIONS. The appointing official may, under unusual circumstances, approve reasonable deviations to the grade requirements including specialty certification when the composite record of qualifications and/or the situation justifies such action. The appointing official also may approve, under unusual circumstances, a waiver of section A, paragraph c, "Residency of Comparable Experience," of the Basic Requirements. Applicants will not be given grade commitments prior to the consideration of their qualifications by the Professional Standards Board for dentists and approval by the appointing official.

Authority: 38 U.S.C. 7304; 7402

APPENDIX G4. PODIATRIST QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment as a podiatrist in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizens of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education.** Degree of doctor of podiatric medicine, or its equivalent, from a school of podiatric medicine approved by the Secretary of Veterans Affairs. Approved schools are United States schools of podiatric medicine approved by the Council on Podiatry Education of the American Podiatry Association in the year in which the degree was granted.

c. **Licensure or Registration**

(1) **Podiatrists (Except Residents).** Licensed to practice podiatry in a State, Territory, or Commonwealth of the United States, or in the District of Columbia. Podiatrists are required to possess full and unrestricted licensure and to maintain a current registration in their State of licensure if this is a requirement of the particular State. The facility Director may waive this requirement if the podiatrist is to serve in a country other than the United States and the podiatrist has licensure in that country.

(2) **Residents.** Licensure in a State, Territory, or Commonwealth of the United States, or in the District of Columbia before the second year of VA residency. Unlicensed residents must meet any registration of other equivalent requirements established for residents of non-VA facilities with which the VA health care facility is affiliated for training purposes during the first year of VA residency.

(3) **Impaired Licensure.** A podiatrist who has, or has ever had, any license(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status may be appointed only in accordance with the provisions of chapter 3, section B, paragraph 14, this part.

NOTE: *Licensure may be waived by the Under Secretary for Health, or designee in Central Office for individuals in research or academic assignments involving no direct patient care in accordance with current regulations.*

d. **Physical Standards.** See VA Directive and Handbook 5019.

e. **English Language Proficiency.** Podiatrists appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), 7407(d).

3. SECTION B. GRADE REQUIREMENTS. In addition to the basic requirements stated above, the following qualification criteria must be met in determining the appropriate grade assignment of candidates.

a. **Associate Grade.** None beyond the basic requirements.

b. **Full Grade.** Two years of podiatric practice or its equivalent. One year of approved residency training or its creditable equivalent acceptable to the Council on Podiatry Education of the American Podiatry Association is acceptable in lieu of the 2 years of practice. Candidate must have demonstrated the professional competence and performance necessary to provide independently podiatric diagnosis, treatment, and surgical intervention.

c. **Intermediate Grade.** Meets the requirements in paragraphs (1), (2) and (3) below:

(1) Four years of podiatric practice or its equivalent. One year of the required experience must have been in a multidisciplinary clinical setting. Two years of approved residency training or its creditable equivalent acceptable to the Council on Podiatry Education of the American Podiatry Association and, as applicable, the appropriate specialty board is acceptable in lieu of 4 years of practice, including the above 1-year requirement.

(2) The podiatrist at this level possesses stature that would warrant appointment at the clinical instructor or higher level at a school or college of podiatry or other appropriate affiliated school or college.

(3) Has achieved a high level of professional attainment as illustrated by one or more of the following typical examples:

(a) Is a recognized expert in dealing with a variety of unusually difficult cases which are referred by other facilities for resolution and recommended courses of action to provide for maximum rehabilitation. Typically, in this capacity serves as a consultant to podiatrists or other professionals in other health care facilities.

(b) Has assumed responsibility for a comprehensive podiatry program at a facility for the care of diabetic, peripheral vascular disease and other systemic conditions involving the foot, and a program for the care of the geriatric patient. Typically, a high degree of competence and skill in responding to the needs of this patient category is demonstrated in the program development and innovative methods and techniques employed. Training in podiatry and medical or other appropriate professional areas and/or research activities of considerable scope commonly from a part of the program.

(c) Has played a significant part in the conduct of research in a problem area of considerable scope and complexity which required novel approaches and which resulted in answers to important questions or important changes in existing methods and techniques. Publications authored by the podiatrist are of considerable value to others in the individual's field. Typically overall contributions are recognized by serving on important committees or other bodies in the profession.

(d) Has achieved recognition as a full professional member of the medical program through demonstrated skills and aptitudes in handling unusually complex podiatric problems through surgical, prosthetic, and other treatment measures. Physicians regularly consult the podiatrist in arriving at proper courses of treatment in cases having podiatric manifestations, Typically, the podiatrist who is eligible for

certification by a specialty board approved by the Council on Podiatry Education of the American Podiatry Association may satisfy this level of competence.

(e) Has had full responsibility for carrying out a podiatric training program of significant size in which the podiatrist has been responsible for maintaining liaison with the affiliated school and other educational institutions and professional or scientific organizations. Innovative approaches in development of curriculum and course content and in expanding and improving the educational program have been displayed by the individual.

d. **Senior Grade.** Meets the requirements for Intermediate grade and the requirements in paragraphs (1) and (2) below:

(1) The podiatrist at this level:

(a) Possesses such academic stature as would warrant a faculty appointment of a professional level in a school or college of podiatry or other appropriate affiliated school or college, or

(b) In a recognized specialty, should be certified by a specialty board approved by the Council on Podiatry Education of the American Podiatry Association.

(2) Has demonstrated recognized superior professional attainment as evidenced by one or more of the following examples:

(a) Has served as a team leader in attacking major podiatric problems affecting the continued provision of quality care health services at a VISN, statewide, or national level. There is such confidence in the podiatrist at this level that there is unusual support of the individual's recommendations and conclusions.

(b) Has had responsibility for carrying out a major podiatric program segment on a national level.

(c) Has served on a regular basis as a consultant to a national center to which the most difficult types of orthopedic and prosthetic cases are referred from facilities throughout the country.

(d) Has conducted research in a difficult area of major scientific interest which has contributed to a substantial advance in the health field with important professional publications.

e. **Chief Grade.** Meets the requirements for Senior grade and must have demonstrated a sustained very high level of professional performance with evidence of exceptional professional and/or administrative development as demonstrated by the following:

(1) Has assumed substantial professional and/or administrative responsibilities in which the individual is expected to fully advise and make professional clinical and educational recommendations as to courses of action on problems and considerations of national scope in all areas of podiatry. Typically, the podiatrist at this level has had responsibility for a major podiatric program segment on a nationwide basis, and has been consistently called upon to represent the organization in an authoritative

manner in matters dealing with development of new and/or revised concepts and programs having a major impact upon the academic, medical, and podiatric communities.

(2) Outstanding professional attainment. Examples of such attainment are:

(a) Achievement of outstanding results in research which are regarded as having a major impact on advancing the field.

(b) Significant number of noteworthy publications in professional journals.

f. **Podiatric House Staff**

(1) **First Year Resident.** Meet the basic requirements specified in section A.

(2) **Second Year Resident.** Have the qualifications of the first year resident and, in addition, have completed 1 year of approved residency training or its creditable equivalent acceptable to the Council on Podiatry Education of the American Podiatry Association.

(3) **Third Year Resident.** Have the qualifications of the second year resident and, in addition, have completed 1 year of approved residency training in the specialty or its creditable equivalent acceptable to the Council on Podiatry Education of the American Podiatry Association and appropriate specialty board.

g. **Attendings**

(1) Meet basic requirements specified in section A of this appendix.

(2) Possess demonstrated ability in their individual fields of podiatry; be capable of assisting in maintaining accepted standards of professional care in VA facilities; and be capable of accepting full responsibility for the proper care and treatment of their assigned patients.

(3) Be an outstanding member of the profession of the caliber of a faculty member. Where the attending does not hold a faculty appointment at an affiliated podiatric or other appropriate affiliated school or college, this would be evidenced by recommendation of the Deans Committee or equivalent body. The attending is capable of giving adequate training to residents or students in facilities conducting residency and/or training programs and be sufficiently qualified so as to be acceptable to appropriate training review committees responsible for direction of training.

h. **Consultants**

(1) Meet basic requirements specified in section A of this appendix.

(2) Possess outstanding professional ability in their respective fields of podiatry; be capable of affording the benefits of their professional experience and counsel; and be capable of rendering such professional services as may be required in maintaining the highest possible level of podiatric care in VA facilities.

(3) Be capable of accepting the responsibility for, and direction of, the educational training of residents in the program for which they serve as consultants at facilities conducting residency training programs. Consultants not holding faculty appointments in an associated school possess equivalent professional qualifications as evidenced by an appropriate recommendation for appointment from the Deans Committee or equivalent body responsible for the recommendation of consultant appointments to the facility.

4. SECTION C. DEVIATION. The appointing official may, under unusual circumstances, approve reasonable deviations to the basic grade determination requirements, including specialty certification, when the composite record of qualifications justifies such action.

Authority: 38 U.S.C. 7304; 7402.

APPENDIX G5. OPTOMETRIST QUALIFICATION STANDARD

Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment as an optometrist in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education.** Degree of doctor of optometry resulting from a course of education in optometry. The degree must have been obtained from one of the schools or colleges approved by the Secretary of Veterans Affairs for the year in which the course of study was completed. Approved schools are:

(1) United States and Canadian schools or colleges of optometry listed as accredited by the Council on Optometric Education of the American Optometric Association, in the list published for the year in which the course of study was completed.

(2) Schools (including foreign schools) accepted by the licensing body of a State, Territory, or Commonwealth of the United States, or in the District of Columbia as qualifying for full or unrestricted licensure.

c. **Licensure or Registration**

(1) **Optometrist (Except Residents).** Licensed to practice optometry in a State, Territory, or Commonwealth of the United States, or in the District of Columbia. Optometrists are required to possess full and unrestricted licensure and to maintain a current registration in their State of licensure if this is a requirement of the particular State. The facility Director may waive this requirement if the optometrist is to serve in a country other than the United States and the optometrist has licensure in that country.

(2) **Residents.** Licensure in a State, Territory, or Commonwealth of the United States, or in the District of Columbia before completion of the first year of VA residency. Unlicensed residents must meet any registration or other equivalent requirements established for optometric residents of non-VA facilities or optometry clinics with which the VA facility is affiliated for training purposes during the first year of VA residency.

(3) **Impaired Licensure.** An optometrist who has, or has ever had, any license(s) revoked, suspended, denied, restricted, limited, or issued/placed on a probationary status may be appointed only in accordance with the provisions of chapter 3, section B, paragraph 14, this part.

NOTE: *Licensure may be waived by the Under Secretary for Health or designee in Central Office, for individuals in research or academic assignments involving no direct patient care in accordance with current regulations.*

d. **Physical Standards.** See VA Directive and Handbook 5019.

e. **English Language Proficiency.** Optometrists appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), and 7407(d).

3. SECTION B. GRADE REQUIREMENTS. In addition to the basic requirements stated above, the following qualifications criteria must be met in determining the appropriate grade assignment of candidates.

a. **Associate Grade.** None beyond the basic requirements.

b. **Full Grade.** Two years of optometric practice or its equivalent. One year of approved residency training or its creditable equivalent acceptable to the Council on Optometric Education of the American Optometric Association is acceptable in lieu of the 2 years of practice. Candidate must have demonstrated the professional competence and performance necessary to provide independently the full range of clinical optometric diagnosis and treatment for all the most prevalent types of vision dysfunctions and the detection and referral of patients with ocular disease or ocular manifestations of systemic disease.

c. **Intermediate Grade.** Meets the requirements in paragraphs (1), (2), and (3) below:

(1) Four years of optometric practice or its equivalent. One year of approved residency training or its creditable equivalent acceptable to the Council on Optometric Education of the American Optometric Association is acceptable in lieu of 2 years of practice.

(2) The optometrist at this level has successfully passed the examinations of the National Board of Examiners in Optometry and has attained either of the following:

(a) The stature that would warrant appointment at the clinical instructor or higher level at a school or college of optometry.

(b) The professional ability and personal attributes which have merited significant recognition by a recognized professional organization, such as election to a Fellowship in the American Academy of Optometry.

(3) Has achieved a high level of professional attainment as illustrated by one or more of the following examples:

(a) Is a recognized expert in the diagnosis and treatment of unusual and complicated visual dysfunctions. Typically, in this capacity serves as a consultant to optometrist and other professionals in other health facilities or provides expert clinical services in such areas as the partially sighted or contact lenses for aphasics.

(b) Has assumed responsibility for a multi-faceted optometric program including clinical research and/or training requiring a high degree of competence and skill in developing innovative and new and

advanced instrumentation and treatment techniques. Typically, the program is in an educationally affiliated health care facility having an optometric training program of moderate scope involving liaison with other medical services and affiliated schools.

(c) Has played a significant part in the conduct of vision research in a problem area of considerable scope and complexity which required novel approaches and which resulted in answers to important questions or important changes in existing methods and techniques. Publications authored by the optometrist are of considerable value to others in the individual's field. Typically, overall contributions are recognized by serving on important committees or other bodies in the profession.

(d) Has had full responsibility for carrying out an optometric training program of significant size in which the optometrist has been responsible for maintaining liaison with the affiliated school and other educational institutions and professional or scientific organizations. Innovative approaches in development of curriculum and course content and in expanding and improving the educational program have been displayed by the individual.

d. **Senior Grade.** Meets the requirements for Intermediate grade and the requirements in paragraphs (1) and (2) below:

(1) The optometrist at this level possesses such academic stature as would warrant a faculty appointment of a professional level in an approved school or college of optometry.

(2) Has demonstrated recognized superior professional attainment as evidenced by one or more of the following examples:

(a) Has served as a team leader in attacking major optometric problems affecting the continued provision of quality care health services at a VISN, statewide, or national level. There is such confidence in the optometrist at this level that there is unusual support of the individual's recommendations and conclusions.

(b) Has had responsibility for carrying out a major optometric program segment on a national level.

(c) Has conducted high level studies in a difficult area of vision research which has contributed to a substantial advance in the health field, with important professional publications.

e. **Chief Grade.** Meets the requirements for Senior grade and must demonstrate a sustained very high level of professional performance with evidence of exceptional professional and/or administrative development by the following:

(1) Has assumed substantial professional and/or administrative responsibilities in which the individual is expected to fully advise and make professional clinical and educational recommendations as to courses of action on problems and considerations of national scope in all areas of optometry. Typically, the optometrist at this level has had responsibility for a major optometric program segment on a nationwide basis and has been consistently called upon to represent the organization in an authoritative manner in matters dealing with development of new and/or revised concepts and programs having a major impact upon the academic, medical, and optometric communities.

(2) Outstanding professional attainment. Examples of such attainment are:

(a) Achievement of outstanding results in research which are regarded as having a major impact on advancing the field.

(b) Significant number of noteworthy publications in professional journals.

f. **Optometric House Staff**

(1) **Residents (General Practice).** Meet requirements specified in section A.

(2) **Residents (Specialty).** Meet requirements specified in section A. In addition, must have completed at least 1 year of graduate level training in the health or other clinically related sciences or a suitable equivalent period of training, or (2) a general practice residency approved by the Council on Optometric Education of the American Optometric Association.

g. **Attendings**

(1) Meet all basic requirements specified in section A of this appendix.

(2) Possess a demonstrated satisfactory ability in optometry; be capable of assisting in maintaining accepted standards of professional optometric care in VA facilities; and be capable of accepting full responsibility for such proper care and treatment of their assigned patients.

(3) Be an outstanding member of the local optometry community of the caliber of a faculty member. Where the attending does not hold a faculty appointment at an affiliated optometry or other appropriate affiliated school or college, this would be evidenced by recommendation of the Deans Committee or equivalent body. The attending is capable of giving adequate training to optometric residents or students in facilities conducting residency and/or training programs and be sufficiently qualified so as to be capable to appropriate review committees for the direction of training.

h. **Consultants**

(1) Meet all basic requirements specified in section A of this appendix.

(2) Possess truly outstanding professional clinical ability in optometry; be capable of affording the facility Director and appropriate Chief of Service the benefits of their professional experience and counsel; and be capable of rendering such professional optometric services as may be required in maintaining the highest possible level of medical care in VA facilities.

(3) Be capable, when applicable, to serve as the didactic representatives of optometric or other appropriate affiliated schools or colleges and to accept responsibility for, and direction of, the educational training of optometric residents or students (if present) in their specialty in which they serve as the consultant at facilities conducting residency and student training programs. Consultants not holding faculty appointments at an affiliated optometry or other appropriate school or college should

possess the equivalent professional qualifications as evidenced by an appropriate recommendation for appointment from the Deans Committee or equivalent body responsible for the recommendation of consultant appointments to the facility.

4. SECTION C. DEVIATION. The appointing official may, under unusual circumstances, approve reasonable deviations to the grade determination requirements for optometrists whose composite record of accomplishments, performance, and qualifications warrant such action based on demonstrated competence to meet the requirements of the proposed grade.

Authority: 38 U.S.C. 7304; 7402.

APPENDIX G6. NURSE QUALIFICATION STANDARD

Veterans Health Administration

1. SECTION A. COVERAGE

a. **Appointments**

(1) Effective on or after December 10, 1999, individuals appointed to VHA RN positions will be subject to all qualification requirements stated in section B of this Qualification Standard. These requirements apply to:

(a) Individuals not on VA rolls, and

(b) VA employees in other positions who are appointed or reappointed as RNs

(2) [RNs Appointed Prior to December 10, 1999:

(a) RNs who have had a break in service of more than one year who are subsequently considered for the same or different RN position are subject to all qualification requirements stated in this Nurse Qualification Standard.

NOTE: *Facilities are to review the grades and step rates of employees affected by the provisions of paragraph 1a(2) of the Nurse Qualification Standard dated April 15, 2002, which required application of the requirements in Section B after a break in service of one day or more, to determine whether prospective adjustment of that grade or step rate are appropriate.*

(b) RNs initially appointed prior to December 10, 1999, who are reappointed after a break in service of one year or less, are not considered to have had a break in service.

(c) Employees separated due to work-related injuries, or restored based on military service are not considered to have had a break in service for purposes of applying all the qualification requirements in this Nurse Qualification Standard, provided the employee is reappointed within 1 year of becoming eligible for reappointment.

NOTE: *Employees in paragraphs 1a(2)(b) and (c) above are still subject to all the qualification requirements in this Nurse Qualification Standard on and after October 1, 2005.*]

b. **Promotions and Advancements**

(1) [ ] RNs covered by this Qualification Standard [who are eligible for promotion consideration shall] be considered for promotion and advancement under the procedures in chapter 4 of part III, this handbook.

(2) [Deleted.]

(3)) [Deleted.]

(4) From June 18, 2001 to September 30, 2005, RNs appointed before December 10, 1999, will be considered for promotion and advancement based on the Interim Educational Requirements in section C of this Standard and the nine "dimensions" contained in section B of this Standard.

(5) Effective October 1, 2005, all VA RNs will be considered for promotion and advancement based solely on the criteria in section B of this Standard.

(6) RNs appointed before December 10, 1999, who maintain continuous employment in VHA as a RN will not be reduced in grade based on application of this Standard.

(7) The Under Secretary for Health or designee is authorized to act upon requests for promotion reconsideration for RNs.

c. **Periodic Step Increases.** RNs appointed before December 10, 1999, will not be denied a periodic step increase on the basis of not meeting the educational requirements specified in section B of this Qualification Standard for their current grade.

d. **Transfer and Reassignment.** RNs appointed before December 10, 1999 will not be subject to the educational requirements in section B of this Qualification Standard until October 1, 2005, for the purpose of transfer or reassignment to another position at the same grade. All RNs appointed on or after December 10, 1999 will be required to meet the educational requirements in section B for transfer or reassignment.

2. SECTION B. NURSE QUALIFICATION STANDARD

a. **Basic Requirements**

(1) **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

(2) **Graduation from School of Nursing**

(a) Graduate of a school of professional nursing approved by the appropriate State [ ] agency [, and accredited by one of the following accrediting bodies] at the time the program was completed by the applicant.

(b)) [Deleted.]

1. The National League for Nursing Accrediting Commission (NLNAC), an accrediting arm of the National League for Nursing located at 61 Broadway, 33rd Floor, New York, New York 10006 or call (800) 669-1656 extension 153. . [The NLNAC accredits all levels of nursing programs.] Additional information may be obtained from the [NLNAC web site]; **or**

2. The Commission on Collegiate Nursing Education (CCNE), an accrediting arm of the American Association of Colleges of Nursing (AACN). [The CCNE accredits bachelors and masters degree programs, and] is located at One Dupont Circle N.W., Suite 530, Washington, DC 20036 or call (202) 463-6930. [Additional information may be obtained from [the CCNE web site.]

(c) In cases of graduates of foreign schools of professional nursing, possession of current, full, active, and unrestricted registration (see paragraph [(3)] below) [and the possession of a Certificate from the Commission on Graduates of Foreign Nursing Schools (CGFNS)] will meet the requirement of graduation from an approved school of professional nursing.

[**NOTE:** ***The CGFNS Certification Program is a three-part program designed to predict an applicant's likelihood of passing the NCLEX-RN® examination and becoming licensed as an RN in the United States. The three parts of the program include a credentials review, a Qualifying Exam of nursing knowledge, and an English language proficiency examination (i.e., the Test of English Language Proficiency, or TOEFL).*** *Additional information about the CGFNS may be obtained from the CGFNS web site.*]

(d) [Deleted.]

(3) **Registration**

(a) **Condition of Employment.** A nurse will have a current, full, active and unrestricted registration as a graduate professional nurse in a State, Territory, or Commonwealth (i.e., Puerto Rico) of the U.S. or in the District of Columbia. The appointing official may waive this registration if the RN is to serve in a country other than the U.S. and the RN has registration in that country (e.g., Philippines). *The RN must maintain a current, full, active and unrestricted registration to continue employment with VA.*

(b) **Impaired Registration.** Any registration(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status. A nurse who has or ever had any such impairment to their registration as listed above may be appointed only in accordance with the provisions of chapter 3, section B, paragraph 15 of this part.

(4) **Physical Standards.** See VA Directive and Handbook 5019.

(5) **English Language Proficiency.** RNs appointed to direct patient care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d) and 7407(d).

[(6) **Nurse Practitioners and Clinical Nurse Specialists**. On and after the date of this change, nurses appointed or otherwise moving into these assignments must meet and maintain the following additional qualifications. This includes employees appointed before this change who obtain such qualifications on or after the date of this change.

(a) Nurse Practitioners. A nurse practitioner must be licensed or otherwise recognized as a nurse practitioner in a State, and maintain full and current certification as a nurse practitioner from the American Nurses Association or another nationally recognized certifying body.

(b) Clinical Nurse Specialists. A clinical nurse specialist must possess a Masters degree from an academic program accredited by the NLNAC or CCNE with a major in the clinical nursing specialty to which the nurse is to be assigned.

(c) Prescriptive Authority. This handbook does not address any additional requirements that nurse practitioners and clinical nurse specialists must meet before they are granted prescriptive authority.]

b. **[Definitions]**

(1) **Successful Nursing Practice.** Documented evidence of [ ] experience as [an] RN that is determined to be [sustained and consistently at or above] an acceptable level of quality. This may include experience as a Graduate Nurse Technician (GNT) provided the candidate was utilized as a professional nurse and passed the State licensing (board) examination on the first attempt[, and] experience as a Nurse Technician Pending Graduation provided the candidate possessed an active, current registration to practice nursing in a State and was utilized as a professional nurse (See chapter 3, section G, paragraph 5, this part). [It may also include performance as a VA nurse that is at or above the fully satisfactory level.] Professional nursing experience should be documented on [the Proficiency Report, VA Form 10-2623, the] VA Form 10-2850a, Application for Employment – Nurses and Nurse Anesthetists, or on a candidate's resume.

(2) **Length of Nursing Practice (Experience).** The amount of time documented on VA Form 10-2850a or on a candidate's resume. (A performance evaluation or reference covering the candidate's most recent employment as a RN is essential.) Part-time experience as a RN is credited according to the relationship it bears to the full-time workweek. For example, a RN who worked 20 hours a week (i.e., on a half-time basis) would receive one full-time workweek of credit for each 2 weeks of such service.

(3) **Degree in a Related Field.** Baccalaureate and graduate degrees in fields related to nursing from a college or university which was accredited by the state at the time the candidate completed the program. Information on accredited colleges and universities is contained in Accredited Institutions of Post-secondary Education, published annually by the American Council on Education, One Dupont Circle NW, Washington, DC 20036 or call (202) 939-9300. Information can be obtained from [the ACE web site.]

(4) **Level Within a Grade.** The Locality Pay System (LPS) recognizes that some employees at the Nurse I grade have higher qualifications assignments than other employees within the same grade. The qualification requirements for attainment of a higher level within the Nurse I grade are contained in [paragraph c], Grade Determinations, below.

(5) **Nine Dimensions of Nursing.** Nine criteria define the performance requirements for RNs at each grade and/or level in the Nurse Qualification Standard. These requirements listed below, are based on the American Nurses Association (ANA) Standards of Care and Standards of Professional Performance.

(a) **Practice.** Extent to which the RN effectively uses the nursing process components of assessment, diagnosis, outcome identification, planning, implementation, and evaluation in varied practice settings.

(b) **Quality of Care.** Extent to which the RN systematically evaluates and improves the quality and effectiveness of nursing practice and health care delivery.

(c) **Performance.** Extent to which the RN evaluates his/her own nursing practice as well as the performance of others.

(d) **Education/Career Development.** Extent to which the RN acquires and uses current knowledge for self and others.

(e) **Collegiality.** Extent to which the RN contributes to the professional development of peers, colleagues, and others.

(f) **Ethics.** Extent to which the RN makes decisions and takes action in an ethical manner.

(g) **Collaboration.** Extent to which the RN collaborates with clients, significant others, and other health care and service providers.

(h) **Research.** Extent to which the RN uses research in practice.

(i) **Resource Utilization.** Extent to which the RN considers factors related to safety, effectiveness, and cost in planning and delivering care.

[c.] **Grade Determinations.** In addition to the Basic Requirements specified in paragraph a above, the following criteria must be met in determining the grade assignment of candidates, and if appropriate, the level within a grade. With regard to the "dimension" requirements, the requirements for <u>all</u> "dimensions" at a particular grade/level must be met in order for a RN to be qualified at that particular grade/level.

[(1)] **Nurse I Level 1**

Scope: Delivers fundamental, knowledge-based care to assigned clients while developing technical competencies.

NURSE I LEVEL 1

EDUCATION	EXPERIENCE	DIMENSION REQUIREMENTS
Associate Degree or Diploma [in Nursing]	None	**1. Practice**: Uses the nursing process (assessment, diagnosis, outcome identification, planning, implementation, and evaluation). Accurately documents care of clients. **2. Quality of Care**: Describes the quality improvement process, roles and responsibilities, and identifies quality improvement activities on the unit. **3. Performance**: Participates in appraisal of own performance. **4. Education/Career Development**: Seeks opportunities to acquire and develop basic skills. **5. Collegiality**: Establishes professional relationships with peers. Seeks out colleagues for mutual information exchange. **6. Ethics**: Safeguards client privacy and confidentiality. Provides care in a non-judgmental, non-discriminatory manner, respecting the values and beliefs of members of all cultures. **7. Collaboration**: Communicates with clients and other healthcare providers regarding client care. **8. Research**: Assists in identifying problem areas in nursing practice. **9. Resource Utilization**: Provides care in a safe and cost-effective manner.

NOTE: *As used in this and subsequent tables, "Experience" refers to total years of successful nursing practice rather than experience at current grade level.*

[(2)] **Nurse I Level 2**

Scope: Demonstrates integration of biopsychosocial concepts, cognitive skills, and technically competent practice in providing care to clients with basic or complex needs.

NURSE I LEVEL 2

EDUCATION	EXPERIENCE	DIMENSION REQUIREMENTS
Associate Degree or Diploma [in Nursing] (OR) [Associate Degree or Diploma in Nursing and bachelors degree in a related field (OR)] Bachelor of Science in Nursing (BSN) [ ]	Approx. 1 year [None] None	**1. Practice**: Demonstrates competency using the nursing process in providing care for clients. Directs others who provide care. **2. Quality of Care**: Uses quality improvement findings to guide and direct own practice. **3. Performance**: Incorporates feedback regarding performance and interpersonal skills to enhance professional development. Participates in the performance evaluations of others. **4. Education/Career Development**: Seeks knowledge and skills appropriate to the practice setting to improve performance. **5. Collegiality**: Shares knowledge/skills with colleagues/others. **6. Ethics**: Assumes responsibility and accountability for individual nursing judgments and actions. Acts as a client advocate. **7. Collaboration**: Participates effectively on teams to plan and manage client care. **8. Research**: Demonstrates awareness of research application to practice. **9. Resource Utilization**: Plans and organizes care based on client needs and provider competencies to assure safe, efficient and cost-effective care.

[(3)] **Nurse I Level 3**

Scope: Demonstrates proficiency in practice based on conscious *and* deliberate planning. Self-directed in goal setting for managing complex client situations.

NURSE I LEVEL 3

EDUCATION	EXPERIENCE	DIMENSION REQUIREMENTS
Associate Degree or Diploma [in Nursing] (OR) [Associate Degree or Diploma in Nursing and bachelors degree in a related field. (OR)] BSN [ ] (OR) Master's degree in nursing or related field with a BSN [ ]	Approximately 2-3 years [Approximately 1-2 years] Approximately 1-2 years None	**1. Practice**: Demonstrates proficiency using the nursing process in providing care for clients with complex nursing care needs. Guides and directs others who provide care. **2. Quality of Care**: Participates in established quality improvement studies and/or activities. **3. Performance**: Conducts self-assessment of performance and identifies own learning needs. Assesses performance of others. **4. Education/Career Development**: Implements an ongoing educational plan to support own professional development. **5. Collegiality**: Provides feedback regarding the practice of others to improve client care. **6. Ethics**: Identifies ethical issues in practice and takes appropriate action. **7. Collaboration**: Refers to, consults with, and makes provision for continuity of care with other health care providers. **8. Research**: Uses a body of research to validate and/or change own professional practice. **9. Resource Utilization**: Delegates care in a safe, efficient, and cost-effective manner. Assists clients in identifying and securing appropriate services.

NOTE: *Employees at Nurse I must successfully advance through each level of the grade before being promoted to Nurse II.*

[(4)] **Nurse II**

Scope: Demonstrates leadership in delivering and improving holistic care through collaborative strategies with others.

NURSE II

EDUCATION	EXPERIENCE	DIMENSION REQUIREMENTS
BSN [ ] (OR) [Associate Degree or Diploma in Nursing and bachelors degree in a related field (OR)] Master's degree in nursing or related field with BSN[ ] (OR) Doctoral degree in nursing or [meets basic requirements for appointment and has doctoral degree in related field]	Approximately 2-3 years [Approximately 2-3 years] Approximately 1-2 years None	**1. Practice**: Applies the nursing process to systems or processes at the unit/team/work group level to improve care. Demonstrates leadership by involving others in improving care. **2. Quality of Care**: Initiates/participates in quality improvement activities that result in approved outcomes. **3. Performance**: Evaluates practice of self and others using professional standards, relevant statutes, and regulations. Takes action to improve performance. **4. Education/Career Development**: Acquires knowledge and skills to maintain expertise in area of practice. Participates in educational activities to improve clinical knowledge and enhance role performance. **5. Collegiality:** Educates colleagues and/or students and serves as a preceptor and/or mentor. **6. Ethics**: Supports and enhances client self-determination. Serves as a resource for clients and staff in addressing ethical issues. **7. Collaboration**: Uses group process to identify, analyze, and resolve care problems. **8. Research**: Uses a body of research to validate and/or change work group practice. **9. Resource Utilization**: Identifies and assesses resource utilization and safety issues, taking appropriate action.

[(5)] **Nurse III**

Scope: Executes position responsibilities that demonstrate leadership, experience, and creative approaches to management of complex client care.

NURSE III

EDUCATION	EXPERIENCE	DIMENSION REQUIREMENTS
Master's degree in nursing or related field with BSN [ ] (OR) Doctoral degree in nursing or related field [ ]	Approximately 2-3 years Approximately 2-3 years	**1. Practice**: Provides leadership in the application of the nursing process to client care, organizational processes and/or systems, improving outcomes at the program or service level. **2. Quality of Care**: Initiates interdisciplinary projects to improve organizational performance. **3. Performance**: Uses professional standards of care and practice to evaluate programs and/or service activities. **4. Education/Career Development**: Implements an educational plan to meet changing program or service needs for self and others. Maintains knowledge of current techniques, trends, and professional issues. **5. Collegiality**: Coaches colleagues in team building. Makes sustained contributions to health care by sharing expertise within and/or outside the medical facility **6. Ethics**: Provides leadership in identifying and addressing ethical issues that impact clients and staff, including initiating and participating in ethics consultations. **7. Collaboration**: Uses the group process to identify, analyze, and resolve care problems. **8. Research**: Collaborates with others in research activities to improve care. **9. Resource Utilization**: Manages program resources (financial, human, material, or informational) to facilitate safe, effective, and efficient care.

[(6)] **Nurse IV**

Scope: Executes leadership that is characterized by substantial and continuous responsibility and accountability for population groups or integrated programs that cross service and/or discipline lines and influence organizational mission and health care.

NURSE IV

EDUCATION	EXPERIENCE	DIMENSION REQUIREMENTS
Master's degree in nursing or related field with BSN [ ] (OR) Doctoral degree in nursing or related field [(AND) Appropriate basic or advanced certification desired]	Approximately 4-5 years Approximately 3-4 years	**1. Practice**: Uses an analytical framework, such as the nursing process, to create an environment that facilitates the delivery of care. Coordinates and evaluates integrated programs or demonstrates clinical excellence in management of population groups. **2. Quality of Care**: Provides leadership in improving and sustaining the quality and effectiveness of care in diverse or complex programs. **3. Performance**: Implements standards of professional practice and accrediting bodies, and applicable regulations. **4. Education/Career Development**: Develops staff for career progression. Forecasts new knowledge needs for changing practice environments/population groups. Plans, implements, and evaluates strategies to meet those needs. **5. Collegiality**: Contributes to the professional growth and development of colleagues and other health care providers at the local, regional, state, or national level. **6. Ethics**: Provides leadership in addressing ethical issues that impact clients and staff in or beyond the organization and the local health care community. **7. Collaboration**: Demonstrates leadership in developing productive working relationships with groups in other programs, services, academic settings, and community agencies. **8. Research**: Collaborates with staff, other disciplines, faculty, and peers in developing, conducting, and evaluating research activities and programs. **9. Resource Utilization**: Designs, modifies, and implements systems compatible with professional standards and with the mission and goals of the organization to improve the cost-effective use of resources.

[(7)] **Nurse V**

Scope: Practice of an executive nature, comprised of complex leadership and administrative components, associated with critical health care issues and activities that influence the organizational mission, health care, and policy.

NURSE V

EDUCATION	EXPERIENCE	DIMENSION REQUIREMENTS
Master's degree in nursing or related field with BSN [ ] (OR) Doctoral degree (*preferred*) in nursing or related field [(AND) Appropriate basic or advanced certification desired]	Approximately 5-6 years Approximately 4-5 years	**1. Practice**: Collaborates with health care executives in creating the organizational mission and vision. Directs the integration of nursing or nursing related activities in the mutual development and achievement of organizational goals. **2. Quality of Care**: Improves the quality and effectiveness of the facility's overall health care program by providing leadership, coordinating, and facilitating the evaluation and improvement of a wide range of programs. Excellence is reflected in improved client outcomes and organizational performance. **3. Performance**: Develops policy related to professional practice and relevant statutes and regulations on community, regional, and/or national levels. **4. Education/Career Development**: Mentors others in executive leadership positions. Forecasts knowledge needs for complex multi-system change **5. Collegiality**: Serves as an expert to communicate nursing and health care trends and issues at the local, regional, state, and/or national level. **6. Ethics**: Advocates for ethical decision-making on behalf of the public and staff. Develops an environment for ethical decision-making at the organization/system level. **7. Collaboration**: Collaborates with other executives for strategic planning, decision-making, and problem solving about health care services and organizational priorities. **8. Research**: Promotes an environment that supports the conduct and utilization of research in practice and a spirit of inquiry. **9. Resource Utilization**: Develops resource utilization strategies to improve organizational performance. Strategies reflect the changing societal and health care environments and the economic climate.

[d.] **Deviations**

(1) **Waiver of NLNAC or CCNE Accreditation Requirement.** The approving official may authorize a waiver of the requirement for NLNAC or CCNE accreditation of the baccalaureate or master's degree in nursing provided the college or university has regional accreditation [at the time of the candidate's graduation] and the composite qualifications of the applicant warrant such consideration. [Waivers at the doctoral level are not required; however, the program must be regionally accredited at the time of the candidate's graduation.]

(2) **Waiver of Experience and/or Degree Requirements.** The approving official may authorize a waiver of experience and/or the degree requirements for individuals whose professional accomplishments, performance, and qualifications warrant such consideration based on demonstrated ability to meet the requirements for promotion to the next higher grade or advancement to a higher level within the grade. Waivers of degree requirements are not authorized for appointments. If a waiver of education requirements above Nurse III level is recommended, the recommendation will be forwarded through the approving official who will forward [it] to the [ ] Central Office NPSB (HQ/NPSB)[.] The [ ] HQ/NPSB will evaluate the request by using the nine "dimensions" of nursing and scope of assignment. After review, the recommendation of the board will be forwarded to the approving official for a decision.

3. SECTION C. INTERIM EDUCATIONAL REQUIREMENTS FOR RNs. From June 18, 200[1] to September 30, 2005, RNs appointed before December 10, 1999 will be considered for promotion and advancement based on the following Interim Educational Requirements for RNs and the nine "dimensions" contained in section B of this Qualification Standard.

Minimum Requirements for:	**Education**
Nurse I Level 2	Associate degree or diploma in nursing
Nurse I Level 3	Associate degree or diploma in nursing
Nurse II	Associate degree or diploma in nursing
Nurse III	Baccalaureate degree in nursing from NLNAC/CCNE-accredited program
Nurse IV	Master's degree in nursing or related field with a BSN from a NLNAC/CCNE accredited program
Nurse V	Master's degree in nursing or related field with a BSN from a NLNAC/CCNE accredited program

APPENDIX G7. NURSE ANESTHETIST QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment as a nurse anesthetist in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education.** Graduate of a school of professional nursing approved by the appropriate State accrediting agency at the time the program was completed by the applicant; and graduate of a school of anesthesia approved by the American Association of Nurse Anesthetists. Lists of approved schools of nursing have been compiled by the National League for Nursing (formerly National League of Nursing Education) since 1931 and by the American Nurses' Association prior to 1931. These lists may be obtained from the National League for Nursing, 61 Broadway 33rd Floor, New York, New York 10006. In cases of graduates of foreign schools of professional nursing, possession of a current and active registration (see basic requirement c) will meet the requirements of graduation from an approved school of professional nursing. The American Association of Nurse Anesthetist has compiled current listings of approved training institutions which are published annually in the December issue of the "American Association of Nurse Anesthetist Journal." Listings of approved training institutions are also published annually in August by the American Hospital Association in their "Guide to the Health Care Field".

c. **Registration**

(1) **Condition of Employment.** Current, full, active and unrestricted registration as a graduate professional nurse in a State, Territory or Commonwealth (i.e., Puerto Rico) of the United States or the District of Columbia. The facility Director may waive this requirement if the nurse anesthetist is to serve in a country other than the United States and has registration in that country.

(2) **Impaired Registration.** A nurse anesthetist who has, or has ever had, any registration(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status may be appointed only in accordance with the provisions of chapter3, section B, paragraph 15 of this part.

d. **Certification.** On and after May 4, 1993, certification by the Council on Certification of Nurse Anesthetists is a requirement for employment. This requirement does not apply to non-certified nurse anesthetists on VA rolls prior to May 4, 1993.

e. **Physical Standard.** See VA Directive and Handbook 5019.

f. **English Language Proficiency.** Nurses appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), 7407(d).

3. SECTION B. GRADE REQUIREMENTS

a. **General**

(1) **Recency and Quality of Experience.** Recency or quality of training and experience in anesthetic techniques should be carefully reviewed when determining the appropriate grade. To be creditable, experience must demonstrate possession of knowledges, skills and abilities related to the current practice of nurse anesthesia. The importance of specific types of experience or training may vary according to the intended assignment.

(2) **Part-Time Experience.** For the purpose of crediting experience for appointment, part-time experience will be credited according to the relationship it bears to a full workweek. (For example, a nurse anesthetist who worked 20 hours a week on a half-time basis would receive one full-time workweek credit for 2 weeks of such service.)

(3) **Level Within a Grade.** Nurse I grade of the Locality Pay System recognizes employees with higher qualifications. The qualification requirements for attainment of a higher level within the Nurse I grade are contained in subparagraph (1) below.

b. **Grade Determination.** In addition to the basic requirements stated above, the following qualification criteria must be met in determining the appropriate grade assignment of candidates.

(1) **Nurse I**

(a) **Nurse I, Level 1.** None beyond basic requirements.

(b) **Nurse I, Level 2.** Experience in the administration of anesthetics which has demonstrated the applicant's ability to participate in team programs which are exceptionally difficult or responsible, i.e., extra corporeal circulation, hypothermia, shock, emergency obstetrical, and surgical intensive care unit facilities. Generally, these abilities can be demonstrated after approximately 2 years of nurse anesthesia practice.

(2) **Nurse II.** In addition to meeting the requirements for Nurse I, the candidate has had progressively responsible experience in the administration of anesthetics which include demonstrated accomplishments in upgrading services to patients or has involved program type responsibilities such as indicated below. Generally, these abilities can be demonstrated after approximately 4 years of nursing anesthesia practice.

(a) Experience or aptitude for teaching in the nurse anesthetist field.

(b) Special recognition in the profession.

(c) Patient care which is abreast of changing concepts and advancements in the profession.

(d) Direction of professional and nonprofessional personnel in providing patient treatment.

(e) Administration of an effective nurse anesthetist education program.

(f) Guidance and instruction in preparing others for positions of leadership.

(g) Demonstrated ability to work effectively with other disciplines for the improvement of services to patients.

(h) In addition, the nurse anesthetist must have shown recognition of responsibility for continuing development of self and others with the aim of providing improved services to patients.

(3) **Nurse III.** The candidate will typically have had approximately 6 years of progressively responsible experience in the administration of anesthetics which included demonstrated accomplishments in upgrading services to patients or involved program responsibilities as specified for Nurse II. Generally, about 1 year of this experience must reflect, in addition, the ability to plan, organize, direct, coordinate and evaluate a program of nurse anesthesia care, requiring expert knowledge of anesthetizing location, methods, equipment and procedures. Assignments in which these knowledges and abilities may be demonstrated are as follows:

NOTE: *The use of Nurse III is restricted to individuals occupying one of the assignments indicated below.*

(a) **Independent Nurse Anesthetist.** The position of independent nurse anesthetists may exist when there are three or fewer nurse anesthetists, and generally there is no full-time VA anesthesiologist assigned to the facility. In this situation, the independent nurse anesthetist assumes an extraordinary degree of professional authority and accountability for the administration of the anesthesia care program for the facility. Typically, duties will include:

1. Evaluation of patient's physical and mental condition and determination of the course of anesthesia care, including nature of the anesthetic agent to be used and method of administration, in conjunction with the surgeon, dentist, or podiatrist and consistent with the person's scope of practice.

2. Delivers anesthesia for a broad range of procedures.

3. Participates in the development of anesthesia patient care audit processes involving in depth review and analysis of anesthesia records. Develops new anesthesia methods and techniques, as well as protocols of practice for anesthesia care, for approval by the appropriate authority. Administers and evaluates new drugs. Assumes responsibility for all techniques, drugs and equipment used in the administration of anesthesia to all patients undergoing any and all forms of surgical and/or diagnostic procedures.

4. Provides advice and assistance to other nurse anesthetists in unusually difficult or complex cases. Conducts in-service educational programs for nurse anesthetists and other health care personnel at the facility.

5. May assist in or conduct approved research projects relative to anesthesia care.

(b) **Senior Nurse Anesthetist.** The position of senior nurse anesthetist may exist at health care facilities where anesthesia care must regularly be provided in the most complex types of surgical procedures. Typically, duties will include:

1. Regularly provides anesthesia care in unusually extensive and complex surgical procedures which are of prolonged duration and involve high-risk patients, including development of individualized programs of post anesthesia care.

2. Participates in the audit of anesthesia care, recommending changes where indicated.

3. Assists in correlating a teaching program for providing anesthesia care, maintaining close relationships with residents and students who rotate through the health care facility. Participates as instructor in the facility's program of in-service education.

4. May assist in or conduct approved research projects relative to anesthetist care.

(4) **Nurse IV**

(a) **General**

1. Assignment of this grade generally requires a minimum of 6 years of progressively responsible leadership assignments in clinical, administrative, educational and/or research related to nurse anesthesia; and

2. The individual's professional practice must be characterized by all of the following behaviors:

a. Establishes effective relationships with nurse anesthesia staff;

b. Accepts substantial and continuing responsibility and accountability for planning, organizing directing, and controlling an integrated program;

c. Makes decisions that reflect the distinctive and contributory role of nurse anesthesia within the local institution and the total health care system;

d. Forecasts requirements necessary for long range program planning;

e. Facilitates the delivery of nurse anesthesia services in collaboration with health professionals, health managers and other health care personnel;

f. Sets standards for clinical practice, administration, education and research in nurse anesthesia, and assures their maintenance.

(b) **Specific Assignments.** In addition to meeting the qualification requirements specified above the assignment of Nurse IV is restricted to the following assignments:

1. **Chief, Nurse Anesthetist Section (or Unit).** As a first level supervisor, assumes full Supervisory responsibility over a minimum of three experienced nurse anesthetists. Typically, duties will include:

a. Assignment of duties and responsibilities of the nurse anesthetist staff relative to anesthesia care of patients to insure adequate work coverage at all times. Selective consideration is given relative to difficulty of assignment and capabilities of subordinates.

b. Interviews candidates for subordinate positions in the section or unit. Makes recommendations for appointment, advancement, and when appropriate, disciplinary action. Evaluates performance of the staff and identifies continuing education and training needs.

c. Assists in correlating a teaching program for providing anesthesia care, maintaining close relationships with residents and students who rotate through the health care facility. Participates as instructor in the facility's program of in-service education.

d. Delivers anesthesia care as needed in the more complex anesthetic procedures and to poor risk patients such as those in the older age group. Participates in the audit of anesthesia care, recommending changes where indicated.

e. May assist in or conduct approved research projects relative to anesthesia care.

2. **Director, School of Nurse Anesthesia.** As Director of a VA approved school of nurse anesthesia, has administrative and technical responsibility for the school, including responsibility for the development of, and modification to, curricula, testing procedures, and evaluation criteria. May participate as instructor in the school. When there is a small school involved, these duties may be performed with those of a Chief, Nurse Anesthetist Section (or Unit). In the case of a large school (15 or more students), the preponderance of work will involve duties connected with administration of the school.

(5) **Nurse V.** For highly qualified candidates with program responsibilities which significantly exceed the minimum scope and complexity of those described for Nurse IV, the Under Secretary for Health or designee may approve assignment of Nurse V. Typically, this assignment will be restricted to individuals who are responsible for managing a program with 15 or more subordinate nurse anesthetists.

4. SECTION C. DEVIATIONS. In cases where the application of the grade requirements will result in an inappropriate grade assignment, the appointing official may authorize deviations from the established requirements.

Authority: 38 U.S.C. 7304; 7402.

APPENDIX G8. PHYSICIAN ASSISTANT QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment as a Physician Assistant (PA) in Veterans Health Administration (VHA).

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education or Training.** The candidate must meet one of the following:

(1) A bachelor's degree from a PA training program which is certified by the Accreditation Review Commission on Education of the Physician Assistant (ARC-PA); or

(2) Graduation from a PA training program of at least 12 months duration which is certified by the ARC-PA and a bachelor's degree in a health care occupation or a health-related science; or

(3) Graduation from a PA training program of at least 12 months duration which is certified by the ARC-PA and a period of progressively responsible health care experience such as an independent duty medical corpsman, licensed practical nurse, registered nurse, medical technologist, or medical technician. The duration of approved academic training and health care experience must total at least 5 years.

c. **Certification.** As of March 12, 1993, certification by the National Commission on Certification of Physician's Assistants (NCCPA) is a requirement for employment. This requirement does not apply to non-certified PAs on VA rolls as of that date.

d. **Physical Standards.** See VA Directive and Handbook 5019.

e. **English Language Proficiency.** PAs appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), and 7407(d).

f. **Restriction.** Under no circumstances may this occupation be used to employ physicians or other health care providers who do not meet the applicable qualification standards for their occupation. All physician assistants must meet the requirements in subparagraphs a through e above.

3. SECTION B. GRADE REQUIREMENTS. In addition to the basic requirements stated above, the following qualifications criteria must be met in determining the appropriate grade assignment of candidates.

a. **Associate Grade.** None beyond basic requirements.

b. **Full Grade.** Completion of one of the following requirements:

(1) Successful practice as a PA which demonstrates the abilities in subparagraphs (a) and (b) below. Generally, individuals meeting the education requirements in paragraph 2c of section A can demonstrate these skills after approximately 2 years of practice as a PA. The complexity of diagnostic and therapeutic procedures which the candidate is capable of performing, as a result of experience as a PA, have expanded significantly beyond those required of employees meeting the minimum requirements for entry into the occupation.

(a) Ability to work effectively with patients, families or significant others, with professional and supportive personnel who provide patient care, and with members of other services; *and*

(b) Ability to provide effective care to patients; i.e. assesses, plans, implements, documents, evaluates patient care; manages care for assigned patients; initiates effective actions in emergencies; or

(2) A Bachelor's degree from a PA training program which is certified by the ARC-PA *and* practice as a PA which demonstrates abilities such as those described in paragraph (1) above. Generally, individuals attaining the education level specified in this subparagraph can demonstrate the abilities described in subparagraphs (a) and (b) above after approximately 1 year of practice as a PA; or

(3) Master's degree in a health care occupation or a health-related science and a baccalaureate degree from a PA training program which is certified by the ARC-PA; or

(4) Master's degree from a PA training program which is certified by the ARC-PA.

c. **Intermediate Grade.** Completion of requirements in *one* of the following paragraphs:

(1) PA practice characterized by leadership in improving patient care; demonstrated ability to work effectively with others; and proficiency in <u>one</u> of the following four groups of behaviors (subparagraphs (a), (b), (c), or (d) below). The PA is able to perform more complex diagnostic and therapeutic procedures than PAs at Full grade and seeks guidance from the supervising physician less frequently than PAs at lower grade levels and more readily identifies complex patient care situations where referral to the supervising physician is required. Generally, individuals meeting the education requirements in section A of this appendix can successfully demonstrate <u>one</u> of these groups of behaviors after approximately 4 years of practice.

(a) **Clinical Skills.** Uses sound judgment in assessing, planning, implementing, documenting and evaluating patient care; applies current concepts and findings from research and/or studies to practice; shares clinical expertise with professional and supportive personnel; accurately documents and reports care; identifies, analyzes and resolves patient care problems whose resolution results in the significant improvement of care to patients; demonstrates such expertise in patient care so as to be recognized by others.

(b) **Managerial Skills.** Assesses, plans, implements and evaluates the delivery of patient care; applies current concepts and findings from research and/or studies to practice; uses sound judgment in making decisions; is timely and accurate in corresponding and reporting; analyzes and resolves problems that impede the delivery of patient care and services.

(c) **Instructional Skills.** Assesses, plans, implements, documents and evaluates educational activities; applies current concepts and findings from research and/or studies to practice; uses effective and creative teaching methods; encourages active participation of learners in meeting their own needs.

(d) **Research Skills.** Under supervisory guidance of the managing physician, accepts professional responsibility for a scientific investigation expected to result in a publishable addition to scientific knowledge; resolves problems ordinarily entailed in the accomplishment of a project; interprets findings; prepares reports and papers; or

(2) A bachelor's degree from a PA training program which is certified by the ARC-PA *and* practice as a PA which demonstrates behaviors such as those described in paragraph (1) above. Generally, an individual with the education in this paragraph can demonstrate these behaviors after approximately 3 years of practice as a PA; or

(3) Master's degree in a health care occupation or a health-related science and a baccalaureate degree from a PA training program which is certified by the ARC-PA; *and* practice as a PA which demonstrates behaviors such as those described in paragraph (1) above. Generally, an individual with the education described in this paragraph can demonstrate these behaviors after approximately 2 years of practice as a PA; or

(4) Master's degree from a PA training program which is certified by the ARC-PA; *and* practice as a PA which demonstrates behaviors such as those described in paragraph (1) above. Generally, an individual with the education described in this paragraph can demonstrate these behaviors after approximately 2 years of practice as a PA; or

(5) Doctoral degree in a health care occupation or a health-related science and a baccalaureate or masters degree from a PA training program which is certified by the ARC-PA.

d. **Senior Grade.** Completion of the requirements in *one* of the following paragraphs:

(1) Practice as a PA which demonstrates the behaviors described below. Generally, individuals with the education in section A of this appendix can demonstrate these behaviors after approximately 6 years of practice as a PA.

(a) Working effectively with others on a consistent basis and establishing relationships with professional and/or other health care related groups in the community, *and*

(b) Significant and sustained contributions to the PA profession which may include publication or publishable works, membership on task forces, intramural or extramural committees, consulting, development of educational media, scientific inquiry, or use of creative approaches to enhance quality of patient care and productivity of providers, *and*

(c) Practice as a PA characterized by leadership and accomplishments in developing and implementing programs to improve the delivery of patient care, and by proficiency in <u>one</u> of the following areas:

1. **Clinical Practice.** Systematically evaluates current clinical practice; initiates change in clinical practice based on current concepts and findings from research and/or studies; demonstrates such expertise in patient care that advice is sought by others. PAs involved in surgical procedures perform as first or second assistant to the surgeon in charge. Assesses, plans, implements and evaluates patient care programs;

2. **Administration.** Initiates changes in the system for delivering patient care based on current concepts and findings from research and/or studies; uses sound judgment in making decisions; manages staff; develops staff for patient care leadership assignments.

3. **Education.** Assesses, plans, implements, coordinates and evaluates educational programs and activities; initiates change in education programs based on current concepts and findings from research and/or studies; teaches effectively and creatively; provides guidance to others involved in the delivery of the education program.

4. **Research.** Demonstrates thorough grounding in research methodology; designs and conducts scientific inquiry; promotes and assists others in the application of findings from research and/or studies; guides and directs others in research activity; contributes through conducting scientifically meritorious inquiry and publishable findings; or

(2) A Bachelor's degree from a PA training program certified by the CAAHP; *and* successful practice as a PA which demonstrates behaviors such as those in paragraph (1) above. Generally, an individual with the education in this paragraph can demonstrate these behaviors after approximately 5 years of practice as a PA; or

(3) Master's degree in a health care occupation or a health-related science and a bachelor's degree from a PA training program certified by the CAAHP; *and* successful practice as a PA which demonstrates the behaviors such as those in paragraph (1) above. Generally, an individual with the education in this paragraph can demonstrate these after approximately 4 years of practice as a PA; or

(4) Master's degree from a PA training program certified by the CAAHP; *and* successful practice as a PA which demonstrates the behaviors such as those in paragraph (1) above. Generally, an individual with the education described in this paragraph can demonstrate these behaviors after approximately 4 years of practice as a PA; or

(5) Doctoral degree in a health care occupation or a health-related science and a bachelor's or masters degree from a PA training program certified by the CAAHP; *and* successful practice as a PA which demonstrates the behaviors such as those in paragraph (1) above. Generally, an individual with the education in this paragraph can demonstrate these behaviors after approximately 2 years of practice as a PA.

e. **Chief Grade**

(1) **General.** Chief grade is restricted to selected leadership positions. The individual's qualifications as well as the scope and complexity of the assignment are considered.

(2) **Education.** The preferred minimum education for this grade is a master's degree from a PA training program certified by the ARC-PA *or* a master's degree in a health care occupation or a health-related science and a baccalaureate degree from a PA training program certified by the ARC-PA. However, experience as a PA may be substituted for the master's degree where the individual has an equivalent knowledge of the profession and has successfully undertaken difficult or complex clinical, administrative, research and/or educational assignments which have required an unusual degree of leadership and competence.

(3) **Experience.** Professional practice characterized by progressively more responsible leadership assignments in clinical, administrative, educational and/or research areas. An individual can demonstrate these abilities after approximately 8 years of practice as a PA. Practice must have consistently demonstrated all of the following behaviors (if applicable to the assignment):

(a) Establishes and maintains relationships within the service, with facility management and other services that result in improved patient care.

(b) Accepts substantial and continuing responsibility and accountability for planning, organizing, coordinating and controlling a complex integrated health care program.

(c) Makes decisions which serve to enhance the distinctive and contributory role of PAs within the local institution and the total health care system.

(d) Participates in long range program planning and model development for effective delivery of health services.

(e) Facilitates the delivery of patient care in collaboration with health professionals, health managers and other health care personnel.

(f) Assures implementation, maintenance and compliance with standards of professional practice of all health care personnel within the program.

(4) **Scope and Complexity of Assignment**

(a) **PA Assignments.** Examples of assignments which may justify Chief grade include coordinators or others in leadership roles in such areas as quality assurance, ambulatory care, nursing home care, domiciliary, cardiac catheterization, organ transplant, surgery, or spinal cord injury. These assignments are typically located in settings requiring extensive coordination with a wide variety of specialties/subspecialties and other special programs. The complexity of the assignment must also be such that leadership and an exceptional degree of competence are required.

(b) **Complexity Determinations.** Factors to be considered in evaluating the scope and complexity of an assignment in one or more of the following areas are as follows:

1. **Clinical Practice**

a. Systematically evaluates patient care program; and

b. Exhibits leadership in initiating changes in patient care programs based on current concepts and findings from research and/or studies; and,

c. Successfully integrates the activities of the employee's assignment with other patient care programs at the facility and with similar programs on a broader geographic basis; and

d. Consistently demonstrates expertise in diagnosing and treating seriously ill multi-symptomatic patients.

2. **Administrative Assignments**

a. Plans, organizes, coordinates, controls and evaluates complex medical programs, including follow-up actions required by internal and external review organizations and/or accrediting bodies; and

b. Participates in executive-level decision-making deliberations; and

c. Performs a full range of administrative duties.

3. **Educational Assignments**

a. Develops and implements broad education and training programs involving a variety of specialties in widely diversified activities; and

b. Provides personnel with the vital link between education and practice; and

c. Coordinates and maintains close relationships with affiliated schools, professional organizations, certifying bodies, and program directors of students of the PA program and other disciplines who rotate through the medical facility; and

d. Serves on education and training committees, advisory groups, and special task forces concerned with managing education and career development activities.

4. **Research Assignments**

a. Conducts merit-reviewed, approved research projects; performs independent research, serves as a primary contributing member of a research team or serves as co-chair of a research committee; formulates research proposals and protocol submissions to Central Office for merit review; and develops publishable material for appropriate professional journals or speaks to peer groups; or

b. Effectively researches problems of major scope; directs independent research of considerable interest and value, where the research contribution is highly productive and of such quality and originality as to have marked the PA as a significant contributor to advances in patient care and services.

4. SECTION C. DEVIATIONS

a. The appointing official may authorize a waiver of the grade requirements for PAs whose accomplishments, performance and qualifications warrant such consideration based on demonstrated competence to meet the requirements of the proposed grade.

b. Only for the employment of graduates of surgical assistant programs certified by the ARC-PA, the appointing official may waive the requirement in section A that an individual be a graduate of a ARC-PA-certified PA program, provided guidelines for their utilization have been approved by the Under Secretary for Health or designee in Central Office.

Authority: 38 U.S.C. 7304, 7402.

APPENDIX G9. EXPANDED-FUNCTION DENTAL AUXILIARY QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment as an EFDA (Expanded-Function Dental Auxiliary) in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education.** Graduate of a dental auxiliary education program that included education and training in expanded functions acceptable to the appropriate VA Professional Standards Board. The program, such as a dental assistant or dental hygiene education program, must be accredited by the Council on Dental Education of the ADA (American Dental Association) and approved by the appropriate State accrediting agency at the time the program was completed.

c. **Licensure or Certification.** Individuals employed as EFDAs must possess active, current, full and unrestricted licensure as a dental hygienist from a State, Territory or Commonwealth, (i.e. Puerto Rico) of the United States or the District of Columbia; or evidence of certification from the American Dental Assistants Association as a CDA (Certified Dental Assistant). EFDAs who have, or have ever had, any license(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status may be appointed only in accordance with the provisions in paragraph 16 of chapter 3, section B, this part.

d. **Physical Standards.** See VA Directive and Handbook 5019.

e. **English Language Proficiency.** EFDAs appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), and 7407(d).

3. SECTION B. GRADE REQUIREMENTS. In addition to the basic requirements specified above in section A, the following qualifications criteria must be met in determining the appropriate grade assignment of candidates.

a. **Junior Grade.** The candidate must meet *one* of the following:

(1) For candidates who are licensed dental hygienists, none beyond basic requirements.

(2) Candidates who are CDAs (certified dental assistants) must possess *one* of the following:

(a) One year of progressively responsible experience in expanded functions or 2 years of progressively responsible experience as a dental assistant that did not include expanded functions.

(b) One year of experience as an instructor in an ADA-accredited dental auxiliary education program which included instruction in expanded functions.

(c). Two years of progressively responsible experience in a related health care occupation such as licensed practical nurse, health technician, independent medical corpsman, medical technician, or radiology technician.

(d) Bachelor's degree in a related health care occupation such as nursing, physician assistant, medical technology, or physical therapy; or a bachelor's degree in a related health science such as physiology, biology, or biochemistry.

b. **Associate Grade**

(1) The candidate must meet *one* of the following:

(a) Bachelor's degree in dental hygiene, or its equivalent.

(b) Bachelor's degree in a related health care occupation as defined above, or a bachelor's degree in a related health science as defined above, and 1 year of progressively responsible experience in expanded functions or as an instructor in an ADA-accredited dental auxiliary education program which included instruction in expanded functions.

(c) Completion of an ADA-accredited 2-year dental hygiene education program and 2 years of progressively responsible experience in expanded functions.

(d) Completion of an ADA-accredited 1 year dental assistant education program and 3 years of progressively responsible experience in expanded functions.

(2) The required experience for Associate grade must have included:

(a) Demonstrated competence in performance of expanded functions which are exceptionally difficult or responsible, *and*

(b) Demonstrated skill in observing and identifying patients' physical needs and in providing emotional support to patients, *or*

(c) Experience in a dental facility that delivers full comprehensive dental care including services in dental specialties.

c. **Full Grade.** See section C below.

4. SECTION C. DEVIATIONS

a. The appointing official may authorize a waiver of the grade requirements for Junior or Associate grade for EFDAs whose accomplishments, performance, and qualifications warrant such consideration based on demonstrated competence to meet the requirements of the proposed grade.

b. Under unusual circumstances, the appointing official may authorize appointment of an EFDA at Full grade when it is determined that the scope and complexity of the assignment and level of responsibility warrants this grade.

Authority: 38 U.S.C. 7304; 7402.

APPENDIX G10. CERTIFIED RESPIRATORY THERAPIST QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. The following are the overall requirements for appointment of a CRT (certified respiratory therapist) in VHA who performs or supervises technical work concerned with administering respiratory care and life support to patients with cardiopulmonary deficiencies and abnormalities.

NOTE: *Chapters 73 and 74, title 38, United States Code refers to "certified or registered respiratory therapists." Since the National Board for Respiratory Care, the certifying body for respiratory therapists, distinguishes between "certified respiratory therapist" and "registered respiratory therapists," we are adopting these titles for agency use.*

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with paragraph 3g, section A of chapter 3, this part.)

b. **Certified Respiratory Therapist.** Has been issued a certificate as a CRT by the NBRC (National Board for Respiratory Care) or a certificate from another body which the NBRC recognizes as its credentialing equivalent. This included certification based on either:

(1) Having successfully completed a respiratory therapy technician (1 year) or respiratory therapy program accredited by the Joint Committee for Respiratory Therapy Education and having passed the entry level examination administered by the NBRC since 1983, *or*

(2) Having a certificate as a respiratory or inhalation therapy technician based on passing an entrance examination administered by the (1) National Board for Respiratory Therapy from 1975 through 1982; (2) Technician Certification Board of the American Association for Respiratory Therapy from 1972 through 1974; or (3) Technician Certification Board of the American Association for Inhalation Therapy from 1969 through 1971.

c. **Physical Standards.** See VA Directive and Handbook 5019.

d. **English Language Proficiency.** CRTs appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), and 7407(d).

3. SECTION B. PART-TIME CREDIT. Part-time experience is credited according to the relationship it bears to the full-time workweek (e.g. a CRT who worked 20 hours a week, i.e., half-time, would receive one full-time workweek of credit for each 2 weeks of service).

4. SECTION C. GRADE REQUIREMENTS. In addition to meeting the basic requirements stated above, the following qualifications criteria must be met in determining appropriate grade assignments.

a. **GS-5.** None beyond the basic requirements.

b. **GS-6.** Successful completion of *one* of the following:

(1) A minimum 2-year accredited educational program of study in respiratory therapy.

(2) At least 1 year of experience related to respiratory therapy at the GS-5 level or equivalent. Experience at this level is work which included duties such as: administering oxygen and aerosols containing prescribed medications to patients involving the use of a variety of standard respiratory equipment; drawing and analyzing blood samples from patients; collecting sputum specimens using aerosol administration and tracheal suctioning; performing chest physical therapy using techniques such as clapping, vibrating, and postural drainage to facilitate the removal of secretions; calibrating equipment such as oxygen regulators and blood gas analyzers; and setting up and monitoring the operation of compressors, nebulizers, non-breathing masks, and co-oximeters. This experience must have provided the candidates with a wide knowledge of commonly used respiratory equipment, procedures and techniques, including an understanding of the basic medical sciences such as anatomy, physiology, chemistry, and physics and how they relate to the respiratory and cardiovascular systems of the human body; knowledge of the various respiratory diseases such as bronchitis, asthma, and emphysema, including the appropriate methods of treatment; and knowledge of commonly used respiratory drugs such as bronchodilators.

c. **GS-7.** Candidates must have successfully completed at least *one* of the following:

(1) A 4-year or more accredited program of study leading to a bachelor's or higher degree in respiratory therapy.

(2) In addition to meeting the requirements for the GS-6 level, an additional year of experience related to respiratory therapy at the GS-6 level or equivalent. Experience at this level is work which includes duties such as; setting up and monitoring complex respiratory equipment such as volume and pressure ventilators; performing airway care and maintenance on intensive care patients; performing specific diagnostic studies to determine oxygen consumption/carbon dioxide production, measure respiratory compliance, tidal volume and inspiratory force; drawing and interpreting results of blood gas analysis; providing oxygen and life support to patients during emergency resuscitations; assisting physicians in placing artificial airways into patient's trachea; and calibrating complex respiratory equipment such as pressure and volume ventilators, oximeters, and mass spectrometers. This experience must have provided the candidate with knowledge of the full range of equipment, procedures, and techniques used in respiratory therapy including the operating characteristics, capabilities, and limitations of the complex equipment (e.g. volume ventilators) used in intensive respiratory care and emergency situations. The experience must have also provided the candidate with knowledge of anatomy and physiology of the respiratory system including in-depth understanding of how the structure and function of the lungs and bronchi relate to gas exchange and ventilation; and a knowledge of caring for a wide variety of acute and chronic respiratory disorders.

5. SECTION D. ACCREDITED SCHOOLS. A listing of accredited educational programs in respiratory therapy may be secured from the Department of Allied Health Education and Accreditation, American Medical Association, 515 North State Street, Chicago, Illinois 60610.

6. SECTION E. DEVIATIONS. In cases where the application of the grade requirements will result in an inappropriate grade assignment, the appointing official may authorize a deviation from these requirements. Deviations to the GS-7 grade level ceiling should be requested for GS-8 and above inhalation therapy technicians who are or become certified respiratory therapists. Deviations from this ceiling may also be approved where necessary to avoid an inappropriate grade assignment, e.g., assignment of supervisory responsibilities warranting higher than the GS-7 grade to a CRT at a facility where a registered therapist is not available.

Authority: 38 U.S.C. 7304; 7402.

APPENDIX G11. REGISTERED RESPIRATORY THERAPIST QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment of an RRT (registered respiratory therapist) in VHA who performs or supervises work concerned with administering respiratory care and life support to patients with cardiopulmonary deficiencies and abnormalities.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Registered Respiratory Therapist.** Has a certificate as an RRT from the NBRC (National Board for Respiratory Care) and a registry number, or a certificate from another body which the NBRC recognizes as its credentialing equivalent. This includes registration based on either:

(1) Having fulfilled the requirements and passed the registry examination administered by the NBRC since 1983, or

(2) Having fulfilled the requirements and passed the registry examination for a registered inhalation or respiratory therapist administered by the (1) National Board for Respiratory Therapy from July 1974 through 1982 or (2) American Registry of Inhalation Therapists from 1961 through June 1974.

c. **Physical Standards.** See VA Directive and Handbook 5019.

d. **English Language Proficiency.** RRTs appointed to direct patient-care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), and 7407(d).

3. SECTION B. PART-TIME REQUIREMENTS. Part-time experience is credited according to the relationship it bears to the full-time workweek (e.g., an RRT who worked 20 hours a week, i.e., half-time, would receive one full-time workweek of credit for each 2 weeks of service).

4. SECTION C. GRADE REQUIREMENTS. In addition to meeting the basic requirements stated above, the following qualifications criteria must be met in determining the appropriate grade assignment of candidates.

a. **GS-7.** None beyond the basic requirements.

b. **GS-8.** Candidates must have *all* of the following:

(1) At least 1 year of successful experience related to respiratory therapy at the GS-7 level or equivalent. Qualifying experience at this level is work which includes duties such as: administering assisted and controlled ventilation to patients with tracheotomies and other complex medical problems

requiring frequent adjustments in ventilator parameters; administering and monitoring advanced ventilator techniques such as positive end expiratory pressure and continuous positive airway pressure; developing plans for weaning patients from ventilators; assessing the respiratory status of patients using data acquired through physical observation and clinical analysis of blood gas data, chest x-rays, and electrocardiogram to determine the effectiveness of therapy being administered and to make recommendations to physicians regarding changes in treatment; performing the most difficult respiratory therapy procedures to maintain ventilation, including endotracheal intubation, tracheal lavage, and tracheotomy care; and providing in-service training to others in various specialized areas of respiratory care.

(2) Demonstrated knowledge and ability needed to perform complex respiratory procedures with minimal supervision. Is able to participate with physicians and nurses and other staff in planning respiratory treatment, with great reliance on the individual's knowledge of the equipment.

(3) Demonstrated knowledge and ability to provide emergency or critical respiratory care; service as a shift leader or supervisor or sole responsible respiratory therapist on a shift; and to plan and conduct training sessions with respiratory therapy students, hospital staff, patients, and family members.

NOTE: *The use of the GS-9 and above grade levels is restricted to individuals performing one of the assignments indicated below for the grade.*

c. **GS-9.** In addition to meeting the requirements for GS-8, candidates must have had at least 1 additional year of successful and progressively responsible experience related to respiratory therapy at the GS-8 level or equivalent. This experience must have included demonstrated accomplishments in upgrading services to patients. The candidate must have demonstrated expert knowledge of respiratory therapy methods, equipment, and procedures and the ability to assume responsibility to plan, organize, direct, coordinate, and evaluate programs involving respiratory care. Serves as:

(1) **Chief of a Section (or Unit) Providing Respiratory and Related Care.** Supervises at least three employees (full-time equivalent) whose work involves providing respiratory and related care. Typically, duties and responsibilities will include:

(a) Assigns duties and responsibilities to staff relative to respiratory care of patients to include adequate work coverage at all times. Selective consideration is given to relative difficulties of assignments and capabilities of subordinates.

(b) Interviews candidates for subordinate positions in the section or unit. Makes recommendations for appointment, advancement, and, when appropriate, disciplinary action. Evaluates performance of the staff and identifies continuing education and training needs.

(c) Participates in in-service respiratory teaching and training, maintaining a close relationship with other disciplines and students who may rotate through the health care facility.

(d) Delivers respiratory care as needed in the more complex respiratory care procedures and to poor risk patients such as those in the older age group. Participates in the audit of respiratory care, recommending changes where indicated.

(2) **Assistant Chief.** Serves as a full assistant to a chief of an organizational element involved in providing respiratory and related care as described below for the GS-10 grade. Occupies a position in the direct supervisory line and shares in, and assists the chief with respect to, all phases of the organizational element's work.

d. **GS-10.** In addition to meeting the requirement for GS-9, candidates must have had at least 1 additional year of successful and progressively responsible experience in which the candidate demonstrated the ability to assume supervisory duties and function in an assignment at the GS-10 level. Serves as:

(1) **Chief of an Organizational Element (Typically a Section).** Has full responsibility for supervising at least seven employees (full-time equivalent) whose work involves providing respiratory and related care. Typically, duties and responsibilities will include:

(a) Plans work schedules and the sequence of operations, and recommends and implements changes in organization or work assignments to improve work, services, job satisfaction, etc. Also, recommends and justifies to higher authority changes with significant budgetary impact. In addition, develops and reports to higher level supervisors changes in budget requirements based on anticipated workload and productivity capability of the section.

(b) Assigns and explains work requirements relative to respiratory care for new or changed, as well as existing, programs. Resolves technical work problems, including those not covered by precedents or established policies.

(c) Develops and updates guidelines and policies for nonroutine or complex assignments.

(d) Keeps employees and higher level supervisors informed of matters that affect them. Has authority to prepare and follow up on actions for most supervisory personnel functions.

(e) Prepares formal requests for filling vacancies for additional personnel to meet work requirements.

(f) Selects or participates with significant influence in selection of employees from eligible candidates.

(g) Prepares requests and recommendations for promotions, reassignments and other changes, and incentive and employee recognition awards and special advancements.

(h) Formulates training and education plans for subordinates and arranges for appropriate training courses.

(i) Participates in both the planning and delivery of comprehensive in-service respiratory and related care teaching and training programs for subordinates and other staff in different disciplines. Plans instruction and participates as an instructor for the facility respiratory care educational program.

(j) Plans and participates in the audit of respiratory care, recommending changes where indicated.

(2) **Assistant Chief.** Serves as a full assistant to a chief or an organizational element involved in providing respiratory and related care as described below for the GS-11 grade. Occupies a position in the direct supervisory line and shares in, and assists the chief with respect to, all phases of the organization element's work.

e. **GS-11.** In addition to meeting the requirements for GS-10, candidates must have demonstrated the knowledge and ability to successfully assume supervisory duties and function in an assignment at the GS-11 level. Must have the ability to assume a high level of supervision of a large section and, as necessary, provide supervision to subordinate supervisors. Serves as a chief of such an organizational element and has a high level of supervisory responsibility for at least 15 employees (full-time equivalent) whose work involves providing respiratory and related care. Typically, duties and responsibilities will include:

(1) In addition to planning work schedules and operations, makes changes in the organization of work within allowable costs and established policies. Has the authority to develop plans and schedules for guidance of subordinate supervisors and other subordinates for the accomplishment of work to meet program goals, objectives, and broad priorities established by higher levels of management. This includes carrying out such responsibilities as:

(a) Analyzing work requirements and determining staff and resources needed to accomplish work.

(b) Reviewing and analyzing records and reports of work production, costs, and equipment and staff resources used to evaluate progress and control or reduce costs. Reports progress and resolution of problems in achieving goals and objectives to higher levels of management.

(2) Assigns and explains work requirements relative to respiratory care for new requirements or changes, as well as existing progress. Resolves technical work problems not covered by precedents or established policies for nonroutine or complex procedures. Studies continuing problems on the quality and quantity of work and operating effectiveness and takes or recommends needed actions.

(3) Develops and updates guidelines and policies for nonroutine or complex assignments.

(4) In addition to the authority to initiate formal and follow-up actions for personnel functions, has authority to establish internal guidelines and approve, modify, or reject personnel actions of subordinate supervisors or employees. Typically the individual:

(a) Selects or contributes significantly to the selection of key employees (e.g. subordinate supervisors).

(b) Hears individuals or group grievances and employee complaints.

(c) Recommends disciplinary actions involving key or other employees.

(d) Approves, modifies, or rejects career development or training plans or requests, employee utilization requests, and similar matters.

(e) Approves, modifies, or rejects formal requests from subordinates for promotion, reassignment, status changes, awards, special advancements, selection, and the like.

(f) Prepares formal evaluations of the performance of key employees or other subordinates and reviews evaluations prepared by subordinates.

(g) Where applicable, deals with union stewards and others on personnel matters.

(5) Has substantial responsibility for planning and implementing educational programs for in-service and other personnel and respiratory therapy students who rotate through the health care facility.

(6) Is responsible for auditing respiratory care and initiating or recommending changes where indicated.

(7) May assist in or participate in approved research activities involving respiratory care.

5. SECTION D. DEVIATIONS. In cases where the application of the grade requirements will result in an inappropriate grade assignment, the appointing official may authorize a deviation from these requirements.

Authority: 38 U.S.C. 7304; 7402

APPENDIX G12. PHYSICAL THERAPIST QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the requirements for appointment as a physical therapist (PT) in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education**

(1) **Degree.** A baccalaureate degree in physical therapy *or* an equivalent certificate in physical therapy from an accredited college or university *and* completion of a physical therapy clinical practice program. Both the education and clinical practice program must have been approved by the Commission on Accreditation in Physical Therapy Education and have been completed at an accredited college or university. Verification of approved programs may be obtained from the American Physical Therapy Association website.

(2) **Foreign Graduates.** Graduates of foreign physical therapy programs meet the requirements in subparagraph 2a if they have a full unrestricted and current license to practice physical therapy in a State, Territory or Commonwealth (i.e., Puerto Rico) of the United States, or in the District of Columbia.

c. **Licensure.** Current, full, active, and unrestricted license to practice physical therapy in a State, Territory or Commonwealth (i.e., Puerto Rico) of the United States, or in the District of Columbia. A PT who has, or has ever had, any license(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status may be appointed only in accordance with the provisions in chapter 3, section B, paragraph 16 of this part.

d. **Physical Requirements.** See VA Directive and Handbook 5019.

e. **English Language Proficiency.** Physical therapists must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), and 7407(d).

3. SECTION B. GRADE REQUIREMENTS

a. **Definitions**

(1) **Affiliated** means affiliated for the purposes of allied health care training.

(2) **Creditable Experience**

(a) **Knowledge of Current Professional Physical Therapy Practice.** To be creditable, experience must have demonstrated possession of the knowledges, skills, abilities and other characteristics associated with current professional physical therapy practice. The experience or education must have been gained within 3 years prior to the date of appointment. This may have been evidenced by one or more of the following during the 3-year period:

1. The equivalent of 1 year of active professional practice. (Active professional practice means paid/non-paid employment as a professional PT as defined by APTA or the appropriate licensing board.)

2. In addition to licensure, annually completing a minimum of 15 continuing education units (CEUs) recognized by APTA; or

3. Academic course work leading to an advanced degree in physical therapy or a related health care field.

(b) **Quality of Experience.** Experience is only creditable if it was earned after completion of the requirements in paragraph b of section A. Experience as a graduate PT is creditable provided the candidate was utilized as a PT and subsequently passed the licensure examination.

(c) **Part-time Experience.** Part-time experience as a professional PT is credited according to its relationship to the full-time workweek. For example, a PT employed 20 hours a week, or on a 1/2-time basis, would receive 1 full-time workweek of credit for each 2 weeks of service.

(3) **Postgraduate Education.** Graduate education and graduate degrees may be substituted for experience through the GS-11 level, but only if they are from a college or university program recognized by APTA, or from an accredited college or university in a field related to physical therapy (e.g., exercise physiology, geriatrics/gerontology, rehabilitation counseling, allied health education, health systems administration, anatomy, kinesiology, physiology or health science). Graduate education or a graduate degree in a field related to physical therapy must be from a college or university which was regionally accredited at the time the candidate completed the program. Information on accredited colleges and universities is contained in *Accredited Institutions of Post Secondary Education,* which is published annually by the American Council on Education, One Dupont Circle, Washington, DC 20036. To substitute graduate education or a graduate degree, it must have been completed *after* the individual met the basic requirements for appointment in paragraph 2 of section A.

(4) **Specialties.** Specialized areas of physical therapy include, but are not limited to, geriatrics, spinal cord injury, musculoskeletal disorders, cardiopulmonary rehabilitation stroke/head injury and arthritis.

b. **Grade Determination.** In addition to the basic requirements for appointment is section A, the following criteria must be used when determining the appropriate grade assignment of candidates:

(1) **GS-7.** None beyond the basic requirements.

(2) **GS-9**

(a) **Experience.** Completion of 1 year of experience at the next lower grade level that is directly related to the position to be filled (i.e. experience which demonstrates possession of the knowledges, skills, abilities and other characteristics needed to provide physical therapy services in a therapeutic setting). These include:

1. Interpretation of physicians' prescriptions;

2. Application and interpretation of standard evaluation procedures and techniques; and

3. Development and implementation of physical therapy treatment programs for patients.

4. Working effectively with patients, families, friends, and treatment team members.

(b) **Assignment.** Candidates at this grade level serve as staff physical therapists.

(3) **GS-10**

(a) **Experience.** Completion of 1 year of experience at the next lower grade level which demonstrates knowledges, skills, abilities and other characteristics that are directly related to the duties of the position to be filled. These include:

1. Use of standard and non-standard methods for evaluating and interpreting a wide variety of patient physical functional levels and providing progressive treatment.

2. Independently developing and implementing a physical therapy treatment program using judgment to modify treatment for changing medical conditions or because of a variety of severe physical disabilities.

3. Implementing treatment plans which directly affect the patient's social, economic, and functional well being.

4. Effectively communicating, both orally and in writing.

5. Working effectively with treatment team members and other health care providers in coordinating the patient's total care.

6. Supervising the clinical training experiences of technical and professional level physical therapy interns to fulfill educational and professional requirements (where training programs exist).

(b) **Assignments.** Candidates at this grade level are to be in one of the following assignments:

1. **Sole PT**

a. Individuals in this assignment serve as the sole PT at a medical center or an outpatient clinic.

NOTE: *Individuals serving as a sole PT may be graded at the GS-11 level if the complexity of their assignment is comparable to the clinical specialist or program manager; or*

b. There may be more than one PT at the facility; however, individuals in this assignment serve as the sole PT on a multidisciplinary treatment team. The PT independently utilizes different and unrelated methods to evaluate and interpret special physical and psychosocial problems of patients and carries out the appropriate therapy.

2. **Physical Therapist (Senior Staff Specialist).** Individuals in this assignment serve in a developmental capacity and may ultimately be assigned as clinical educators, clinical specialists or program managers or research specialists. In addition to meeting the requirements for GS-9, candidates for assignment as PT (senior staff therapist) must demonstrate the knowledges, skills and abilities required to perform more complex patient treatment procedures. Duties and responsibilities may include any combination of those found at the GS-11 level; however, individuals in these assignments work under closer supervision and are not given the freedom of action typically found at the higher level.

(4) **GS-11**

(a) **Experience.** Assignment as a clinical specialist, clinical educator, or research specialist requires the equivalent of 1 year of experience at the next lower grade level. Assignment as a GS-11 Chief or Assistant Chief of the Physical Therapy Section requires the equivalent of 1 year of experience at the GS-9 level or a combination of experience at the GS-9 and GS-10 levels. The experience must be directly related to the position to be filled.

(b) **Assignments.** Candidates at this grade level are to be in one of the following assignments:

1. **Chief, Physical Therapy Section.** Individuals in this assignment assume full administrative and professional responsibility for planning and directing the physical therapy program at a medical center or independent outpatient clinic. They also have supervisory responsibility over a program which would require three or more PTs or at least two PTs and a physical therapy assistant (full-time equivalent). Typically, duties include:

a. Assigning and evaluating work of subordinate staff, as well as resolving problems which may interfere with the delivery of physical therapy by staff members;

b. Providing physical therapy in more complex cases;

c. Developing and initiating new treatment programs which apply current research findings;

d. Participating as an instructor in the facility's in-service clinical training findings;

e. Consulting with staff physicians through patient presentations, attendance at ward rounds, clinics and conferences; and

f. Interviewing candidates for positions in the section; recommending appointments, advancements, or, when appropriate, disciplinary actions; evaluating performance; identifying continuing education and training needs; etc.

2. **Assistant Chief, Physical Therapy Section.** This assignment is restricted to individuals serving as a full assistant to a GS-12 Chief, Physical Therapy Section. Individuals in this assignment share full responsibility for managing the Physical Therapy Section.

3. **Clinical Educator.** Candidates in this assignment spend a majority of their time administering clinical training programs for physical therapy students, physical therapy assistants, facility staff and others assigned for physical therapy training. These assignments occur at active, affiliated VA facilities where specialized physical therapy treatment programs are provided. Examples of duties include:

a. Establishing, negotiating, and maintaining affiliation agreement(s);

b. Serving as a liaison with the university in determining when students may be sent for training; the number of students to be sent, areas of training and assignments, etc.;

c. Designing, conducting and evaluating educational experiences for physical therapy interns, undergraduate physical therapy students, student physical therapy assistants, and other associated health trainees;

d. Arranging in-service training programs and serving as an instructor for these programs; and

e. Serving on curriculum committees of colleges and universities and having substantive input into the course content for physical therapy students. (Clinical educators typically hold an appointment as a clinical faculty member at the affiliated college or university.)

4. **Physical Therapist (Clinical Specialist or Program Manager).** Individuals in this assignment spend a majority of their time working in a specialty or a special program area (e.g. geriatrics, spinal cord injury, musculoskeletal disorders, cardiopulmonary rehabilitation, stroke/head injury and arthritis, etc.) The assignment will generally occur at active, affiliated VA facilities where the physical therapy program has specialized patient treatment programs. An example of such an assignment would include, but would not be limited to the following:

a. Independently solving complex problems as related to physical therapy, adapting and modifying treatment plans, activities, and procedures to meet the need of patients with complex disabilities;

b. Serving as a subject matter expert in the specialty area and as a consultant to physical therapy and other medical center staff in evaluating and treating patients in the specialty area;

c. Serving as a mentor to other therapists evaluating and treating patients in the specialty or program area;

d. Providing in-service and clinical training programs in the specialty or program area; and

e. Teaching at the affiliated college or university in the specialty or program area.

5. **Physical Therapist (Research Specialist).** Individuals in this assignment spend a majority of their time designing, conducting, and publishing research in referred journals, independently or as contributing member of a research team. Assignment at this level typically involves full participation in intramural and extramural research committees. The research projects:

a. Are generally reviewed and approved by appropriate research committees;

b. Have a significant impact on the care and treatment of patients or the direction of health care practice; and

c. Require considerable coordination within a facility or among multiple facilities.

(5) **GS-12**

(a) **Experience.** Completion of 1 year of experience comparable to the next lower grade level which is directly related to the position to be filled. Examples include:

1. Experience in a supervisory capacity or as a clinical specialist, program manager, clinical educator, or research specialist;

2. Experience in planning or assisting in the establishment of a completely integrated physical therapy program at a medical center or comparable facility; or

3. Experience in the management or administration of a physical therapy or closely related program.

(b) **Assignment.** Assignment to this grade level is restricted to those serving as the Chief of the Physical Therapy Section at medical facilities with comprehensive and complex physical therapy programs. Individuals in these assignments plan and direct the physical therapy program at active, affiliated medical centers or outpatient clinics and have full supervisory responsibility for a large staff of nonsupervisory personnel, including GS-11 Clinical Specialists or Program Managers. At this level, the physical therapy program typically includes a variety of specialties, an extensive educational program, and involvement in research activities. Examples of duties include, but are not limited to, the following:

1. The full range of supervisory duties, including responsibility for assignment of work performed; performance evaluation; recommendations for appointment, awards, advancement, and when appropriate, disciplinary actions; identification of continuing education and training needs;

2. Resolving problems that interfere with the delivery of physical therapy to beneficiaries;

3. Serving as a consultant to other facility personnel in evaluating and planning physical therapy treatment for the most complex cases;

4. Participating in substantive curriculum development for physical therapy students. (Typically, personnel in this assignment hold an appointment as a clinical faculty member at one of more affiliated universities.);

5. Participating in research studies and/or as a consultant to others conducting research;

6. Frequently consulting with staff and resident physicians through patient presentation; attending ward rounds, specialty clinics and/or conferences; and

7. Assessing, planning, and evaluating the delivery of physical therapy care at the facility, utilizing personal experience and findings from current research and/or studies.

(6) **GS-13/14.** Program specialists are responsible for the management of VISN or national initiatives having a high degree of visibility and a significant impact on Department health care. Examples include national initiatives in the care and treatment of patients, educational programs, program evaluation, quality assurance, etc. These programs typically include collaboration with other Federal and State agencies, professional organizations, etc. Promotion to each of these grade levels requires an additional year of creditable experience at the next lower grade level which is directly related to the position to be filled.

4. SECTION C. DEVIATIONS

a. **Individual Waivers of Experience, Degree or Grade Requirements.** The appointing official may, upon the recommendation of the Standards Board, authorize a waiver of the experience and/or the degree requirement for a PT whose professional accomplishments, performance and qualifications warrant such consideration based on demonstrated ability to meet the requirements of the proposed grade. In addition, in cases where the application of the grade requirements will result in an inappropriate grade assignment, the appointing official may, upon the recommendation of the Standards Board, authorize deviations from the established requirements. This includes the assignment of collateral duties of a VISN or national nature by VA Central Office.

b. **Other Waivers.** At facilities where above-minimum entrance rates or special salary rate ranges for PTs have been approved under VA Directive and Handbook 5007, facility directors may waive the experience requirement to appoint, at the GS-9 level, PTs who meet the basic requirements for appointment. Experience requirements may also be waived at facilities where above-minimum entrance rates or special salary rate ranges have not been approved, provided the authority is used to address documented recruitment or retention needs. **NOTE:** *Individuals granted waivers under this paragraph are required to have an additional year of experience in the grade to which appointed before they may be considered for advancement to the next higher grade level.*

Authority: 38 U.S.C. 7304; 7402

APPENDIX G13. LICENSED PRACTICAL OR VOCATIONAL NURSE QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the overall requirements for appointment as an LPN or LVN (licensed practical or vocational nurse) in VHA who engages in nursing care and practice which do not require full professional education, but require the knowledges and skills represented by licensure as an LPN or LVN.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education.** Graduate of a school of practical or vocational nursing approved by the appropriate State accrediting agency and/or the National League for Nursing at the time the program was completed by the applicant. Verification can be obtained from the State approving agency of the National League for Nursing, 61 Broadway, 33rd Floor, New York, NY 10006.

(1) Health care education in the military service or training in the military service which is accepted by the licensing body in the jurisdiction in which the individual is licensed as qualifying for full LPN/LVN licensure will be accepted as meeting the education requirements for VHA employment.

(2) The education requirement is waived for VHA employees who were converted to appointments under 38 U.S.C. 7401(3) in implementation of Public Law 98-160, enacted November 21, 1983, and for VHA employees converted to appointments under 38 U.S.C. 7405 in implementation of Public Law 99-576, enacted October 28, 1986; and for their future personnel actions under this authority. The waiver will not apply to persons appointed under 38 U.S.C. 7401(3) or 7405 after these conversions.

c. **Licensure.** Full, active, current and unrestricted licensure as a graduate licensed practical or vocational nurse in a State, Territory or Commonwealth (i.e., Puerto Rico) of the United States, or District of Columbia. An LPN who has or has ever had, any license(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status may be appointed only in accordance with the provisions in chapter 3, section B, paragraph 16 of this part.

d. **Physical Standards.** See VA Directive and Handbook 5019.

e. **English Language Proficiency.** Licensed practical or vocational nurses appointed to direct patient care positions must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), and 7407(d).

3. SECTION B. GRADE REQUIREMENTS

a. **Definitions**

(1) Qualifying experience is successful nursing practice maintaining acceptable standards within a health care setting under the direction of a registered nurse or physician. This may include experience as a GPN (graduate practical nurse) provided the candidate was utilized as a practical or vocational nurse and passed the State licensure examination on the first attempt.

(2) To be creditable, practical nursing experience (as an LPN or LVN) must be documented on the application and verified in an employment reference or through other means.

(3) Part-time experience is credited according to the relationship it bears to the full-time workweek (e.g., an LPN who worked 20 hours per week, i.e., half-time, would receive 1 full-time workweek of credit for each 2 weeks of such service.)

b. **Grade Determination.** In addition to the basic requirements stated in section A, the following qualification criteria must be met for each grade. The candidate's qualifications must clearly demonstrate the level of competence required for the grade.

(1) **GS-3.** None beyond the basic requirements.

(2) **GS-4.** Six months of qualifying experience.

(3) **GS-5**

(a) Completion of at least 1 year of qualifying experience at the GS-4 level or equivalent.

(b) Demonstrated knowledge and ability to provide a full range of practical nursing care to patients with a variety of physical and/or behavioral problems.

(c) Demonstrated ability to serve as a responsible member of the nursing team and interact with patients, family members, professional and supportive personnel who provide patient care, and with members of other services.

NOTE: *GS-5 is a full performance level for the LPN or LVN occupation for providing practical nursing care with a variety of physical and/or behavioral problems. Assignments above this level are limited to situations demanding an exceptional degree of practical nursing knowledges and skills.*

(4) **GS-6.** In addition to meeting the requirements for the GS-5 level, has completed at least an additional year of qualifying experience at the GS-5 level or equivalent. Has the knowledges and skills necessary for concentrated effort and self-direction in carrying out the most complex practical nursing care assignments, including assignments for selected acute care, long-term or ambulatory care, or psychiatric patients requiring skilled nursing care. Serves as a member of a health care team with these selected patients and provides care to them on a regular and recurring basis. Completes assigned duties and responsibilities which involve performing nonstandard and specialized practical nursing activities

at the GS-6 level, requiring broad work experience and demonstrated skill sufficient to resolve a range of nursing problems. The GS-6 grade is restricted to individuals whose assignments include the following:

(a) Practical nursing characterized by:

1. The employee's ability to vary the order and sequence of assigned procedures based on the patient's condition; to use judgment in selecting the most appropriate application of procedures and guidelines; and to accurately report and record significant patient information. Completed work needs only a general review by a registered nurse for technical soundness; appropriateness and conformity with policy and nursing assignments.

2. Demonstrated ability to observe, identify and respond to the patient's needs for nursing, medication, and equipment-assisted care and to recognize deviations from normal. In modifying patient care plans, the employee considers physical, emotional and social factors.

3. Practical knowledge of human behavior, motivations and reactions to situations. Demonstrated ability to use this knowledge in working effectively with patients, family and other staff members.

4. Demonstrated knowledge, skill and ability to recognize and respond appropriately to emergency situations.

(b) Typically, duties will include:

1. Contributes to the interdisciplinary team in the development, implementation and evaluation of the patient's treatment plan and promotes patient participation in the therapeutic community by fostering self-reliance and independence.

2. Conducts group meetings to help patients share feelings, interact and function in accordance with the patient's treatment plan.

3. Establishes constructive relationships with individual patients to elicit feelings and attitudes and to promote positive relationships, communication and socialization skills.

4. Administers prescribed medications and performs more complex treatments.

5. Performs support duties for diagnostic procedures, which includes preparing the patient, assisting in the diagnostic examination, preparing and passing instruments, and monitoring the patient's condition.

4. SECTION C. DEVIATIONS

a. In cases where the application of the grade requirements will result in an inappropriate grade assignment, the appointing official may authorize deviations from the established requirements.

b. The appointing official may authorize a waiver of the education requirement in section A to permit the appointment of a graduate of a school of professional (registered) nursing when the individual's qualifications warrant such consideration**.**

c. In exceptional circumstances, the appointing official may waive the experience requirement for LPNs whose accomplishments, performance and qualifications warrant such consideration based on demonstrated ability to meet the requirements of the proposed grade.

Authority: 38 U.S.C. 7304; 7402.

APPENDIX G14. OCCUPATIONAL THERAPIST QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are the requirements for appointment as an OT (occupational therapist) in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education**

(1) **Degree or Certificate.** Graduation from a baccalaureate degree program in occupational therapy or a post-baccalaureate certificate program accredited by the Accreditation Council for Occupational Therapy Education. Verification of recognized degree and certificate programs may be obtained from the Occupational Therapy Association website.

(2) **Foreign Graduates.** Graduates of foreign occupational therapy training programs also meet the education requirement if they have graduated from a degree or equivalent program recognized by the AOTA. For information about verification of recognized programs see paragraph (1) above.

c. **Certification**

(1) Possession of written documentation that the individual has passed the Certification Examination for Occupational Therapists Registered OTR, which is administered by the National Board for Certification in Occupational Therapy.

(2) Appointing officials may approve the appointment of candidates who have ever had their certification revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status provided they currently have full and unrestricted certification.

d. **Physical Requirements.** See VA Directive and Handbook 5019.

e. **English Language Proficiency.** OTs must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), 7407(d).

3. SECTION B. GRADE REQUIREMENTS

a. **Definitions**

(1) **Affiliated** means affiliated for the purpose of allied health care training.

(2) **Creditable Experience**

(a) **Knowledge of Current Professional Occupational Therapy Practices.** To be creditable, the experience must demonstrate possession of the knowledges, skills, abilities and other characteristics associated with current professional occupational therapy practice. The experience or education must have been gained within 3 years prior to the date of appointment. This may have been evidenced by one or more of the following during the 3-year period:

1. The equivalent of one year of active professional practice. (Active professional practice means paid/non-paid employment as a professional OT as defined by AOTA or the appropriate licensing board.)

2. In addition to AOTA certification, annually completing continuing education courses recognized by AOTA.

3. Academic course work leading to an advanced degree in occupational therapy or a related health care field.

(b) **Quality of Experience.** Experience is only creditable if it was earned after completion of the education required by paragraph b of section A. Experience as a graduate OT is creditable provided the candidate was utilized as an OT and subsequently passed the certification examination.

(c) **Part-Time Experience.** Part-time experience as a professional OT is credited according to its relationship to the full-time workweek. For example, an OT employed 20 hours a week, or on a 1/2-time basis, would receive 1 full-time workweek of credit for each 2 weeks of service.

(3) **Postgraduate Education.** Graduate education and graduate degrees may be substituted through the GS-11 level, but only if they are from a college or university recognized by the AOTA, or in a field related to occupational therapy (e.g., anatomy, physiology, kinesiology, nursing, physical therapy, social work, geriatrics/gerontology, exercise physiology). Graduate education or a graduate degree in a field related to occupational therapy must be from a college or university which was regionally accredited at the time the candidate completed the program. Information on accredited colleges and universities as contained in *Accredited Institutions of Post Secondary Education,* which is published annually by the American Council on Education, One Dupont Circle, Washington, DC 20036. To substitute graduate education or a graduate degree, it must have been completed *after* the individual completed the degree or certificate required for appointment in paragraph b(1) of section A.

(4) **Specialties.** Specialized areas of occupational therapy include, but are not limited to, spinal cord injury, treatment of the hand, traumatic, brain injury, cardiopulmonary rehabilitation, psychiatry, neurology, or geriatrics.

b. **Grade Determinations.** In addition to the basic requirements for appointment in section A, the following criteria must be used when determining the appropriate grade assignment of candidates.

(1) **GS-7.** None beyond the basic requirements.

(2) **GS-9**

(a) **Experience.** Completion of 1 year of experience at the next lower grade level that is directly related to the position to be filled (i.e., experience which has demonstrated possession of the knowledges, skills, abilities and other characteristics needed to provide occupational therapy services in a therapeutic setting). This includes:

1. Ability to read and interpret written prescriptions.

2. Assessment and evaluation of patients referred for consultation.

3. Development and implementation of individualized occupational therapy treatment programs for patients.

4. Working effectively with patients, families, friends, and treatment team members.

(b) **Assignment.** Individuals at this grade level serve as staff OTs.

(3) **GS-10**

(a) **Experience.** Completion of one year of experience at the next lower grade level which demonstrates knowledges, skills, abilities and other characteristics that are directly related to the duties of the position to be filled. This includes:

1. The use of standard and non-standard methods and techniques for evaluating and interpreting a wide variety of patient physical and psychosocial functional levels and for providing progressive treatments.

2. Independently developing and implementing an occupational therapy treatment program, using judgment to modify the treatment as a result of changing medical conditions or because of a variety of severe physical and mental disabilities.

3. Effectively communicating, both orally and in writing.

4. Working effectively with treatment team members and other health care providers in coordinating the patient's total care.

5. Supervising the clinical training experiences of technical and professional level occupational therapy interns to fulfill educational and professional requirements (where training programs exist).

(b) **Assignments.** Candidates at this grade level are to be in one of the following assignments:

1. **Sole Occupational Therapist:**

a. Individuals in this assignment serves as the sole OT at a medical center or an outpatient clinic.

NOTE: *Individuals serving as a sole OT may be graded at the GS-11 level if the complexity of their assignment is comparable to the Clinical Specialist or Program Manager*. **or**

b. There may be more than one OT at the facility; however, individuals in this assignment serve as the sole OT on a multidisciplinary treatment team. The OT independently utilizes different and unrelated methods to evaluate and interpret specific physical and psychosocial problems of patients and carries out the appropriate therapy necessary to teach new or compensating skills to restore patient performance.

2. **Occupational Therapist (Senior Staff Therapist).** Individuals in this assignment serve in a developmental capacity and may ultimately be assigned as Clinical Educators, Clinical Specialists or Program Managers or Research Specialists. In addition to meeting the requirements for GS-9, candidates for assignment as an OT (Senior Staff Therapist) must demonstrate the knowledges, skills and abilities required to perform more complex patient treatment procedures. Duties and responsibilities may include any combination of those found at the GS-11 level; however, individuals in these assignments work under closer supervision and are not given the freedom of action typically found at the higher grade level.

(4) **GS-11**

(a) **Experience.** Assignment as a Clinical Specialist or Program Manager, Clinical Educator or Research Specialist requires the equivalent of 1 year of experience at the next lower grade level. Assignment as a GS-11 Chief or Assistant Chief of the Occupational Therapy Section requires the equivalent of one year of experience at the GS-9 level or a combination of experience at the GS-9 and 10 levels. The experience must be directly related to the position to be filled.

(b) **Assignments.** Candidates at this grade level are to be in one of the following assignments:

1. **Chief, Occupational Therapy Section.** Individuals in this assignment assume full administrative and technical/professional responsibility for planning and directing the occupational therapy program at a medical center or independent outpatient clinic. They have full supervisory responsibility over a program which requires three or more OTs or at least two OTs and an occupational therapy assistant (full-time equivalent). Typically, duties include:

a. Assigning and evaluating work of subordinate staff, as well as resolving problems which may interfere with the delivery of occupational therapy care by staff members.

b. Providing occupational therapy care in more complex cases.

c. Developing and initiating new treatment programs which apply current research findings.

d. Participating as an instructor in the facility's in-service and clinical training programs.

e. Consulting with staff physicians through patient presentations, attendance at ward rounds, clinics and conferences.

f. Interviewing candidates for positions in the section, recommending appointments, advancements, or, when appropriate, disciplinary action; evaluating performance; identifying continuing and training needs; etc.

2. **Assistant Chief, Occupational Therapy Section.** This assignment is restricted to individuals serving as a full assistant to a GS-12 Chief, Occupational Therapy Section. Individuals in this assignment share full responsibility for managing the Occupational Therapy Section.

3. **Occupational Therapist (Clinical Educator).** Candidates in this assignment spend a majority of their time administering clinical training programs for occupational therapy students, occupational therapy assistant trainees, associated health trainees, facility staff and others assigned for occupational therapy training. These assignments occur at active, affiliated VA facilities where specialized occupational therapy treatment programs are provided. Examples of duties include:

a. Establishing, negotiating and maintaining affiliation agreement(s).

b. Serving as a liaison with the university in determining when students may be sent for training, the number of students to be sent, areas of training and assignments, etc.

c. Designing, conducting and evaluating educational experiences for occupational therapy students, student occupational therapy assistants, associated health trainees, and others assigned to occupational therapy for training.

d. Arranging and serving as an instructor for staff in-service training programs.

e. Serving on curriculum committees of colleges and universities and having substantive input into the course content for occupational therapy students. (Clinical Educators typically hold an appointment as a clinical faculty member at the affiliated college or university.)

4. **Occupational Therapist (Clinical Specialist or Program Manager).** Individuals in this assignment spend a majority of their time working in a specialty or a special program area (e.g., medicine, surgery, orthopedics, psychiatry, neurology, spinal cord injury, hand, traumatic brain injury, ambulatory care, geriatrics, vocational rehabilitation, physical disabilities, etc). The assignment will generally occur at active, affiliated VA facilities where the occupational therapy program has specialized patient treatment programs. An example of such an assignment would include, but would not be limited to, the following:

a. Independently solving complex problems related to occupational therapy, adapting and modifying treatment plans, activities, and procedures to meet the needs of patients with complex disabilities;

b. Serving as a subject matter expert in the specialty or program area and as a consultant to occupational therapy staff and other facility staff in evaluating and treating patients in the specialty area;

c. Serving as a mentor to other therapists evaluating and treating patients in the specialty or program area;

d. Providing in-service and clinical training in the specialty or program area; and

e. Teaching at the affiliated college or university in the specialty or program area.

5. **Occupational Therapist (Research Specialist).** Individuals in this assignment spend a majority of their time designing, conducting, and publishing research in referred journals, independently or as a contributing member of a research team. Assignment at this level typically involves full participation in intramural and extramural research committees. The research projects:

a. Are generally reviewed and approved by appropriate research committees;

b. Have a significant impact on the care and treatment of patients or the direction of health care practice; and

c. Require considerable coordination within a facility or among multiple medical facilities.

(5) **GS-12**

(a) **Experience.** Completion of 1 year of experience comparable to the next lower grade level which is directly related to the position to be filled. Examples include:

1. Experience as an Assistant Chief, Occupational Therapy Section, Clinical Educator, Clinical Specialist, Program Manager or as a Research Specialist.

2. Experience in planning or assisting in the planning of a complete integrated occupational therapy program for a medical center or comparable facility.

3. Experience in the management or administration of an occupational therapy or closely related program.

(b) **Assignment.** Assignment at this grade level is restricted to those serving as the Chief of the Occupational Therapy Section at medical facilities with a comprehensive and complex occupational therapy program. Individuals in these assignments plan and direct the occupational therapy program at active, affiliated medical centers or outpatient clinics and have full supervisory responsibility over a large staff of nonsupervisory personnel, including GS-11 Specialists or Program Managers. At this level, the occupational therapy program typically includes a variety of specialties, an extensive educational program, and involvement in research activities. Examples of duties include, but are not limited to, all of the following.

1. The full range of supervisory duties, including responsibility for assignment of work performed; performance evaluation; recommendations for appointment, awards, advancement, and, when appropriate, disciplinary action; identification of continuing education and training needs;

2. Resolving problems that interfere with the delivery of occupational therapy care to beneficiaries;

3. Serving as a consultant to other facility personnel in evaluating and planning occupational therapy treatment for the most complex cases;

4. Participating in substantive curriculum development for occupational therapy students. (Typically, personnel in this assignment hold an appointment as a clinical faculty member at one or more affiliated universities.);

5. Participating in research studies and/or as a consultant to others conducting research;

6. Frequently consulting with staff and resident physicians through patient presentations, attending ward rounds, specialty clinics and/or conferences; and

7. Assessing, planning, and evaluating the delivery of occupational therapy care at the facility, utilizing personal experience and findings from current research and/or studies.

(6) **GS-13/14.** Program Specialists are responsible for the management of VISN or national initiatives having a high degree of visibility and a significant impact on Department health care. Examples include national initiatives in the care and treatment of patients, educational programs, program evaluation, quality assurance, etc. These programs typically include collaboration with other Federal and State agencies, professional organizations, etc. Promotion to each of these grade levels requires an additional year of creditable experience at the next lower grade level which is directly related to the position to be filled.

4. SECTION C. DEVIATIONS

a. **Individual Waivers of Experience, Degree or Grade Requirements.** The appointing official may, upon the recommendation of the Professional Standards Board, authorize a waiver of experience and/or the degree requirement for an OT whose professional accomplishments, performance and qualifications warrant such consideration based on demonstrated ability to meet the requirements of the proposed grade. In addition, in cases where the application of the grade requirements will result in an inappropriate grade assignment, the appointing official may, upon the recommendation of the Professional Standards Board, authorize deviations from the established requirements. This includes the assignment of collateral duties of a VISN or national nature by VA Central Office.

b. **Other Waivers.** At facilities where above-minimum entrance rates or special salary rate ranges for OTs have been approved under VA Directive and Handbook 5007, appointing officials may waive the experience requirement to appoint at the GS-9 level, OTs who meet the basic requirements for appointment. Experience requirements may also be waived at facilities where above-minimum entrance rates or special salary rate ranges have not been approved, provided the authority is used to address documented recruitment or retention needs. **NOTE:** *Individuals granted waivers under this paragraph are required to have an additional year of experience in the grade to which appointed before they may be considered for advancement to the next higher grade level.*

Authority: 38 U.S.C. 7304; 7402.

APPENDIX G15. LICENSED PHARMACIST QUALIFICATION STANDARD
Veterans Health Administration

1. COVERAGE. Following are requirements for appointment as a Licensed Pharmacist in VHA.

2. SECTION A. BASIC REQUIREMENTS

a. **Citizenship.** Citizen of the United States. (Noncitizens may be appointed when it is not possible to recruit qualified citizens in accordance with chapter 3, section A, paragraph 3g, this part.)

b. **Education**

(1) Graduate of a degree program in pharmacy from an approved college or university. The degree program must have been approved by the American Council on Pharmaceutical Education (ACPE), or prior to the establishment of ACPE, have been a member of the American Association of Colleges of Pharmacy (AACP). Verification of approved degree programs may be obtained from the American Council on Pharmaceutical Education, 311 West Superior Street, Suite 512, Chicago, Illinois 60610 Phone: (312) 664-3575).

(2) Graduates of foreign pharmacy degree programs meet the educational requirement if their degree is found to be equivalent to degree programs recognized by the ACPE. This finding may be based on *any* of the following:

(a) A letter of acceptance into a U.S. graduate pharmacy program recognized by the ACPE.

(b) Written certification from the Foreign Pharmacy Graduate Examination Commission, 700 Busse Highway, Park Ridge, IL 60068 Phone (847) 698-6227, that the individual has successfully passed the Foreign Pharmacy Graduate Examination.

(c) A letter from a U.S. college or university with a pharmacy degree program recognized by ACPE stating that the individual's foreign pharmacy degree has been evaluated and found to be equivalent to its Bachelor of Pharmacy degree.

c. **Licensure.** Full, current and unrestricted license to practice pharmacy in a State, Territory, Commonwealth of the Unites States (i.e., Puerto Rico), or the District of Columbia. The pharmacist must maintain current registration if this is a requirement for maintaining full, current, and unrestricted licensure. A pharmacist who has, or has ever had, any license(s) revoked, suspended, denied, restricted, limited, or issued/placed in a probationary status may be appointed only in accordance with the provisions in chapter 3, section B, paragraph 16 of this part.

d. **Physical Requirements.** See VA Directive and Handbook 5019.

e. **English Language Proficiency.** Pharmacists must be proficient in spoken and written English as required by 38 U.S.C. 7402(d), and 7407(d).

3. SECTION B. GRADE REQUIREMENTS

a. **Definitions**

(1) **Creditable Experience**

(a) **Knowledge of Current Professional Pharmacy Practices.** To be creditable, the experience must have required the use of knowledges, skills, abilities and other characteristics associated with current professional pharmacy practice. The experience or education must have been gained within 3 years prior to the date of appointment. This may be evidenced by *one or more* of the following during the 3-year period:

1. The equivalent of 1 year of active professional practice. Active professional practice means paid/non-paid employment as a professional pharmacist as defined by the appropriate licensing board.

2. In addition to a full, current and unrestricted license, annual completion of a minimum of 15 continuing education units (CEUs) recognized by ACPE; or

3. Academic course work leading to an advanced degree in pharmacy or a related health care field.

(b) **Quality of Experience.** Experience is only creditable if it is post-licensure experience as a professional pharmacist directly related to the position to be filled. Qualifying experience must also be at a level comparable to pharmacy experience at the next lower level. Experience as a Graduate Pharmacist is creditable provided the candidate was used as a professional pharmacist and subsequently passed the appropriate licensure examination.

(c) **Part-time Experience.** Part-time experience as a professional pharmacist is credited according to its relationship to the full-time workweek. For example, a pharmacist employed 20 hours a week, or on a 1/2-time basis, would receive 1 full-time workweek of credit for each 2 weeks of service.

(2) **Fellowships.** Fellowship programs are typically 2-year training programs in a specialized area of clinical practice. Applicants for these programs usually possess a Pharm. D. or an equivalent degree and have completed an accredited clinical or specialized residency (or both). Training as a fellow may substitute for creditable experience on a year-for-year basis.

(3) **Residency.** A hospital residency recognized by the American Society of Hospital Pharmacists. It does not include internships which are shorter training programs designated to meet the requirements of boards of pharmacy of licensure. Hospital residencies may be substituted for experience on a year-to-year basis.

b. **Grade Determinations.** In addition to the basic requirements for employment in section A, the following criteria must be met when determining the grade of candidates.

(1) **GS-9 Staff Pharmacist.** None beyond the basic requirements.

(2) **GS-11 Staff Pharmacist**

(a) **Experience or Education.** Completion of *one* of the following:

1. The equivalent of 1 year of experience at either of the next two lower grade levels; or

2. Completion of a 6-year Pharm. D. or formal post-baccalaureate (M.S., Pharm. D.) hospital oriented degree program recognized by ACPE.

(b) **Demonstrated Knowledges, Skills, and Abilities.** In addition to the requirements in paragraph (a), pharmacists at this grade level must demonstrate the following knowledges, skills, abilities and other characteristics:

1. Ability to read, interpret, and apply complex written instructions;

2. Knowledge of professional pharmacy practice;

3. Ability to communicate orally and in writing;

4. Basic knowledge of pharmaceutics, pharmacokinetics, pharmacodynamics, and pharmacotherpeutics;

5. Basic computer skills;

6. Ability to analyze drug related medical problems;

7. Skill in preparing sterile products; and

8. Knowledge of standards related to distribution and control of scheduled and non-scheduled drugs (including research and investigational drugs.) This includes, but is not limited to, those established by the Drug Enforcement Administration (DEA), Food and Drug Administration (FDA), Department of Veterans Affairs (VA), the State, (Territory or District of Columbia, if appropriate), and the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).

(3) **GS-12**

(a) **Experience.** Completion of the equivalent of 1 year of creditable experience at the next lower grade level which is directly related to the position to be filled.

(b) **Assignments.** Candidates at this grade level are to be in one of the following assignments:

1. **Clinical Pharmacist/Pharmacy Specialist.** A Clinical Pharmacist spends a majority of time practicing in a major specialty (e.g., medicine, surgery, psychiatry, neurology, spinal cord injury, ambulatory care, rehabilitation medicine, geriatrics, medical research, etc.). Pharmacy Specialists are responsible for a major program area within Pharmacy Service (e.g., ADP systems, quality assurance/utilization review, drug information, etc.). In addition to the experience required in

paragraph (a), pharmacists in these assignments must demonstrate the following knowledges, skills, abilities and other characteristics:

a. In depth knowledge of a specialized area of clinical pharmacy practice or a specialty area of pharmacy such as quality assurance/utilization review, ADP systems, drug information, etc.;

b. Advanced knowledge of pharmaceutics, pharmacokinetics, pharmacodynamics, and pharmacotherapeutics;

c. Skill in monitoring and assessing the outcome of drug therapies including physical assessment and interpretation of laboratory and other diagnostic parameters;

d. Knowledge of the design, conduct, and interpretation of controlled clinical drug trials or other research related to health care;

e. Ability to communicate orally and in writing with a wide variety of individuals. This would typically include beneficiaries, professionals in other health care disciplines, and health related groups in the community; and

f. Knowledge of the standards related to distribution and control of scheduled and non-scheduled drugs (including research and investigational drugs.) This includes, but is not limited to, the standards established by DEA, FDA, VA, the State (Territory or District of Columbia, if appropriate), and JCAHO.

2. **Supervisor-Inpatient/Outpatient.** The supervisor (Inpatient/Outpatient) is responsible for the professional and administrative management of an inpatient/outpatient area in a relatively large pharmacy service, or an inpatient/outpatient area as a site geographically removed from the supervisor. Such individuals typically have responsibility for supervising three or more professional pharmacists. In addition to the experience required in paragraph (a), pharmacists assigned to these positions must demonstrate the knowledges, skills, abilities and other characteristics necessary to satisfactorily complete the following duties:

a. The full range of supervisory duties. This includes responsibility for assignment of duties; development of performance standards and performance evaluation; recommendations for appointment, awards, advancement, and, when appropriate, disciplinary action; identification of continuing education and training needs; etc.

b. Serving as a consultant within Pharmacy Service and with other facility health care staff in evaluating health care delivery to patients.

c. Assessing, planning and evaluating the pharmacy program to ensure proper coordination between the delivery of pharmacy services and the overall delivery of health care.

3. **Service Chief and Assistant Service Chief.** See section C of this appendix.

(4) **GS-13**

(a) **Experience or Board Certification.** Completion of the equivalent of 1 year of experience at the next lower grade level, *or* board certification recognized by the American Pharmaceutical Association's Board of Pharmaceutical Specialties.

(b) **Assignment.** Individuals in these assignments are considered Clinical Pharmacy Specialists or Pharmacy Managers because they typically have full responsibility for planning and implementing special programs characterized by one of the following areas:

1. **Research.** Responsible for designing, conducting, and publishing research in referred journals, independently or as a contributing member of a research team. Assignment at this level typically involves full participation in intramural and/or extramural research committees. The research projects:

a. Are generally reviewed and approved by appropriate research committees;

b. Have a significant impact on the care and treatment of patients and/or the direction of health care practice; and

c. Require considerable coordination within a facility or among multiple medical facilities.

2. **Education.** Responsible for developing and managing all pharmacy educational programs including: residency training programs, fellowships, clerkships, internships, management training programs, staff development programs, university affiliated programs, and interdisciplinary training programs. Assignment at this level typically includes an appointment at the affiliated university (other than a courtesy appointment) and requires considerable coordination within a facility or among multiple medical facilities

3. **Program Management.** Individuals in these assignments coordinate a single program area or multiple programs areas to develop, organize, manage, and control complex pharmacy programs (e.g., nuclear, nutritional support services, specialized IV services, oncology, pharmacokinetic consulting, ambulatory care, psychopharmacy, drug information, quality assurance/utilization review, spinal cord injury, etc.) This should include the management of multiple program areas within a facility or a single program area at multiple facilities.

4. **Clinical Practice (Patient Care).** Individuals in these assignments are responsible for patient care activities involving highly innovative methods of health care delivery. This assignment involves a component of both research and education as identified in 1 and 2 above, and includes the highest level of clinical privileges. Individuals in these assignments are generally recognized by their peers as performing assignments that require an exceptional level of competence.

5. **Service Chief and Assistant Service Chiefs.** See section C of this appendix.

(5) **GS-14**

(a) **Experience.** Assignment at this grade level requires an additional year of creditable experience at the next lower grade level which is directly related to the position to be filled.

(b) **Assignments**

1. **Program Specialist.** Program Specialists are responsible for the management of national programs having a high degree of visibility and a significant impact on Department health care. Examples include initiatives in research, education, quality assurance/utilization review, drug information, etc. These programs typically include collaboration with other federal agencies (e.g., National Institutes of Health, Public Health Service, Department of Defense, FDA, Centers for Disease Control, etc.) or organizations outside the Federal health care system. Programs of this magnitude are typically directed by VA Central Office.

2. **Service Chief.** For service chiefs, see section C of this appendix.

(6) **GS-15.** The Under Secretary for Health or designee may, under unusual circumstances, approve the assignment of a pharmacist to the GS-15 level when the composite record of qualifications and scope and complexity of the assignment justify such action.

4. SECTION C. SERVICE CHIEFS AND ASSISTANT SERVICE CHIEFS

a. **Experience.** Individuals assigned as service chief or assistant service chief must have the equivalent of 1 year of creditable experience comparable to the next lower grade level. The experience must evidence possession of supervisory and management skills.

b. **Service Chief.** The grades and rates of basic pay for Chief of Pharmacy Service will be determined in accordance with procedures in VA Handbook 5007.

c. **Assistant Service Chief.** Assignment as an Assistant Chief is restricted to those serving as a full assistant to the Chief of Pharmacy Service. These individuals are to share, with the Chief of Pharmacy Service, full responsibility for managing and supervising all phases of Pharmacy Service operations. In addition, the assignment must fully meet the definition of a managerial/supervisory position found in the Office of Personnel Management's Supervisory Grade Evaluation Guide. The Assistant Service Chief is to be one grade less than the appropriate grade of the Chief of Pharmacy Service.

5. SECTION D. DEVIATIONS

a. **Individual Waivers of Experience, Degree or Grade Requirements.** The appointing official may authorize a waiver of experience and/or the degree requirement for a pharmacist whose professional accomplishments, performance and qualifications warrant such consideration based on demonstrated ability to meet the requirements of the proposed grade. In addition, in cases where the application of the grade requirements will result in an inappropriate grade assignment, the appointing official may authorize deviations from the established requirements. This includes the assignment of collateral duties of a VISN or national nature by VA Central Office.

b. **Other Waivers.** At facilities where above-minimum entrance rates or special salary rate ranges for pharmacists have been approved under VA Directive and Handbook 5007, appointing officials may waive the experience requirement to appoint, at the GS-11 level, pharmacists who meet the basic requirements for appointment. The appointing official may also approve such waivers where above-minimum entrance rates or special salary rate ranges have not been approved, provided the authority is used to address documented recruitment or retention needs. **NOTE:** *Individuals granted waivers under this paragraph are required to have an additional year of experience in the grade to which appointed before they may be considered for advancement to the next higher grade level.*

Authority: 38 U.S.C. 7304; 7402

APPENDIX H1. PROCEDURES FOR APPOINTING PHYSICIANS TO SERVICE CHIEF AND COMPARABLE POSITIONS

1. SCOPE. This appendix covers appointments of physicians to service chief or comparable positions. (For information on comparable positions, see VA Handbook 5007, Pay Administration.) It does not apply to those in an "acting" capacity.

2. PROCEDURES

a. The facility initiates recruitment and contacts the appropriate VA Central Office program office, which may recommend additional candidates for consideration.

b. Candidates are screened, interviewed and tentatively selected at the facility.

c. If the candidate is board certified in an appropriate specialty or specialties, the Chief of Staff or designee discusses the proposed selection with the appropriate VA Central Office program official who may provide comments or recommendations concerning the proposed selection within 5 working days. For candidates who are not board certified or who are certified in a specialty or specialties not appropriate to the proposed assignment, the Chief of Staff or designee will forward the candidate's curriculum vitae, employment application and credentialing/privileging information to the Office of Patient Care Services (11), which will provide comments concerning the proposed selection within 15 working days.

d. The Chief of Staff recommends a candidate to the facility Director (for new appointments the Director must consider the recommendation of the Professional Standards Board). The recommendation shall include any comments made by the VA Central Office program official.

e. The facility obtains the concurrence of the Dean's or Medical Advisory Committee, where appropriate.

f. The facility Director approves or disapproves the appointment.

g. The facility advises the program official and the Network Director that the selection has been approved.

NOTE 1: *Special pay agreements must be approved in VA Central Office if the candidate's total pay (basic, special pay and bonus or allowance) would exceed $190,000. See VA Directive and Handbook 5007.*

NOTE 2: *Communications with VA Central Office officials need not be in a formal written format.*

NOTE 3: *Facility officials are to maintain documentation regarding their recruitment process. This documentation is to include: (1) A summary of any comments from Department of Veterans Affairs Central Office program officials regarding the recommended candidate; and, (2) If the position is advertised and a non-citizen candidate is selected, the names of all citizen applicants and the reason(s) why the citizen applicants were not qualified for the position.*

APPENDIX H2. PROCEDURES FOR APPOINTING DENTISTS AND EFDAs

1. SCOPE. This appendix covers appointments of dentists to position of Chief, Dental Service and comparable positions. It does not apply to those "acting" in such positions. It also covers the appointment of staff dentists and EFDAs (Expanded Function Dental Auxiliaries).

2. APPOINTMENT TO POSITION OF CHIEF, DENTAL SERVICE AND COMPARABLE POSITIONS

a. The facility initiates recruitment and contacts the Office of Dentistry (112D) which may recommend additional candidates for the position. Vacancy announcements are to be accomplished by the facility. These announcements need to reach all potential VA candidates and allow employees the opportunity to be informed of, and compete for, vacancies.

b. Candidates are screened, interviewed and tentatively selected at the facility.

c. The Chief of Staff or designee discusses the proposed selection with the Office of Dentistry which has 5 working days to make comments or recommendations concerning the proposed selection.

d. The Chief of Staff recommends a selection to the facility Director. Recommendations related to advancements and assignments shall include any comments made by the Office of Dentistry. New appointments must also consider the recommendations of the Dental Professional Standards Board.

e. The facility obtains the concurrence of the Dean's or Medical Advisory Committee, if appropriate.

f. The facility Director approves or disapproves the appointment or assignment.

g. The Office of Dentistry and the network directors are notified.

3. APPOINTMENT TO STAFF DENTIST POSITIONS

a. The facility initiates recruitment and contacts the Office of Dentistry (112D), which may recommend additional candidates for the position. Vacancy announcements are to be accomplished by the facility. These announcements need to reach all potential VA candidates and allow employees the opportunity to be informed of and compete for vacancies.

b. On notification of a dentist vacancy by a facility, the VA Health Care Staff Development and Retention Office will forward to the facility HRMO the applications and related materials of qualified candidates who have indicated availability for that facility or geographical area.

c. Candidates are screened, interviewed and tentatively selected at the facility.

d. The Chief of Dental Service or designee is to discuss the proposed selection with the Office of Dentistry, which has 5 working days to make comments or recommendations concerning the proposed selection.

e. The recommendation is forwarded through channels to the facility Director for consideration. (For new appointments, the Director must consider the recommendation of a Dental Professional Standards Board). The recommending official shall include any comments made by the Office of Dentistry.

f. The facility obtains the concurrence of the Dean's or Medical Advisory Committee, if appropriate.

g. The facility Director approves or disapproves the appointment or assignment.

h. The facility advises the Office of Dentistry of the selection.

4. APPOINTMENT OF EFDAS

a. When an EFDA vacancy occurs, the facility initiates recruitment and contacts the Office of Dentistry, which may recommend additional candidates for the position.

b. The service Chief screens, interviews and tentatively selects a candidates.

c. A recommendation is forwarded through channels to the facility Director (for new appointments the facility Director must consider the recommendation of the Dentist Professional Standards Board).

d. The facility Director approves or disapproves the appointment or assignment.

e. The facility advises the Office of Dentistry of the selection.

5. PROFESSIONAL STANDARDS BOARDS

a. Facility directors are to establish Dental Professional Standards Boards for the purpose of making recommendations on advancements. Any facility with the appropriate number of professionals may form a Board.

b. Facilities unable to constitute a Board are to make arrangements to have their board actions reviewed at another location.

NOTE 1: *Facility communications with the Office of Dentistry in Central Office need not be in a formal written format.*

NOTE 2: *Facility officials are to maintain documentation regarding the process of recruiting dentists and EFDAs. This documentation is to include:*

- *A summary of any comments from Central Office program officials regarding the recommended candidate; and*

- *If the position is advertised and a noncitizen candidate is selected, the names of all citizen applicants and the reason(s) why the citizen applicants were not qualified for the position.*

APPENDIX H3. PROCEDURES FOR APPOINTING PODIATRISTS

1. SCOPE. This appendix establishes the procedures for the appointment of all podiatrists in VHA.

2. PROCEDURES

a. The facility initiates recruitment and contacts the Director of Podiatry Service who may recommend additional candidates for the position.

b. The appropriate official screens, interviews, and tentatively selects a candidate for the position.

c. If the proposed selection does not require a board action, the Chief of Staff or designee discusses the proposed selection with the Director of Podiatry who has 5 working days to make comments or recommendations concerning the proposed selection.

d. The recommendation is forwarded through channels to the facility Director for consideration. Recommendations are to include the comments of the Director of Podiatry Service. New appointments require referral to the Podiatry Professional Standards Board for review.

e. The facility obtains the concurrence of the Dean's or Medical Advisory Committee, if appropriate.

f. The facility Director approves or disapproves the appointment or assignment.

g. The facility advises the Director of Podiatry Service of the selection.

NOTE 1: *The Director of Podiatry Service and the Podiatry Professional Standards Board may be contacted through the VA Medical Center, Cleveland, OH. Communications should be directed to:*

Director, VA Podiatry Service(112 (W))
VA Medical Center
Wade Park Division
10701 East Blvd
Cleveland, OH 44106
Telephone: 216-231-3286
Fax: 216-231-3446

NOTE 2: *Facility communications with VA Podiatry Service officials need not be in a formal written format.*

NOTE 3: *Facility officials are to maintain documentation regarding their recruitment process. This documentation will include:*

- *A summary of any comments from Central Office program officials regarding the recommended candidate; and*

- *If the position is advertised and a noncitizen candidate is selected, the names of all citizen applicants and the reason(s) why the citizen applicants were not qualified for the position.*

NOTE 4: *Submissions to the Podiatry Professional Standards Board shall include the application form, curriculum vitae, and proof of current licensure and registration, board certification, faculty appointment, and residency training.*

NOTE 5: *The Human Resources Management Officer, VA Medical Center, Cleveland, OH, or designee, shall serve as the technical representative to the Podiatry Professional Standards Board.*

APPENDIX H4. PROCEDURES FOR APPOINTING OPTOMETRISTS

1. SCOPE. This appendix establishes the procedures for the appointment of all optometrists in VHA.

2. PROCEDURES

a. The facility initiates recruitment and contacts the Director of Optometry Service who may recommend additional candidates for the position.

b. The appropriate official screens, interviews, and tentatively selects a candidate for the position.

c. If the proposed selection does not require a board action, the Chief of Staff or designee discusses the proposed selection with the Director of Optometry who has 5 working days to make comments or recommendations concerning the proposed selection.

d. The recommendation is forwarded through channels (including the Dean's or Medical Advisory Committee, where appropriate) to the facility Director for consideration. Recommendations are to include the comments of the Director of Optometry Service. New appointments require referral to the Optometry Professional Standards Board for review.

e. The facility Director approves or disapproves the appointment or assignment.

f. The facility advises the Director of Optometry Service of the selection.

NOTE 1: *The Director of Optometry Service and the Optometry Professional Standards Board may be contacted through the VA Medical Center, Fort Howard, MD. Communications should be directed to:*

Director, VA Optometry Service(112A)
VA Medical Center
9600 North Point Road
Building 8
Fort Howard, MD 21052-3001
Telephone: 1-410-477-7192
Fax: 1-410-687-8548

NOTE 2: *Facility communications with VA Optometry Service officials need not be in a formal written format.*

NOTE 3: *Facility officials are to maintain documentation regarding their recruitment process. This documentation will include:*

- *A summary of any comments from Central Office program officials regarding the recommended candidate; and*

- *If the position is advertised and a noncitizen candidate is selected, the names of all citizen applicants and the reason(s) why the citizen applicants were not qualified for the position.*

NOTE 4: *Submissions to the Optometry Professional Standards Board shall include an application form, curriculum vitae, evidence of current licensure, faculty appointment, proposed clinical privileges and evidence of successful completion of National Boards.*

NOTE 5: *The Human Resources Management Officer, VA Maryland Healthcare System, or designee, shall serve as the technical representative to the Optometry Professional Standards Board.*

APPENDIX H5. RECRUITMENT, APPOINTMENT, ADVANCEMENT, CHANGE IN ASSIGNMENT AND REASSIGNMENT OF REGISTERED NURSES (RNS) IN GRADES IV AND V

1. SCOPE. This appendix covers recruitment, appointments, advancements, changes in assignment, and reassignments of RNs in Nurse IV and Nurse V. This includes facility Nurse Executives (i.e., Chiefs of Nursing Service, Associate Directors for Nursing or Associate Directors for Patient Care Services), and other key nursing personnel (i.e., RNs in Nurse IV or above who are not Nurse Executives). This appendix does not apply to nurse anesthetists, RNs "acting" in positions that would otherwise be covered by this appendix, and personnel other than RNs in Associate Director for Patient Care Services positions.

2. RECRUITMENT, APPOINTMENT, ADVANCEMENT, CHANGE IN ASSIGNMENT AND REASSIGNMENT OF KEY NURSING PERSONNEL

a. **Recruitment for Nurse Executives.** The following actions must be taken when Nurse Executive positions are being filled.

(1) **Establish Search Committee.** Search committee responsibilities might include assessing the facility's needs, identifying job related skill(s) which need to be emphasized in the selection process (e.g., organizational leadership, management skills, education/staff development, resource utilization, quality management, expertise in a specific nursing discipline, research, exceptional labor-management relations skills), identifying recruitment sources, and screening applicants.

(2) **Notify VHA Central Office.** Notify VHA Central Office (035/118) of the vacancy, of any skills to be emphasized in evaluating candidates, and of the proposed closing date of the announcement. VHA Central Office will announce the position and its location, the skills to be emphasized, if any, the closing date, and required materials (curriculum vitae and last two proficiency reports or equivalent) in the Weekly Summary Bulletin. The announcement will also include a statement that applicants should apply directly to the employing facility.

NOTE: *Closing dates should be far enough in advance to conduct a comprehensive recruitment effort and give applicants sufficient time to submit required material to the facility.*

b. **Recruitment for Key Nursing Positions Other than Nurse Executive.** When positions other than Nurse Executive are being filled, the actions in subparagraphs 2a(1) and (2) must be taken when local officials determine that a formal recruitment effort is necessary.

NOTE*: Local officials may decide that in order to fill certain key nursing positions (other than Nurse Executive) it is not necessary to establish a search committee.*

c. **Appointment To Nurse IV or V**

(1) After the recruitment process has been completed, the Human Resources Management Officer (HRMO), or designee, will evaluate all applicants against minimum qualification requirements and

forward applications of all qualified applicants to the Search Committee or other group designated to review the applications.

(2) The Search Committee, or other group, will rate applicants "Qualified" or "Highly Qualified" and forward all applications to the approving official for a tentative selection.

(3) The approving official will forward the tentative selection to the appropriate Nurse Professional Standards Board (NPSB). The NPSB will review the scope of the position and the candidate's qualifications to determine if assignment of Nurse IV or V is warranted and will make a recommendation to the approving official.

NOTE: *Except as specified in subparagraph 3a of this appendix, VA Central Office NPSB is appropriate for VA Central Office [employees,] Veterans Integrated Service Network (VISN) staff, [and on all appointments to Nurse Executive and Nurse V positions.] The NPSB for the VISN (see paragraph 4) acts on [other] appointments to Nurse [IV which do not require a waiver of education]. Under no circumstances are facilities to use other boards at local facilities, or another VISN Board, in lieu of using the VISN Board designated for their network.*

(4) The facility Director or designee will approve the selection. All candidates will be advised of their selection or non-selection for the position.

d. **Promotions to Nurse IV or Nurse V**

(1) The recommending official forwards the proposed functional description, employee's curriculum vitae and the latest two proficiency reports (or their equivalent) to the appropriate NPSB for review.

NOTE: *VHA Central Office NPSB is appropriate for VHA Central Office [employees, VISN staff, all Nurse Executives, and Nurse V positions]. All other promotions and advancements [to or within Nurse IV which do not require a waiver of education] are to be reviewed by the [VISN] NPSB [ ] (see paragraph 4).*

(2) The NPSB reviews the employee's qualifications and the scope of the position to determine whether the proposed grade is warranted and makes a recommendation regarding the employee's promotion to the approving official (facility Director or designee).

(3) The approving official approves or disapproves the promotion.

NOTE: *To recommend an action covered by paragraph d, the NPSB must find that the individual meets the qualifications for the position and that the scope and complexity of the assignment are comparable to the corresponding Nurse Executive assignment. The corresponding Nurse Executive assignment means that: a Nurse IV assignment must be comparable to a Nurse Executive assignment at a Level III or IV (complexity index) facility; a Nurse V assignment must be comparable to a Nurse Executive at a Level I or II (complexity index) facility.*

[e. **Employee Education System**. The VISN NPSB acts on actions below Nurse V not requiring a waiver of the education requirement.

f.]. **Reassignments and Changes in Assignment**

NOTE: *A reassignment is a change from one position to another. A change in assignment is a change in the duties and responsibilities of a specific position.*

(1) **Reassignment.** If a nurse is reassigned and the reassignment does not involve a change in grade, an NPSB review and recommendation are not required. If a change in grade is involved, the procedures in paragraph 2d will be used.

(2) **Change in Assignment.** If the duties and responsibilities of a position are significantly changed, the procedures in paragraph 2d will be used to determine whether the employee should be advanced to a higher grade. Minor changes in duties and responsibilities may be accomplished by revising or amending the employee's functional statement.

3. APPOINTMENT, ADVANCEMENT, REASSIGNMENT, AND CHANGE IN ASSIGNMENT OF NURSE EXECUTIVES. Procedures for the recruitment, appointment, advancement, change in assignment and reassignment of Nurse Executives are the same as in paragraph 2, except as follows:

a. **Waivers of Complexity Level.** VHA Central Office NPSB is the appropriate NPSB for all appointments and advancements involving a waiver of facility complexity level.

b. **Notification of VISN and VA Central Office.** When a selection is made for one of these positions, facility officials will notify the appropriate Network Director and the [Office of Nursing Services (108)] in VA Central Office.

4. NPSBs FOR VISNs

a. **Location.** Each VISN is assigned to an NPSB as follows:

(1) **New York NPSB.** VISNs 1, 2, 3

(2) **Pittsburgh (Aspinwall) NPSB.** VISNs 4, 5, 6

(3) **Gainesville NPSB.** VISNs 7, 8, 9

(4) **Indianapolis NPSB.** VISNs 10, 11, 12, 13, 14

(5) **Denver NPSB.** VISNs 15, 19

(6) **Oklahoma City NPSB.** VISNs 16, 17, 18

(7) **Seattle NPSB.** VISNs 20, 21

(8) **Long Beach NPSB.** VISN 22

b. **VISN Board Membership.** The Nurse Executive at the indicated facility will serve as the VISN NPSB Chairperson and will designate other NPSB members from Nurse IVs and Vs at facilities serviced by the NPSB.

c. **Technical Advisor.** The technical advisor to the VISN NPSB will be the HRMO, or designee, at the facility where the Chairperson is assigned.

5. REQUIRED DOCUMENTATION

a. With each request for action, the requesting facility will forward to the servicing NPSB the following items:

(1) A memorandum from the recommending official supporting the action and indicating a proposed effective date;

(2) VA Form 10-2543, Board Action, with items 1, 2, 3, and 5 on the front side completed. Item 5 should document the candidate's educational preparation, the dates of and adjectival ratings for the latest three proficiency reports, a summary of professional experience, and expiration date of the candidate's license; and

(3) Copies of the last two proficiency reports, plus any other significant documentation concerning the nurse's performance.

b. Additional documentation which individual NPSBs might require should be kept to a minimum.

6. VHA CENTRAL OFFICE MAINTENANCE OF BOARD ACTION FOLDERS. The Nursing Strategic Health Care Group does not maintain board action folders for actions covered by this appendix.

APPENDIX H6. PROCEDURES FOR APPOINTING NURSE ANESTHETISTS TO SECTION CHIEF POSITIONS

1. SCOPE. This appendix covers the appointment of nurse anesthetists as Chief of the Nurse Anesthesiology Section. It does not apply to those in an "acting" capacity.

2. PROCEDURES

a. When a position becomes vacant, the facility will initiate recruitment (where appropriate) and contact the Deputy Director for Nurse Anesthetists, VA Anesthesiology Service, who may recommend additional candidates for consideration.

b. Candidates are screened, interviewed and tentatively selected by the appropriate facility official.

c. The Chief of Staff or designee is to discuss the proposed selection with the Deputy Director for Nurse Anesthetists who has 5 working days to make comments or recommendations concerning the proposed selection.

d. The recommendation is forwarded through channels to the facility Director for consideration. Recommendations are to include the comments of the Deputy Director for Nurse Anesthetists. New appointments require referral to the Physician Professional Standards Board for review.

NOTE 1: *The Deputy Director for Nurse Anesthetists is currently located at the VA Medical Center, Augusta, GA, and may be contacted as follows:*

Deputy Director for Nurse Anesthetists
VA Anesthesiology Service (222)
VA Medical Center
Augusta, GA 30904
Phone: (706) 733-0188, ext. 2666
Fax: (706) 823-1752

NOTE 2: *Communications with program officials need not be in a formal written format.*

NOTE 3: *Facility officials are to maintain documentation regarding their recruitment process. Documentation will include:*

- *A summary of any comments from Central Office program officials regarding the recommended candidate; and*
- *If the position is advertised and a noncitizen candidate is selected, the names of all citizen applicants and the reason(s) why the citizen applicants were not qualified for the position.*

APPENDIX H7. PROCEDURES FOR APPOINTING PHYSICIAN ASSISTANTS (PAs) at CHIEF GRADE

1. If appropriate, local recruitment efforts are initiated.

2. Once a candidate is identified, the recommendation is sent through the appropriate Physician Assistant Professional Standards Board to the facility Director for approval or disapproval.

NOTE: *Any movement to another assignment requires a determination that the new assignment warrants Chief grade. Such determinations shall consider the recommendation of the appropriate Physician Assistant Professional Standards Board.*

APPENDIX H8. PROCEDURES FOR APPOINTING CHIEFS OF PHARMACY SERVICE (ALL GRADES), CLINICAL PHARMACISTS/PHARMACY SPECIALISTS, AND PROGRAM SPECIALISTS AT GRADES GS-13 AND ABOVE

1. SCOPE. This appendix covers appointment of all Chiefs of Pharmacy Service, as well as clinical pharmacists/pharmacy specialists and program specialists in grades GS-13 and above. It does not apply to those in any of these positions in an "acting" capacity.

2. PROCEDURES

a. **Clinical Pharmacists/Pharmacy Specialists and Program Specialists (GS-13 and GS-14)**

(1) Local recruitment efforts are initiated.

(2) Candidates are interviewed and credentialed, as appropriate.

(3) Service chief forwards the recommended candidate through channels to the facility Director for consideration. For new appointments, the facility Director must consider the recommendation of the local or VISN Standards Board.

(4) The facility Director approves or disapproves the action.

b. **Chiefs of Pharmacy Service**

(1) Recruitment efforts are initiated. As a minimum, this must include posting the vacancy in the Weekly Summary Bulletin and contacting Central Office program officials who may recommend additional candidates for the position.

(2) Candidates submit applications (including responses to the knowledges, skills, abilities and other characteristics contained in the Weekly Summary Bulletin) to the local facility. Candidates are interviewed, screened and tentatively selected at the facility.

(3) The Chief of Staff or designee discusses the proposed selection with Pharmacy Benefits Management Strategic Health Group (119), which has 5 working days to comment or make recommendations concerning the proposed selection.

(4) The appropriate facility official recommends the selection to the facility Director. New appointments at the GS-12 through GS-14 level must include the recommendation of the VISN Pharmacy Professional Standards Board and any comments made by the Pharmacy Benefits Management Strategic Health Group. New appointments at the GS-15 level are to include the recommendations of the Central Office Pharmacy Professional Standards Board.

(5) The facility Director approves or disapproves the action.

(6) The facility notifies the Pharmacy Benefits Management Strategic Health Group and the Network Director of the selection.

APPENDIX H9. PROCEDURES FOR APPOINTING OCCUPATIONAL AND PHYSICAL THERAPISTS AS SECTION CHIEF

1. SCOPE. This appendix covers the appointment of occupational and physical therapists to section chief positions. It does not apply to those in an acting capacity.

2. PROCEDURES

a. Local recruitment efforts are initiated by the facility.

b. The service chief or equivalent screens and interviews candidates.

c. The service chief or equivalent forwards the recommended candidate through channels to the facility Director for consideration. For new appointments, the facility Director shall consider the recommendation of the VISN Professional Standards Board.

d. The facility Director approves or disapproves the action.

NOTE: *Material submitted to the VISN Professional Standards Board shall include, for appointments, an application form and/or curriculum vitae and evidence of current licensure or certification.*

APPENDIX I. ENGLISH LANGUAGE PROFICIENCY

1. GENERAL

a. No person will be appointed under authority of 38 U.S.C. chapter 73 or 74, to serve in a direct patient-care capacity in VHA who is not proficient in written and spoken English. This includes all full-time, part-time, intermittent, without compensation, consultant, attending, and on-facility fee-basis appointments.

b. The facility Director is responsible for identifying all positions involving direct patient-care responsibilities and for determining which applicants are proficient in English. The Director may delegate responsibility for carrying out the administrative functions required to make the language proficiency determinations to the HRM Officer or designee.

c. When a VA facility serves a substantial number of veterans with limited English-speaking ability, the Director must ensure the identification of sufficient numbers of staff members who are fluent in both the language most appropriate to these veterans and in English.

d. The General Counsel has determined that, in making language proficiency determinations and assessments, the Uniform Guidelines on Employee Selection Procedures (41 CFR 60-3) do not apply. However, the facility Director should try to minimize, if possible, any disproportionate adverse impact on members of groups whose primary and native written and spoken language is not English.

2. DEFINITIONS

a. **Required English Language Proficiency.** Ability to communicate in spoken and written English with patients and other health care personnel with sufficient fluency to satisfactorily carry out assigned responsibilities.

b. **Direct Patient-Care Capacity.** Face-to-face contacts with a patient for the purpose of providing care, diagnosis, counseling, or treatment. This does not include personnel in nondirect patient-care capacities who may come in contact with patients incidental to their primary job responsibilities. This does include trainees in all health care occupations. This may include, but is not limited to:

(1) Any person technically and/or professionally responsible for supervising the performance of direct patient-care activities such as the Chief of Staff, service or section chief, clinical service supervisors, etc;

(2) Any person responsible for contributing diagnostic, treatment, or counseling information for the patient's medical record;

(3) Any physician or dentist (including residents), podiatrist, optometrist, nurse, nurse anesthetist, physician assistant (PA) or expanded-function dental auxiliary (EFDA), except those appointed under authority of 38 U.S.C. 7405 solely for the purpose of carrying on activities other than direct patient care, such as purely academic or research activities;

(4) Any registered respiratory therapist and certified respiratory therapist (RT), physical therapist (PT), licensed practical/vocation nurse (LPN/LVN), occupational therapist (OT) or pharmacist; and

(5) Any person appointed under 38 U.S.C. 7405 to serve in an allied health capacity in support of the total treatment team effort, such as clinical psychologists, social workers, rehabilitation medicine therapists, nursing assistants, and laboratory and radiology personnel, dietitians, etc., who are in direct contact with patients in a diagnostic, treatment, counseling, or care capacity.

c. **Appointment.** Any action to assign an individual to a direct patient-care capacity is considered an appointment for the purpose of this appendix. This includes initial appointment and any initial assignment to a direct patient-care position, such as transfer, reassignment or promotion.

3. DETERMINATION OF PROFICIENCY. One of the following criteria will be used to determine English language proficiency:

a. The candidate's primary and native written and spoken language is English.

b. The candidate has completed a combination of 4 or more years of education and/or experience as follows:

(1) Education in this country or in any school in which the basic curriculum is conducted in English, which may include any time spent in graduate and postgraduate training.

(2) Successful work experience in a health care facility in which the primary written and spoken language is English and in which the individual is required to communicate in English.

c. For physicians, any of the following additional criteria may be considered as qualifying for English language proficiency:

(1) Graduation from a medical school accredited by the LCME (Liaison Committee on Medical Education), as listed in the current Association of American Medical Colleges' Directory.

(2) Graduation from a foreign medical school whose curriculum was taught and examined in English.

(3) United States citizenship by birth and graduation from a foreign medical school.

(4) Certification by the ECFMG (Educational Council for Foreign Medical Graduates) with a certificate dated 1976 or later.

(5) Successful completion of the VQE (Visa Qualifying Examination).

(6) Certification by an American Specialty Board.

(7) For residents appointed to an integrated graduate training program (i.e., accredited in the name of an affiliated institution), certification by the Deans Committee or Medical Advisory Committee of having met the written and spoken English proficiency requirements.

4. TOEFL (TEST OF ENGLISH AS A FOREIGN LANGUAGE)

a. If a physician, dentist, podiatrist, optometrist, nurse, nurse anesthetist, or PA does not meet the above criteria or if proficiency is questionable even though one or more criteria are met, the candidate must successfully complete the TOEFL before a determination of proficiency is made. Successful completion of the paper-based version of this test is the achievement of a minimum converted total score of 550 and a minimum converted total score of 213 on the computer-based version. Where the three-part test is taken, a minimum unconverted score of 55 on each of the three parts of the paper-based version, or an unconverted score of 21 on the computer-based version is required.

b. The TOEFL is administered by Educational Testing Services, Inc., of Princeton, NJ, several times each year in centers around the country. For application materials and information about tests (including testing center locations, filing, deadlines, and test dates), facilities or applicants should call 609-771-7100, or access the website. Payment for testing and training of applicants for employment will not be made by VA.

5. QUESTIONABLE PROFICIENCY

a. If an individual in any occupation not listed in paragraph 4a above, including any EFDA, RT, PT, LPN, OT or pharmacist, does not meet the proficiency criteria or if proficiency is questionable even though one or more criteria are met, the facility Director will determine on an individual basis whether the individual is sufficiently proficient for the assignment involved. Although English language proficiency tests are not required, extreme caution should be exercised in assessing written and spoken English proficiency. This can normally be accomplished through personal interview, reference checks, etc., conducted by the appointing official. In doubtful cases, a final determination should be made only after review and interview by a second management official whose native language is English.

b. If any person, at a facility where the primary written and spoken language of the predominant number of patients is other than English, has not demonstrated proficiency as indicated above, or if proficiency is questionable, the facility Director will determine on an individual basis whether the individual is sufficiently proficient for the assignment involved. This determination will be made as described above.

6. DOCUMENTATION. The determination that an employee is proficient in English will be documented on the appointment SF 52, Request for Personnel Action, which will be retained for the duration of VA employment.

7. TEMPORARY APPOINTMENT PENDING PROFICIENCY DETERMINATION

a. A physician, dentist, podiatrist, optometrist, nurse, nurse anesthetist, or PA may be appointed under 38 U.S.C. 7405(a)(1)(A) pending successful completion of the TOEFL. The facility Director or designee will determine on an individual basis, through personal interview, reference checks, etc., that

the candidate is sufficiently proficient to have a reasonable assurance of successfully completing the examination.

b. A written statement will be provided to any candidate thus appointed explaining the requirement for the TOEFL and that continued employment is contingent upon its successful completion.

c. The TOEFL must be successfully completed during the first year of VHA employment in a direct patient-care assignment. An employee whose test scores fail to qualify for successful completion of the exam will be terminated from the service on 2-weeks' notice. If the employee's temporary appointment expires in less than 2 weeks, the employee may not be retained beyond this date.

APPENDIX J. REQUESTS FOR APPROVAL TO PETITION THE UNITED STATES DEPARTMENT OF STATE (DOS) FOR SUPPORT OF A WAIVER OF THE 2-YEAR HOME RESIDENCE REQUIREMENT OF THE UNITED STATES EXCHANGE VISITOR PROGRAM BY THE IMMIGRATION AND NATURALIZATION SERVICE (INS)

1. SCOPE. This appendix establishes criteria for requesting the Under Secretary for Health, or designee's approval to petition DOS for support in behalf of an individual on a J-1, Exchange Visitor, visa for a waiver of the 2-year home residence requirement by INS.

2. BACKGROUND. The Immigration and Nationality Act requires that certain foreign nationals, who are in the United States (U.S.) as participants in the Exchange Visitor Program, leave the U.S. for 2 years to apply newly acquired training and skills in their home countries. This 2-year home residence requirement also prevents circumvention of the usual methods of immigration to the U.S. Under unusual circumstances, the head of an interested Federal agency may request a waiver of this requirement when that agency determines that such a waiver is in the interest of a program of the U.S. and in the public interest. (Title 22 CFR, part 514, and the Immigration and Nationality Act, section 212(e), as amended.)

3. POLICY. The Department of Veterans Affairs (VA) supports the Exchange Visitor Program and the 2-year home residence requirement and will seek waivers only when it is clearly in the interest of the Department and its programs. For VHA, the Secretary has delegated to the Under Secretary for Health, or designee, authority to approve such requests and to determine when submission of requests for waivers are appropriate.

4. DEFINITIONS

a. **Adjustment.** Changing from a nonimmigrant status to a different nonimmigrant status, or to immigrant status, while remaining in the U.S. Individuals whose authorized stays have expired are required to leave the U.S. and may not reenter unless they have been granted another visa.

b. **Alien Labor Certification.** Certification by the U.S. Department of Labor (DOL) that:

(1) There are not sufficient U.S. workers able, willing, qualified, or available at the place where the alien is to be employed when the alien applies for an immigrant visa; and

(2) The employment of the alien will not adversely affect the salaries and working conditions of similarly employed U.S. workers

NOTE: *Alien labor certification is only required when a facility plans to petition INS for immigrant status for an alien, based on their need for the alien's skills. Aliens married to or related to U.S. citizens who are petitioning in their behalf are not required to obtain an alien labor certification in conjunction with their petition for immigrant status. For occupations on Department of Labor 's (DOL's) list of the occupations for which there are labor shortages in the U.S. (Schedule A), INS automatically determines eligibility for alien labor certification as part of its adjudication of the preference visa petition. DOL designations for shortage categories are reviewed periodically and*

subject to change. To obtain further information about the alien labor certification process, facilities should contact their local State Employment Office.

c. **Exchange Visitor.** A foreign national who is a participant in the Exchange Visitor Program (e.g., foreign medical school graduates admitted to the U.S. on a J-1 visa for medical training).

d. **Exchange Visitor Program.** A program administered by DOS which is intended to promote an interchange of persons; knowledge and skills; and developments in the fields of education, arts, and sciences, which promote a mutual understanding between the people of the U.S. and the people of other countries.

e. **Immigrant.** An alien who has been admitted to the U.S. for permanent residence. By September 20, 1994, all immigrants are required to have an Alien Registration Receipt Card, Form I-551. The Form I-151 and all previous forms are no longer valid after September 19, 1994. The Form I-551 has the lawful holder's photograph, fingerprint, and signature on a white background; however, it is commonly known as the "green card".

f. **Immigration and Naturalization Service (INS).** The Agency of the U.S. Department of Justice which administers the Immigration and Nationality Act. INS is responsible for approving or disapproving waivers of the 2-year home residence requirement for Exchange Visitors.

g. **Nonimmigrant.** An alien temporarily admitted to the U.S. for specific purposes and periods of time.

h. **Nonimmigrant Visas**

(1) **J-1.** A nonimmigrant visa issued to an Exchange Visitor which allows the participant to enter or remain in the U.S. while participating in the Exchange Visitor Program.

(2) **J-2.** A nonimmigrant visa issued to the spouse of an Exchange Visitor which allows the individual to remain in the U.S. while their spouse is participating in the Exchange Visitor Program.

(3) **H-1B.** A nonimmigrant visa granted to professionals or those of distinguished merit and ability for a period of up to 3-years. H-1B visas are granted for up to 3 years for specific positions and may be extended 3 years for a total of 6 years. Noncitizen physician graduates of foreign medical schools may be granted H-1B visas for patient care positions if they have passed the United States Medical Licensing Examination (USMLE) or its equivalent and the English language proficiency examination given by the Educational Commission on Foreign Medical Graduates (ECFMG).

NOTE: *A labor condition application must be submitted and approved by DOL prior to a submission to INS for an H-1B visa (Title 20, CFR, section 655.730).*

i. **"TN" Classification.** A nonimmigrant classification granted under the provisions of the North American Free Trade Agreement to citizens of Canada and Mexico. The TN classification is available only for certain professional occupations and is issued pursuant to a job offer by an U.S. employer. Aliens are admitted for an initial period of up to 1 year and may be granted extensions in 1-year

increments. Physicians may only be admitted on a TN classification to perform teaching or research (no direct patient care). The TN classification replaced the TC classification for Canadian citizens.

j. **2-Year Home Residence Requirement.** Certain Exchange Visitors must return to their country of nationality or to their last legal permanent residence after they have completed their education for at least 2 years before they can apply for an immigrant or nonimmigrant visa.

k. **United States Department of State (DOS).** The agency which administers the Exchange Visitor Program and recommends to INS approval or disapproval of petitions for waiver of the 2-year home residence for Exchange Visitors.

5. SUBMISSION REQUIREMENTS

a. General Policies

(1) Facility directors may request the approval of the Under Secretary for Health (10N_/051) to petition DOS for support of a waiver by INS of the 2-year home residence requirement only if it can be shown that the loss of the Exchange Visitor's services would necessitate discontinuance of a program or a major phase of it, and recruitment efforts have failed to produce a qualified citizen or permanent resident applicant for the position.

(2) Waiver requests will not be considered if;

(a) They are based solely upon the personal desire of the Exchange Visitor to remain in the U.S. or the needs of the affiliated university.

(b) They are not part of an ongoing and comprehensive recruitment effort. Recruitment efforts shall not be initiated solely for the purpose of placing Exchange Visitors.

(c) They are to facilitate routine hiring in nonspecialized assignments; for appointments of less than 4/8ths time; or for appointments on a without compensation or fee basis.

(d) Another facility has a pending request for a waiver on behalf of the candidate.

(e) The position to be filled is a trainee, fellowship or otherwise time limited, including medical support appointments under 38 U.S.C. 7405(a)(1)(D).

(f) There are other qualified citizens or permanent resident applicants for the position. Title 38 U.S.C. section 7407(a), provides that noncitizens may only be employed if it is not possible to recruit qualified citizens for necessary services. It is not enough to demonstrate that a noncitizen is more qualified. Interested citizen or permanent resident applicants must be found unqualified for the position, i.e., that they have failed to meet the requirements of the position. For example, physicians who are not board certified or who do not possess specialized skills may not be considered unqualified if such requirements are only desirable or the recruitment advertisement fails to specify such requirements.

(3) Waiver requests may be post-audited by VA Central Office to ensure compliance with the provisions in this appendix, as well as applicable VHA personnel policies and procedures. Department of Veterans Affairs (VA) officials who fail to comply with provisions of this appendix may be subject to appropriate administrative or disciplinary action.

b. **Action by Exchange Visitor**

(1) The first step required by DOS in the waiver application process is for the Exchange Visitor to submit a Waiver Review Application Data Sheet.

(2) The completed date sheet, two self-addressed, stamped, legal-size envelopes and a check or money order for $230 U.S. dollars, payable to the U.S. Department of State, are to be sent to one of the following addresses, as appropriate:

via Postal Service	**Via Courier Service**
US Department of State Waiver Review Division P.O. Box 952137 St Louis, MO 63195-2137	US Department of State Waiver Review Division (Box 952137) 1005 Convention Plaza St Louis, MO 63101-1200

(3) The Exchange Visitor's full name, date of birth and Social Security Number (if any) must be written on the check or money order. Remittances must be drawn on a bank or other institution located in the U.S. and made payable in U.S. currency to the U.S. Department of State. If the Exchange visitor resides outside the Unites States at the time the data sheet is submitted, remittance may be made by bank international money order of foreign draft drawn on an institution in the U.S. and made payable to the U.S. Department of State in U.S. currency.

(4) Once the Waiver Review Division receives the data sheet, they will send the Exchange Visitor a case number and instructions on the documents that must be submitted with a waiver application. This case number must be written on all facility submissions to Central Office. **Waiver requests received in Central Office without case numbers will be returned to facilities without action.**

NOTE: *All correspondence addressed to DOS regarding a waiver request must have a case number displayed on the envelope and the correspondence itself, or it will be returned to the sender.*

c. **Submission of Requests to Central Office.** Requests are to be assembled in the following order and sent through the VISN office to the Assistant Deputy Under Secretary for Health (10N__/051. Approved requests will be forwarded directly to DOS by VA Central Office. Facilities should retain copies of material submitted with their request.

NOTE: *All Department of State mail is electronically scanned upon receipt. Due to this requirement, all waiver requests must be free of two-sided documents, staples, clips, binders, prong fasteners, small odd-size paper/cards, tabs and index sheets/cards. Only 8-1/2" by 11" paper is to be used. DOS will return waiver packages that are not "scan ready" to the originating facility.*

(1) **Director's Letter.** The request is to contain a letter signed by the facility Director that addresses each of the following items:

(a) A complete description of the proposed assignment, including the percentage of time spent in research or educational activities and the responsibilities at the affiliated university, where appropriate. The description shall include the proposed grade and step rate of the applicant, whether the position is full-time or part-time, and the proportion which part-time employment bears to full-time employment, where appropriate.

(b) The proposed appointment date.

(c) A description of the health-care needs the Exchange Visitor would meet and how those needs are or are not being met at the present time. The description should also include any patient care problems, an explanation of how the loss of the Exchange Visitor would result in discontinuance of a program or a major phase of a program of official interest to the Department, and information on additional expenditures associated with alternative methods of patient care (fee for service, contracting, etc.)

(d) A complete description of recruitment efforts, including the time the position has been vacant, areas covered, contacts made, rationale for selecting recruitment methods used, etc.

NOTE: *Also see the documentation requirements in subparagraph (2) below.*

(e) The letter is to provide the name, title, and telephone number of a facility employee who can answer technical questions about the request and provide additional information, which may be required by VA Central Office.

(2) **Documentation of Recruitment Efforts (tab each item on separate piece of paper)**

(a) **Advertisements**

1. Provide dated photocopies of ads placed in professional journals, newspapers, etc. Except as provided in paragraph 2 below, ads must be placed in nationally recognized journals or periodicals, which are, appropriate to the specialty and have nationwide circulation. Ads may not be over 1-year old at the time of submission. The primary focus of the ads is to be VHA employment; they must indicate VHA is an equal opportunity employer; and contain any special requirements of the position, e.g., special professional skills, board certification, etc. Applications are to be directed to the appropriate VHA facility servicing Human Resources Management office. They are not to be forwarded through the affiliated university. Upon receipt, all applications will be forwarded to the appropriate facility program official. Any inquiries concerning the position are to be documented by a report of contact, a copy of which will be kept by the contacted VA official. If the position is less than full-time at VA the ad must include information about associated employment at the affiliated university, where appropriate.

2. Facility directors will not be required to place ads in appropriate national journals if the position is in a scarce medical specialty for special pay purposes or is one for which geographic special pay has

been authorized. Any exception under this subparagraph is to be documented in the facility Director's letter described in paragraph c(1) above.

NOTE: *An exception under this subparagraph does not relieve a facility from undertaking active recruitment efforts to attract qualified candidates, meeting DOL alien labor certification requirements, or from taking other recruitment efforts as outlined in the following paragraph, where appropriate.*

(b) **Other Efforts.** An active recruitment effort will be demonstrated by a combination of the following: letters to medical schools, specialty boards, professional organizations and local advertising. Facilities shall post a nationwide vacancy announcement advertising the position and request referrals from the Health Care Staff Development and Retention Office, 1555 Poydras Street, Suite 1971, New Orleans, LA 70112, or telephone 1-800-949-0002.

(c) **Interested Individuals.** For each individual (other than the Exchange Visitor) expressing interest in the position, requesting information about the position, or filing an application provide:

1. Name, address and telephone number;

2. A copy of any employment application and/or curricula vitae submitted;

3. Citizenship status. For noncitizens provide immigration status (permanent resident, J-1, etc.);

4. Whether the position was offered;

5. Copies of reports of contact discussing the position with all citizen and permanent resident applicants; and

6. A narrative explanation as to why the individual was not qualified, not selected, or declined further consideration.

(3) **Exchange Visitor's Qualifications**

(a) **Application.** The application form must be complete. **(Application forms which refer to the curriculum vitae for further information will be returned as incomplete.)** All periods following graduation from professional school must be accounted for; where appropriate, the Chief of Staff must have certified on the application that licensure, registration, visa status, and any board certification of the applicant have been verified; and the employment application must be signed and dated by the applicant.

(b) **Curriculum Vitae**

(c) **License.** Include copies of each license **and** documentation of the verification of licensure with each state in which the Exchange Visitor claims to have been licensed.

(d) **Clinical Privileges.** Provide a copy of the proposed VHA clinical privileges, and, if available, a copy of the clinical privileges from the most recent employer.

(e) **Deans Committee Recommendation.** Submit a copy of the Deans Committee recommendation, where appropriate.

(f) **References.** As a minimum, a reference will be obtained from the applicant's current or most recent employer. Facilities are, however, encouraged to obtain information from authoritative sources, other than the applicant's references, which contain informed opinions on the applicant's scope and level of performance.

(g) **Certification from the Educational Commission for Foreign Medical Graduates (ECFMG)**

(h) **USMLE, National Board of Medical Examiners (NBME) or Federation Licensing Examination (FLEX) Scores**

(i) **Board Certification.** Documentation concerning board certification or of progress towards obtaining board certification.

(j) **Visa.** Submit photocopies of the DOS Certificate of Eligibility for Exchange Visitors (J-1) Status (Form IAP-66) for all periods covered by the J-1 visa. **Do not submit copies of the applicant's passport in lieu of these forms**. For aliens who are residing on the U.S. at the time the facility request is submitted, but are no longer is on a J-1 visa, documentation must be provided that establishes that the alien is in a lawful immigration status, or is legally residing in the U.S.

NOTE: *DOS will not process a waiver petition that does not include IAP-66 forms covering all periods of an Exchange Visitor's J-1 status.*

(k) **Waiting Period.** Provide the Exchange Visitor's residence and a telephone number where they can be reached during the waiting period between the time the waiver of the 2-year home residence requirement is approved and the applicant's appointment in VHA.

NOTE: *Documentation requirements in paragraphs (2) and (3) above apply to physicians. For other occupations, facilities should contact the Human Resources Management Programs and Policies Service (051) for further information.*

6. ACTION ON APPROVED REQUESTS

a. **Action Taken After Requests Approved by Under Secretary for Health or Designee.**

(1) VA Central Office will advise the facility whether the request to petition DOS has been approved and submit the approved request to DOS.

(2) The facility is to advise the Exchange Visitor in writing that VHA is supporting the petition for waiver of the 2-year home residence requirement. This letter should also:

(a) Outline the terms of the employment (i.e., the title of the position, duties and responsibilities, proposed work schedule, proposed salary, anticipated starting date, etc.).

(b) Ask the Exchange Visitor to keep the facility advised of any changes in their address or telephone number.

(c) Advise the Exchange Visitor of their responsibility to contact the facility within 15 days of being notified by INS of approval or disapproval of the waiver. The exchange Visitor will be advised that if they fail to report for duty or to complete three years or more of service, the facility will ask INS to reconsider the request for a waiver, as the individual is no longer fulfilling the need upon which the waiver of the home residence requirement had been based.

(3) The facility initiates a petition to INS for an H-1B visa on behalf of the alien. The petition (I-129) and filing instructions are available from the INS forms request line at 1-800-870-3676.

b. **Action by Other Agencies.** The following information is provided so facilities will have a better understanding of the processing, which occurs after the request leaves VA.

(1) DOS reviews requests for potential effect on U.S. policy, programs, and foreign relations. DOS's recommendations are forwarded to INS for final adjudication.

(2) INS makes the final determination concerning the request for a waiver of the 2-year home residence requirement. INS notifies the alien and the requesting organization of their decision.

c. **Action on Requests Processed by INS.** After being notified that INS has made a decision on a request, the following actions are to be taken:

(1) **Appointment.** Before an Exchange Visitor may be appointed, they must be issued an H-1B visa, unless they possess a separate status or authorization from INS that permits paid employment.

(2) **Failure to Report to Duty or Failure to Complete 3 Years of Service.** If the Exchange Visitor does not report for duty, or reports for duty, and fails to complete 3 years of service, the facility Director shall ask INS to reconsider the waiver. Sample letters to INS for such circumstances are provided below. An information copy of any request and INS response will be forwarded to Network Management Support (10NA/051).

SAMPLE LETTER –FAILURE TO REPORT TO DUTY

District Director
United States Department of Justice
Immigration and Naturalization Service
_____
(City, (State) (Zip)

Dear Sir:

The Department of Veterans Affairs Medical Center, (facility), supported waiver of the 2-year home residence requirement for (physician's name and visa number), a participant in the United States Exchange Visitor Program. It is our understanding that a waiver was granted (date); however, (name) failed to report for duty. Since (name) will not be meeting the medical needs upon which the waiver was based, we are recommending the waiver request be reconsidered.

Your assistance in this matter is appreciated. If you have questions or need additional information, contact (name) on (telephone number).

Sincerely yours,

Facility Director

SAMPLE LETTER – FAILURE TO FULFILL COMMITMENT

District Director
United States Department of Justice
Immigration and Naturalization Service
_____
(City, (State) (Zip)

Dear Sir:

The Department of Veterans Affairs Medical Center, (facility), supported waiver of the 2-year home residence requirement on behalf of (physician's name and visa number), a participant in the United States Exchange Visitor Program. (Name) has voluntarily left the position upon which the waiver was based after having served less than 3 years. Since the medical needs upon which the waiver was based are no longer being met, we recommend the waiver granted to (name) be reconsidered.

Your assistance in this matter is appreciated. If you have questions or need additional information, contact (name) on (telephone number).

Sincerely yours,

Facility Director

APPENDIX K. RCVL (RESIDENT/TRAINEE CREDENTIALS VERIFICATION LETTER)

Department or Program
Medical School
Date _____

Director (00)
VA Medical Center
(Address)_____

Dear

I certify that the residents/trainees listed on the enclosed sheet, to be appointed to the Department of Veterans Affairs _____(Medical Center)_____, to work at varying times during the period of July 1, 20__ through June 30, 20__, are physically and mentally fit to perform the duties assigned to them. They meet, in full, the education, credential, and program requirements established by __(medical school or VA medical center)___in this __ACGME (Accreditation Council for Graduate Medical Education) or nationally accredited__training program. Their credentials (diplomas, letters of reference, certificates of advanced training, all State professional licenses held prior to entry into the program or obtained during residency training, and, where applicable, DEA (Drug Enforcement Administration) certification and ECFMG (Educational Council for Foreign Medical Graduates) certification, have been verified, and you have been advised of any problems relating to the credentials of these residents/trainees, where appropriate.

I also certify that the process of privileging of residents for clinical procedures will be completed and appropriately updated by me as program director (or by the appropriate VA service chief), in accordance with ACGME-established criteria for the essentials and special requirements for residency training programs. If you have any questions or require additional information, let me know.

Signed _____
Program Director or VA Service Chief
Department of _____

VAMC Chief of Staff
Accept/Do Not Accept _____ Comments: _____
Date _____

VAMC Director
Accept/Do Not Accept _____ Comments: _____
Date _____

Attachment: List of Residents/Trainees

Department or Program
School

ATTACHMENT TO RCVL

(Medical Residents)

Academic Year ___

Title of Residency Program

Name Specialty

Department or Program
School

ATTACHMENT TO RCVL

(Dental, Podiatry and Optometry Residents/Trainees)

Academic Year_____

(List all residents/trainees by program.)

Name	Program

APPENDIX L. CREDENTIALING CHECKLIST

Applicant: _____

	Action Initiated	Action Completed
1. Application Form (including follow-up as required)		
2. State Licensure/Registration (verify in all States where claimed by applicant)		
3. Certification(s) Verification (national board or other certifications)		
4. Drug Enforcement Certification (DEA) (obtain copy of DEA card)		
5. Reference Letter(s) (VA Form Letter 10-341a may be used; one reference must be from current or most recent employer; obtain personnel folder if applicant has prior Federal service; additional references may be required.)		
6. Citizenship Documents (visa status or evidence of naturalization)		
7. Physical Examination (or statement of mental and physical health status, as appropriate)		
8. Federation of State Medical Boards (FSMB) Screening (physicians only, copy of FSMB letter) (Optional)		
9. Copy of Clinical Privileges (current or most recent privileges)		
10. Education/Training Verification		
11. Deans Committee Nomination (as appropriate)		
12. Medical Staff Bylaws Acknowledgment (required for clinical privileging)		
13. Board Action		

Date Appointed: _____

APPENDIX M. SAMPLE CONSULTANT CERTIFICATE

"In approving the filling of this consultant position without regard to the laws and regulations governing appointments in the competitive civil service, and in approving the rate of pay set for this position without regard to the classification and pay laws, I have considered the requirements of law (5 U.S.C. 3109), and relevant Comptroller General decisions that spell out the conditions under which consultants may be appointed.

"More specifically, I have satisfied myself that:

"(a) The position is necessary;

"(b) The position is a 'consultant position' as defined in 5 CFR 304.102(b);

"(c) The work is temporary in nature, that is, will not exceed 1 year or, as appropriate '. . . requires services only irregularly (that is, with no regular tour of duty) or occasionally,' requires a high level of expertness not available in the regular workforce, is of a purely advisory nature, and does not include the performance or supervision of operating functions;

"(d) This authority is the most appropriate appointing authority for meeting VA's needs;

"(e) The proposed appointee meets OPM's definition of 'consultant' in 5 CFR 304.102(b) and does, in fact, possess the kind and level of expertness that will permit him/her to render the services VA seeks;

"(f) The daily rate intended to be paid the proposed appointee is commensurate with the level of the work he/she is to perform and his/her qualifications for the work; and

"(g) Required documentation is in order."

In some situations, it will be necessary to modify the sample certificate as, for example, when the appointment is made under an authority other than 5 U.S.C. 3109, the pay is set under the General Schedule (primarily if an appointment is under Schedule A), or the appointee will serve without compensation. Slight modification will also have to be made if the position is that of an expert rather than a consultant, although all the basic elements of the consultant sample must be included.

[APPENDIX N. CAREER INTERN PROGRAM

1. PURPOSE. The purpose of the Career Intern Program is to attract exceptional men and women to the VA workforce who have diverse professional experiences, academic credentials, training, and competencies, and to prepare them for careers in analyzing and implementing public programs. The program is intended to be used for grade GS-5, 7, and 9 (and equivalent) positions or other trainee positions appropriate for the program. The policy and delegated authority for this program may be found in chapter 2, paragraph 7, of this part.

a. Administrations and staff offices must submit a justification through the Office of Human Resources Management Programs and Policies Service (051) to request Office Personnel Management (OPM) approval to cover additional grades to meet unique or specialized needs.

b. Those GS-5 and 7 positions subject to the *Luevano Consent Decree* will be required to use those assessment tools permitted under the Decree. The *Luevano* Consent Decree specifies that the alternate examining procedures be used when filling any position covered by the Decree. The language of the Consent Decree does not make a distinction between the competitive or excepted services when filling those positions it covers. For this reason, *Luevano*-approved rating schedules and assessments must be used. A listing of the specific occupations covered by the Consent Decree may be found on the OPM Web site. Note that for a *Luevano*-covered position, the noncompetitive Outstanding Scholar Program appointing authority can only be used as a supplement to competitive examining. Thus, unless competitive examining is being used as well, when the excepted Career Intern Program is being used to fill specific *Luevano*-covered Intern positions, the Outstanding Scholar appointing authority is not an available option for those Intern positions.

2. ESTABLISHING A NEED FOR A CAREER INTERN PROGRAM

a. Career Intern Programs are designed to meet workforce planning needs for careers in the public service or to address anticipated shortages in a specific occupation.

b. Any occupation for which a Career Intern Program is being established must lend itself to a formal training and development component. To establish a specific program, the human resources specialist(s), in collaboration with the selecting official/subject matter expert(s), will:

(1) Identify appropriate targeted recruitment sources of candidates with the appropriate background, skills, or education; and

(2) Develop a career intern formal training and development plan. As a first step, it should be determined if a Departmental or Administration level intern program already exists for this career. If no program exists, the local facility may develop one. Components of a program should include but are not limited to individual development plans, performance standards, position descriptions, rotational assignments, specific skills to be acquired, etc.

3. QUALIFICATIONS AND APPOINTMENTS. Candidates will be evaluated using official VA or OPM qualification standards, as appropriate.

a. Veterans' preference applies to the selection of career interns. Since career interns are appointed to positions in the excepted service, the procedures described in 5 CFR 302 must be followed.

b. Interns will be appointed under 5 CFR 213.3202(o) in the excepted service (Schedule B) for a period not to exceed 2 years, unless developed for or extended up to a maximum of 1 additional year with official VA or OPM approval, as appropriate. (See paragraph 4 for approval process.)

c. Upon successful completion of the internships, the Interns may be eligible for noncompetitive conversion to career-conditional (or, if appropriate, career) appointments in accordance with 5 CFR 315.712.

d. Throughout the internship, the intern must participate in a formal training program and job assignments to develop competencies appropriate to VA's mission and needs.

4. EXTENSIONS OF THE INTERN TRAINING PERIOD

a. The Office of Human Resources Management (OHRM) may approve short-term extensions of up to an additional 120 days for internships that may exceed the 2-year limitation, to cover rare or unusual circumstances. Requests for an extension of up to 120 days should be submitted to OHRM (051) with the following information:

(1) The employee's original training and/or developmental plan.

(2) The extenuating or unusual circumstance that warrants the request. An example of an extenuating circumstance is when the employee is unable to complete the plan in the time allotted, due to personal issues dealing with family death or medical obligations which would hinder completion of the internship.

(3) The length of the requested extension.

b. OPM approval is required to develop or extend internships for up to 1 additional year beyond the authorized 2 years for additional training and/or developmental activities. Administrations and staff offices must submit a request to OHRM (051) no later than 90 days prior to the end of the 2-year period. The information should include:

(1) The internship training and/or developmental plan.

(2) Reason why the 2-year period is not sufficient time for completion of the internship.

(3) The additional amount of time needed to complete the internship.

5. TENURE GROUP. Career interns are in tenure group II of the excepted service for purposes of 5 CFR 351.502.

6. PROMOTIONS

a. During the internship period, career interns may receive promotions according to the training plan upon completion of training requirements and meeting qualification requirements and time-in-grade restrictions, as outlined in VA's merit promotion policy.

b. This provision does not confer entitlement to promotion.

7. CONVERSION TO COMPETITIVE SERVICE

a. **General**

(1) Except as provided in paragraph (3) of this section, service as an intern shall confer no rights to further Federal employment in either the competitive or excepted service upon the expiration of the internship period.

(2) Career interns may be converted to the competitive civil service upon successful completion of internship requirements and all qualification, citizenship, suitability, and performance requirements. These noncompetitive conversions will be effective on the date the 2-year service requirement is met (or at the end of any pre-approved extended period). This non-competitive conversion to career-conditional (or, if appropriate, career) appointment is made under the provisions of 5 CFR 315.712.

(3) An employee who held a career-conditional (or, if appropriate, career) appointment in VA immediately prior to entering the Career Intern Program in VA, and who fails to complete the Career Intern Program for reasons unrelated to misconduct or suitability, shall be placed in a career-conditional (or, if appropriate, career) position at no lower grade or pay than the position the employee left to accept the position in the Career Intern Program.

(4) Service under the Career Intern Program is creditable toward career tenure in the competitive service, if the career intern is converted to a career-conditional appointment under 5 CFR 315.712.

b. **Conversion Based on Service as a Career Intern**

(1) **Non-Competitive Conversion**. An intern may be converted non-competitively to career-conditional employment (or, if appropriate, career), when the following criteria are met:

(a) Successful completion of a Career Intern Program under 5 CFR 213.3202(o) at the time of conversion; and

(b) Satisfaction of all citizenship, suitability, and qualification requirements.

(2) **Tenure on Conversion.** An employee whose appointment is converted to career-conditional (or, if appropriate, career) employment under paragraph (1) of this section becomes:

(a) A career-conditional employee except as provided in paragraph (2)(b) below.

(b) A career employee when he or she has previously completed the service requirement for career tenure or is excepted from it by 5 CFR 315.201(c).

(3) **Acquisition of Competitive Status.** An employee whose employment is converted to career-conditional (or, if appropriate, career) employment under this section acquires a competitive status automatically upon conversion.

(4) **Probationary Period.** Career interns will not be required to serve a probationary period following their conversion to the competitive service. The 2 years the employee spends on the excepted appointment will serve as the employee's probationary (trial) period.

8. EXPIRATION OF CAREER INTERN APPOINTMENT

a. The appointment of a career intern expires at the end of the 2-year internship period, including any extensions.

b. One of two results must occur:

(1) The intern is converted to a career-conditional (or, if appropriate, career) appointment in accordance with 5 CFR 315.712 without a break in service.

(2) If an intern is not converted to a career-conditional (or, if appropriate, career) appointment, the career intern appointment terminates, unless specifically eligible for placement under 8c below.

c. If a VA organizational entity has selected a VA career-conditional (or, if appropriate, career) employee for the Intern Program, and he/she fails to complete the program for reasons unrelated to misconduct or suitability, the organization shall place the intern in a position of equivalent status, tenure, and pay as the position the intern held prior to the internship.

d. If a VA organizational entity selects a candidate who does not have prior career-conditional (or, if appropriate, career) status, the candidate will be informed in writing at the time of Career Intern Program appointment of the possible reasons for termination from the program (e.g., failure to complete program due to performance, conduct, suitability, lack of satisfactory progress in training, or lack of demonstration of needed skills).

9. CAREER DEVELOPMENT

a. The sponsoring VA entity will provide the career intern with formal training and developmental opportunities to acquire the appropriate VA-identified competencies needed for conversion. These activities may include, but are not limited to, formal training classes, rotational or other job assignments, attendance at conferences and seminars, interagency assignments, or other activities approved by VA.

b. The intern's developmental program should be consistent with the career field map when one has been developed nationally for that position. This map may be a visual representation of the competencies, training, and developmental experiences an employee can use to progress through the technical and leadership paths within their career field.]

STAFFING

PART III. INTERNAL PLACEMENT AND PROMOTION

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PART III. INTERNAL PLACEMENT AND PROMOTION

CHAPTER 1. GENERAL

1. SCOPE. This part contains the policies and procedures governing the placement of VA employees in another VA position, including the movement of the employee to another VA facility under a different appointing officer. Such position changes include demotion, reassignment or promotion of an employee while continuously employed in VA and authorized conversion to another appointment under certain circumstances.

2. ORGANIZATION

a. Chapters 2 and 3 include requirements and procedures for internal placement and promotion actions for employees in the competitive service under title 5.

(1) While the provisions in these chapters apply to the competitive service, there is no prohibition against using these or similar procedures to provide opportunities to certain excepted service employees, such as those appointed under the Veterans Readjustment Act (VRA) or severely handicapped individuals appointed under Schedule A.

(2) In the interest of clarity, policy requirements are identified by the word "requirement". Requirements are mandatory provisions established in accordance with or consistent with Federal human resources policies issued by the Office of Personnel Management (OPM) or pertinent laws, rules and regulations.

(3) Guidance, which is identified as such, is included to provide matters to be considered, information, clarification, examples, etc., to assist in the development of subordinate policies which will conform to VA and OPM policy requirements.

b. Chapters 4 and 5 contain internal placement and advancement policies, procedures and requirements for employees appointed under 38 U.S.C., chapter 74.

c. Chapter 6 includes requirements and procedures related to military leave and restoration/reemployment. The provisions of this chapter apply to both title 5 and title 38 employees.

CHAPTER 2. INTERNAL PLACEMENT (TITLE 5)

1. DEFINITIONS

NOTE: *These definitions apply to chapter 2 and 3 and related appendices.*

a. **Position Change.** A promotion, demotion, or reassignment made during an employee's continuous service within the same agency. Position changes may involve reorganization by management decision; reduction-in-force when employees are entitled to grade retention; or reclassification of positions to a lower grade when a new classification standard has been implemented.

b. **Demotion.** The change of an employee to a lower grade when both the old and new positions are under the General Schedule or under the same wage schedule, or to a position with a lower rate of pay when both the old and new positions are under the same type ungraded wage schedule or in different pay method categories. A position change from a supervisory position to a nonsupervisory position at the same grade is not a demotion.

c. **Reassignment.** The change of an employee from one position to another position without demotion or promotion. Non-competitive reassignments include: (1) a change from a supervisory position to a nonsupervisory position at the same grade; and (2) a position change at the same grade from a position with known potential to another position with no known potential or no higher known potential.

d. **Promotion.** A change to a position at a higher grade level within the same job classification system and pay schedule or to a position with a higher rate of pay in a different job classification system and pay schedule.

e. **Subject Matter Expert (SME).** Person with direct knowledge of what is done in the job, what knowledges, skills, abilities and other characteristics (KSAOs) are required, and the general background of persons who are able to do the job successfully. These may include those currently doing the job, recent incumbents, those who supervise others doing the job, and other acknowledged job experts. SMEs participate in the development of job analyses and crediting plans and serve on promotion panels.

f. **Area of Consideration.** Geographic or organizational areas from which high-quality VA employees are sought in actions requiring the use of competitive promotion procedures.

g. **Minimum Area of Consideration.** That geographic or organizational area, as specified in the applicable promotion plan, normally used in initial efforts to locate high-quality VA employees for actions requiring the use of competitive promotion procedures.

h. **Limited Area of Consideration.** Areas of consideration less than the minimum area which are used to locate high quality VA employees for actions requiring the use of competitive promotion procedures under specific circumstances as provided for in the applicable promotion plan.

i. **Qualified Applicants.** Individuals who meet the minimum qualification (including properly determined selective factors, if applicable), time-in-grade and time-after-competitive-appointment requirements, as well as any applicable statutory provisions.

j. **Best Qualified Candidates.** Those candidates competing under merit promotion procedures whose relative rankings indicate that they will perform the job to be filled with substantially equal success.

2. GENERAL REQUIREMENTS

NOTE: *Actions defined below may or may not require competition. Such requirements are outlined in chapter 3.*

a. **Demotion.** An employee must be given the required legal and regulatory notices before a demotion action is taken, except where the employee: (1) signed an agreement to return to a lower grade as a condition for a temporary promotion; or, (2) voluntarily makes a written request for change to lower grade. Demotions to positions with higher known promotion potential than the known potential of the current position held must be made competitively under the regulations in 5 CFR, part 335 and the policies and procedures contained in chapter 3 of this part.

b. **Reassignment.** Reassignments will be made in accordance with the policy contained in this handbook**.** Reassignments to positions with known promotion potential higher than the potential of the current position held must be made competitively under the regulations in 5 CFR, part 335 and the policies and procedures contained in chapter 3 of this part.

c. **Promotion.** Promotions and other personnel actions which are processed under competitive promotion procedures must be made under the policies in 5 CFR, part 335 and the policies and procedures contained in chapter 3 of this part.

d. **Position Change (General).** When reassignment or demotion candidates to be considered are not required to be rated and ranked under competitive promotion procedures, they will be referred in separate distinct groups (or on separate referral lists) clearly identified as reassignment or demotion candidates. When reassignment or demotion candidates are required to be rated and ranked under competitive promotion procedures along with candidates for promotion, the best qualified group will consist of the top ranked candidates.

e. **Probationary or Trial Period (Appointment).** Employees who change positions before they complete a probationary or trial period must complete the remainder of the probationary or trial period in the new position. No new probationary or trial period is required if one is completed before the position change.

f. **Probationary Period (Supervisors and Managers).** The regulations in 5 CFR, part 315 subpart I and paragraph 13 of chapter 3 this part are applicable. See Appendix III-A.

3. CONVERTING FULL-TIME EMPLOYMENT TO PART-TIME EMPLOYMENT

a. Positions may be filled on a part-time basis by present full-time employees who wish to convert to part-time. This can be done by either considering those who apply for announced part-time vacancies or by converting employees' present positions to part-time based on their requests. Criteria such as those listed in part I, chapter 3, section B, paragraph 3, "Reviewing Positions", of this handbook can be used when considering whether to approve a full-time incumbent's request to convert to part-time.

b. The personal circumstances of an employee who wishes to convert to part-time should also be considered. These may include the following:

(1) The employee's desire, or need, to spend more time with young children. In such cases, part-time work would augment family income and provide for childcare, yet retain a motivated and trained employee.

(2) Part-time work may provide employees with an opportunity to continue or complete their education by providing the time as well as the income to do so.

(3) Disabilities may hinder or prevent a person from working a full-time schedule but not a part-time one. Individuals with mobility problems may prefer part-time work so that they can utilize public transportation or avoid normal rush hours.

c. The authority to establish special tours of duty for severely physically disabled individuals when strict adherence to the normal tour of duty would cause hardships for such individuals may be found in VA Handbook 5011, Hours of Duty and Leave.

d. Employees should be advised that they may apply for part-time work at any time. VA Form 3497, Employee Request for Change to Part-Time Employment, has been developed for this purpose. If it is not feasible to convert their present positions to part-time, or if there are no part-time vacancies available, their applications should be retained for consideration when vacancies occur. Employees should be advised at least annually that they may submit voluntary applications for part-time work at any time.

e. Part-time employees with permanent appointments in the competitive service are eligible to compete for full-time and part-time vacancies under the local merit promotion plan.

f. Because of the requirements of the Federal Employees Part-Time Employment Act of 1978, employees who receive career part-time appointments, or former full-time employees converted to part-time, after April 7, 1979, receive only a prorated share of Government contribution toward the cost of the FEHB enrollment. This provision applies to employees in both the competitive and the excepted service, whose tour of duty is between 16 and 32 hours per week. If otherwise eligible, any part-time employee working less than 16 hours per week will receive a full Government contribution. All part-time employees serving continuously in a part-time employment status on or before April 7, 1979, who are covered by health insurance are unaffected by the pro-ration provisions of the Federal Employees Part-Time Employment Act of 1978.

4. EMPLOYMENT APPLICATIONS FROM INTERNAL APPLICANTS. VA employees will apply for VA title 5 vacancies by submitting a completed Optional Form 612, *Optional Application for Federal Employment*, to the VA Human Resources Management Office responsible for staffing the specific vacancy. This policy is modified by the following exceptions:

a. The former SF-171 may be substituted for the OF 612 if the employee so chooses.

b. For positions filled through the Centralized Staffing System (CSS), acceptable substitutes from employees for the OF-612 includes the former SF-171.

c. VA Form 4078, *Application for Promotion or Reassignment*, may be substituted by local facility employees when acceptable at that VA facility.

5. DETERMINING BASIC ELIGIBILITY

a. **Requirements.** Qualification standards used to determine eligibility for position changes will be the minimum OPM requirements contained in the *Operating Manual – Qualification Standards for General Schedule Positions* and the *X-118C Handbook* or, when applicable, the minimum requirements established by VA under 38 U.S.C. ch. 74. The OPM supervisory qualification standard must be used in addition to the pertinent standard in determining basic eligibility for all General Schedule supervisory positions. Time-after-competitive appointment and time-in-grade requirements must be met prior to placement in the position. Selective placement factors are to be used only when they have been determined, through an appropriate job analysis, to be critical to the performance of the job. Licensure, registration, certification or organizational membership requirements not required by the appropriate qualification standards shall not be used as selective factors.

b. **Time-in-Grade Restrictions (5 CFR, part 300, Subpart F).** OPM time-in-grade restrictions for filling General Schedule positions in the competitive service are also applicable to filling General Schedule positions in the excepted service in VA. These instructions are to be applied in conjunction with 5 CFR, part 300, subpart F restrictions.

NOTE: *The Merit Systems Protection Board (MSPB) has ruled that OPM's time-in-grade restrictions, 5 CFR, part 300, subpart F are not appealable as an employment practice to the Board and that the Board is without jurisdiction to hear such appeals. This ruling resulted from two MSPB decisions (Hellman vs. OPM, dated March 29, 1982; and Knowlden vs. OPM, dated March 30, 1982). In the ruling, the board upheld the validity of OPM's time-in-grade restrictions by adopting OPM's distinction between the time-in-grade restrictions covered by 5 CFR, part 300, subpart F and the employment practices covered by 5 CFR 300.101. That is, employment practices measure the qualifications of individual candidates for particular positions, whereas the time-in-grade restriction is an administrative device that applies to all competitive service positions for the purpose of preventing excessively rapid promotions. Information concerning the application of these restrictions to VA positions is contained in Appendix III-B.*

6. WRITTEN TESTS. Requirement - Written tests will not be used unless required by OPM or approved by the Director, Human Resources Management Programs and Policies Service, Office of Human Resources Management (OHRM), for inservice placement actions. Requests to use written tests

not required by OPM or not previously approved by the Director, Human Resources Management Programs and Policies Service will be submitted through channels to the Director, Human Resources Management Programs and Policies Service (051). Individual facilities will not deal directly with OPM in requesting written test authorization. The provisions of 5 CFR 300.201 will be followed in the administration and security of written tests.

7. PHYSICAL REQUIREMENTS. All individuals selected for positions with established physical/mental requirements must satisfactorily pass a physical examination prior to entry on duty into the position. See VA Handbook 5019, Occupational Health Services.

8. EFFECTIVE DATES

a. **Effective Dates of Position Changes. Requirement** - The effective date of a position change will be determined for each individual action consistent with technical and regulatory requirements and the needs of VA. Unless another date is required by technical or regulatory requirements or is considered to be in the interest of VA, the effective date of the position change will normally be the first day of the next pay period after the date of administrative approval. **Guidance** - While fiscal and records maintenance activities prefer effecting personnel actions at the beginning of a biweekly pay period, there is no prohibition against effecting actions on other dates.

b. **Effective Date for Release of Employees. Requirement** - Employees selected for position changes will be released to their new assignments within a reasonable length of time. **Guidance** - Where unusual circumstances justify a period longer than 2 weeks prior to release, the employee should be either (1) informed in writing over the signature of the official responsible for the delay or the reasons for the delay and the expected release date, or (2) the position change action should be effected and the employee detailed back to the former position.

c. **Coordination. Requirement** - The release date for an employee transferring to another VA facility will be arranged by the responsible officials. Unless circumstances dictate otherwise or both the releasing and receiving facilities otherwise agree, travel time will be accomplished on the receiving facility's time.

d. **Nonmerit Factors. Requirement** - An employee who meets qualification and time-in-grade requirements will not be denied a position change based on difficulty in obtaining a replacement.

9. KEEPING EMPLOYEES INFORMED

a. **Opportunities for Advancement. Guidance** - Employees should be informed about the types of positions which may represent opportunities for reassignment and promotion, including those known to exist at other VA establishments. This may be accomplished by publicizing individual vacancies or by local open-continuous announcements, posting general notices of placement opportunities such as the VA Recruitment Bulletin and Weekly Summary Bulletin, local and national web sites and career counseling. Care should be taken to ensure that all potentially qualified and interested employees have access to vacancy notices received from other facilities. Referral of vacancy notices from other facilities only to the corresponding local service or division may not be sufficient in some cases. Posting of positions in a centralized location is preferred, in addition to appropriate selective distribution.

b. **Employee Responsibilities. Guidance** - Employees should also be informed of their responsibility to tell supervisors about their job interests, individual needs and preferences, and qualifications and to submit updated qualification information for inclusion in personnel folders to the HRM office.

10. ROTATION OF KEY PERSONNEL

a. **Interchange of Employees. Requirement** - To the extent practical, the staffing needs of the Department and the career needs of employees will be met by movements and interchanges of line and staff officials and key supervisory employees, including tours of duty in Central Office. These placements will include, but are not limited to, positions for which employment matters are centralized to the Secretary, Administration Heads, Assistant Secretaries or Other Key Officials (e.g., General Counsel).

b. **Employee Mobility. Requirement** - Rotation will be used as necessary to ensure that key positions are filled by well-qualified candidates in a cost-effective manner. Employees selected by management for movement to key positions at other VA facilities will be expected to make themselves available. Any objections by the employee, however, should be given serious consideration.

11. TRANSFERS WITHIN VA

a. **Definitions.** For the purpose of this paragraph, a transfer within VA is a change in position while the employee is continuously serving VA and which involves a change in appointing officer.

b. **Selection of Transferee. Requirement** - Selection of an employee for transfer within VA is to be made in accordance with chapter 3 of this part.

c. **Requests for Transfer - Unsolicited Applications**

(1) **Acceptance of Voluntary Applications. Guidance** - Unsolicited applications from VA employees at other facilities may be accepted. It may be appropriate to: (a) accept such applications only when an appropriate vacancy is likely to occur within a reasonable period of time (e.g., 6 months); (b) establish open seasons (certain months) for acceptance; and/or (c) establish a standardized suspense date for return to the applicant.

(2) **Promotion. Requirement** - If voluntary applications for promotion are accepted, they may be considered in any area (limited, minimum, or extended) but must be considered along with other applicants for promotion when an extension of the area of promotion consideration includes the voluntary applicant's home facility (see chapter 3, par 7d(4)).

d. **Off-Station Applications Resulting From Extension of the Area of Consideration**

(1) **Requirements** - Employees applying for vacancies at other facilities must submit a current employment application and/or any other information specified in the announcement to each facility having vacancies in which the employee is interested.

NOTE: *See paragraph 13, this chapter, concerning relocation expenses and merit promotion transfers.*

(2) **Requirement** - It is the employee's responsibility to secure appropriate supervisory evaluations of performance and annual performance appraisals and forward them, along with a completed employment application, in accordance with the due date specified in the announcement. The receiving facility will be informed by the applicant when its request for additional information requires extra time and the anticipated date of receipt. The local HRM staff will, when requested, provide information to applicants concerning the proper completion of the employment application and/or other forms or requests for information.

(3) **Requirement** - Referral of personnel folders to the facility having the vacancy will not be made routinely. Under unusual circumstances, however, when proper evaluation and ranking cannot be made based on the available information, requests for personnel folders by other facilities will be honored. Facilities receiving folders will ensure that all required actions are completed and the folders are released to the appropriate facility within 5 workdays after receipt.

12. USE OF VA FORM 3918, INTRA-AGENCY TRANSFER REQUEST

a. **General. Requirement** - VA Form 3918, Intra-Agency Transfer Request, will be completed for each VA employee who is selected for transfer. After the transfer has been effected, the VA Form 3918 will be filed on the left side of the employee's personnel folder for at least 1 year.

b. **Action by the Receiving HRM Office**

(1) **Guidance** - When an employee is selected for transfer, the receiving HRM office will normally initiate the VA Form 3918 by completing Part I of the form and sending it to the releasing HRM office.

(2) **Requirement** - If the proposed transfer is to a position in a different wage schedule or locality pay area, the pay rates of the grade will be indicated in item 9 on the form. This will enable the releasing facility to inform the employee of the rate of pay for the new position.

(3) **Requirement** - The criteria for determining whether relocation expenses may be authorized at Government expense are contained in MP-1, part II, chapter 2 and paragraph 13 of this chapter. Item 15 of VA Form 3918 will indicate whether or not relocation expenses will be authorized. If relocation expenses are not authorized by the appropriate approving official, the employee statement and signature cited in paragraph 13d, this chapter, are required and will be entered in item 34 on the reverse side of the VA Form 3918.

(4) **Guidance** - When time is short, it may be more practical for the releasing facility to initiate the VA Form 3918. **Requirement** - In these cases, the receiving facility must let the releasing facility know if travel and transportation costs are to be paid by VA so the employee can complete the appropriate sections of the form.

c. **Action by the Releasing HRM Office**

(1) **Requirement** - Upon receipt of the VA Form 3918, the releasing HRM office will have the employee complete the appropriate portions of Part II. Employees for whom travel and transportation

costs have been authorized will be referred to the servicing A&MM Office for assistance in completing item 29 on VA Form 3918 and for guidance related to procedures for shipment of household goods.

(2) **Requirement** - If payment of travel and transportation is authorized, the releasing HRM office will give the employee the latest copy of VA Central Office Finance Service Handbook H-047-3, "Guide on Permanent Change of Station." A statement that the employee has received a copy of this publication will be entered in item 34, the remarks section, of VA Form 3918. The releasing facility will also have the employee sign the agreement on the reverse side of the VA Form 3918 to remain in Government service for 12 months or to repay the Government for costs it incurs for travel and transportation.

(3) **Requirement** - The releasing HRM office will complete Part III of the VA Form 3918 in accordance with instructions contained in MP-6, part V, supplement No. 1.5, on processing inter-facility transfers.

d. **Enroute Time or Delays in Reporting. Requirement** - Any time required for travel, or a delay in route, will follow the effective date of transfer and be accomplished on the receiving facility's time, unless other arrangements are mutually agreeable to both facilities concerned.

13. DETAILS (5 CFR, PART 300 and 5 USC 3341)

a. **General.** Details of employees will be made only where another type of regular placement or employment action is not feasible or practicable, and will be limited to the shortest period of time needed within the limits permitted by 5 USC 3341 and 5 CFR, part 300. Under these requirements, VA employees, including title 5 and title 38, may be detailed to other positions at their facility, to other VA facilities, or to other agencies. Employees detailed will be given appropriate credit towards meeting the qualification requirements of the position in any subsequent personnel action. Except in unusual circumstances, excepted service employees (see subparagraph b (5) and (6) below) will be detailed to competitive service positions only when there are no well-qualified competitive service employees available or when it is determined that such a detail will clearly be in the best interest of VA. (For restrictions on details to higher graded positions, see 5 CFR, part 335 and paragraph 15 of chapter 3, this part.)

b. **Types and Criteria for Details**

(1) **Informal Detail.** A detail within VA of less than 30 days. Prior approval of the individual's supervisor is required.

(2) **Formal Detail.** A detail within VA of 30 days or longer. Prior approval at the service/division chief level or higher is required. Details within VA must conform to the requirements of 5 USC 3341 and 5 CFR, part 300. Additionally, to the extent practicable, selection for details must be consistent with policies and requirements for other placement actions (see 5 CFR, part 335).

(3) **Interagency Detail.** A detail between VA and another Federal agency in which the detailing agency is reimbursed for the cost of salary and other expenses as agreed upon prior to the detail. (See 7 Comp. Gen. 709 and 13 Comp. Gen. 234.) Interagency details will be made only where there is an

emergency need or some unusual situation where the employee can better serve in the interest of the Government service. Such details will not be based on the employee's request unless it can be clearly shown that the experience and knowledge gained will benefit the agency.

(4) **Interagency Loan.** A detail between VA and another Federal agency in which the detailing agency is not reimbursed for the cost of the employee's salary but other expenses are usually borne by the agency to which detailed. (Reimbursable details are contrasted with loans in 13 Comp. Gen. 234 and 15 Comp. Gen. 32.) Loans are appropriate only in those unusual situations where VA has a duty to share responsibilities with other Government agencies or where it is in the interest or to the advantage of VA and there is no violation of Appropriation Act requirements.

(5) **Detail of Schedule A or B Excepted Service Employees to Competitive Service Positions (VA/OPM Master Delegation Agreement).** A detail within VA of an employee serving in the excepted service under a Schedule A or B appointment to a competitive service position. Central Office approval is required (administration/staff office head as appropriate) for details of Schedule A or B employees to centralized positions. This authority is to be used judiciously to meet bona fide management needs and generally should not result in extended details which give the appearance of circumventing merit system principles.

(6) **Details of Excepted Service Employees Appointed Under Schedule C or Other Title 5 Appointment Excepted by Statute to Competitive Service Positions (VA/OPM Master Delegation Agreement).** A detail within VA of an employee serving under a Schedule C excepted appointment or an appointment excepted by statute to a competitive service position. Prior approval of the Secretary is required for such details. Individual circumstances are to be carefully considered before such details are authorized. Details of these employees to competitive positions may be made only under the following conditions:

(a) Pending the filling of a vacant competitive service position or during the temporary absence of the incumbent;

(b) Temporary coverage pending abolishment of the position;

(c) Short-term relief due to workload, organizational and/or mission changes;

(d) Participation in time-limited projects or studies; or

(e) Coverage in a position targeted for early placement in the excepted service.

Requests for prior approval, with justification, must be submitted, over the signature of the facility/staff official or Administration Head (as applicable), through channels, to the Deputy Assistant Secretary for Human Resources Management (05). Initial approvals are limited to a maximum of 120 days. Extensions beyond 120 days must be approved by the Secretary prior to the 120th day of the initial action. Complete justification must be submitted for extension in the same manner as required for initial approval. Such details must meet all requirements of 5 CFR, part 300, including the use of competitive promotion procedures for details exceeding 120 days to higher grades or to positions with known promotion potential.

c. **Procedures for Detailing Employees**

(1) **Within VA.** Informal details will be arranged by the officials concerned and the employee. Formal details will be initiated by an SF 52, Request for Personnel Action, and forwarded to the Human Resources Management office for action. Another SF 52 will be necessary to extend or to terminate the detail. An SF 50-B, Notification of Personnel Action, is required for certain details. The documentation requirements for details, extensions and terminations of details are contained in OPM's Guide to Processing Personnel Actions. If the formal detail is from a classified position to an unclassified position, a brief explanation of the duties will be entered in the "Remarks" space of VA Form SF52 in lieu of the position identification in the "TO" column.

(2) **Extension of Details Beyond 120 days.** Employees may be detailed, in 120-day increments, to the same or lower grade positions for up to 1 year. Details to higher grade positions, may be made for up to 1 year during periods of major reorganization (as determined by the appropriate administration/staff office head in VA Central Office). Details of 120 days to higher graded positions in the absence of a major reorganization may be extended for an additional 120 days (maximum period of 240 days). If a detail of more than 120 days is made to a higher graded position, or to a position with known promotion potential, it must be made under competitive promotion procedures. Whenever possible, temporary promotions should be considered for employees serving in higher grade positions for other than brief periods (e.g., in lieu of details exceeding 120 days; or for Assistant Chiefs acting for their Chiefs, in lieu of details exceeding 240 days).

(3) **Between Agencies.** Reimbursable details between VA and other Federal agencies will be agreed upon in writing. Letters for this purpose will have the concurrence of the Fiscal and HRM Officers to ensure compliance with technical requirements. Such agreements must be clear as to the dates, employees, and agencies involved and describe the basis for reimbursement. A copy of the letter will be filed in the employee's personnel folder with a copy given to the employee. The approval of interagency details and loans will be made by facility heads for noncentralized positions under their control, by the administration or staff office heads for centralized positions in the field under their control or by the Secretary, for field positions centralized to the Secretary. For all actions involving centralized and noncentralized employees in Central Office, approval must be obtained from the Secretary in advance and the request must be routed through the Deputy Assistant Secretary for Human Resources Management (05).

14. RELOCATION EXPENSES AND MERIT PROMOTION TRANSFERS

NOTE: *The term "relocation expenses" is used herein as a shorthand reference to all transfer expenses authorized under 5 U.S.C., sections 5724 and 5724a.*

a. **Guidance** - Generally, when an employee is selected pursuant to a merit promotion plan for transfer to a position at a higher grade level or to a position with known promotion potential, the transfer is considered to be for the benefit of the Government for the purpose of paying relocation expenses allowed under 5 U.S.C., sections 5724 and 5724a. However, all of the factors surrounding any particular merit promotion recruitment action may lead the approving official to the determination that any resulting transfer is not primarily in the interest of the Government for the purpose of paying relocation expenses. (Note that the Comptroller General in the David C. Goodyear decision, 56 Comp. Gen. 709 (1977), ruled

that budget constraints alone cannot form the basis for denying relocation expenses, if the transfer is otherwise in the Government's interest.)

b. **Requirement** - The approving official (see MP-1 pt. II, ch. 2, app. A) must determine if a merit promotion transfer is primarily for the benefit of the Government or if it is primarily for the convenience or benefit of the employee for the purpose of paying relocation expenses. This determination must be made for each vacancy announced under the provisions of a merit promotion plan. The determination must be based on consideration of all the pertinent factors in each action, including FEORP requirements that an applicant pool be representative of candidates from any underrepresented group. The criteria specified in MP-1, part II, chapter 2 and the factors and conditions cited below will be considered in making such determination in any particular merit promotion transfer. A decision that relocation expenses will or will not be paid in connection with filling a position under a merit promotion plan must be clearly communicated in advance to all prospective applicants by a statement on the vacancy announcement. (See Eugene R. Platt, 59 Comp. Gen. 699 (1980); Reconsideration of Platt, 61 Comp. Gen. 156 (1981); and Bruce E. Stewart, Unpublished Comp. Gen. B-201860, August 27, 1982.)

c. **General**

(1) **Requirement** - Conditions and factors which may warrant a determination that a transfer pursuant to a merit promotion plan action is not primarily for the benefit of the Government will include but are not limited to the following situations:

(a) The local labor market and recruiting area includes a sufficient supply of qualified individuals with appropriate skills;

(b) Generally, it is not cost effective to transfer employees at GS-6 and below or equivalent for wage grade employees at Government expenses; (movement of employees in VA-wide trainee programs under mobility agreements, however, will generally be at Government expense);

(c) A current executive, legislative, or agency imposed freeze on employment of outside candidates necessitates internal solicitation to the exclusion of other sources; or

(d) Voluntary applications for promotion are on file from employees outside the commuting area which were not submitted in response to a specific vacancy announcement but were considered as a result of an extension of an area of consideration.

(2) **Requirement** - Payment of relocation expenses is not generally considered appropriate in the following situations, unless there is a specific determination by the duly designated official that such a transfer is primarily in the best interest of the Government:

(a) Reassignment or demotion transfer (not under a merit promotion procedure) even when the applicant is responding to a promotion announcement;

(b) Transfer eligibles from outside the agency even though applications are rated and ranked under agency promotion procedures, since the VA promotion program applies to VA employees only; or

(c) Employee primarily motivated to transfer in order to accompany a spouse being transferred to the area.

(3) **Requirement** - Where a change of official duty station is directed by a duly designated VA official, relocation expenses will be paid.

d. **Records**

(1) **Requirement** - A decision that relocation expenses will not be paid in connection with a particular merit promotion transfer must be documented and fully supported by the totality of circumstances in the case.

(2) **Requirement** - When an approving official decides that relocation expenses will not be paid, the following statement along with the employee's signature must be entered on the reverse side of the VA Form 3918 in item 34, “Remarks of Releasing Station”:

"I am fully aware of and understand the decision that my transfer is primarily for my convenience or benefit or at my request and is not in the interest of the Government (VA). I further understand and agree that all travel, transportation and other expenses incident to this move will be at my own personal expense."

(3) **Requirement** - A record of the basis for a decision not to pay relocation expenses will be maintained in the applicable merit promotion folder file.

CHAPTER 3. PROMOTION (TITLE 5)

1. SCOPE. Contains categories of employees to be considered for promotion while absent from official duty.

a. **All VA Employees.** The following categories of VA employees within the area of consideration must be given consideration for promotion as though they were present for duty.

(1) Employees on Intergovernmental Personnel Act agreements;

(2) Employees on leave;

(3) Employees attending training courses;

(4) Employees on detail, either internally or to other Federal agencies;

(5) Employees serving in public international organizations, either through a transfer or detail;

(6) Employees separated for military service with restoration rights;

(7) Employees absent because of compensable injury (see 5 CFR, part 353, subpart C); and

(8) A veteran serving on a Veterans Readjustment Appointment (VRA).

b. **Concurrent Consideration of Certain Excepted Service Employees Under Competitive Merit Promotion Procedures.** Generally, employees serving under excepted appointments (except Veterans Readjustment Appointments) are precluded from competing under competitive promotion procedures with competitive service employees. There may be instances, however, when simultaneous consideration for promotion of certain excepted service employees (e.g., title 38, U.S.C. employees covered by VA/OPM Interchange Agreements (see appendix III-C), or, severely physically disabled individuals appointed under Schedule A) is desirable. Prior to issuing a vacancy announcement, management officials will determine whether excepted service employees are to be included in the competition for a position and, if so, this information will be included in the vacancy announcement. Nothing precludes the use of the same rating and ranking criteria for both types of appointees, thereby affording concurrent consideration of both groups for promotion on separate referral certificates. Such an approach may significantly improve upward progression opportunities for severely physically disabled employees and certain others. See Appendix III-C.

c. **Veterans Employment Opportunities Act (VEOA).** When facilities are accepting applications from outside VA, individuals who are eligible for consideration under the VEOA may apply. (See part II, chapter 2, section B, paragraph 2c of this handbook.)

2. RESPONSIBILITIES

a. **Office of Human Resources Management.** The Deputy Assistant Secretary for Human Resources Management is responsible for:

(1) Developing VA policies and guidelines for the implementation of the Federal merit promotion policy, including development of selection or evaluation procedures, their application, administration and security, and personnel measurement program review;

(2) Providing technical guidance and staff advice in the administration of promotion plans for positions centralized to the Secretary and for plans established by other key officials or administrative heads for field positions centralized to them;

(3) Administering promotion plans for Central Office positions; and

(4) Providing technical guidance and advice to field facilities in the administration of their plans.

b. **Administrations and Other Key Offices.** Each administration and key office head is responsible for establishing and directing the administration of promotion plans for positions centralized to the administration or key office level, including the proper use of personnel measurement procedures and adherence to merit system principles.

c. **Field Facilities.** Each facility head is responsible for establishing and directing the administration of promotion plans for noncentralized positions for which appointing authority has been delegated, including the proper use of personnel measurement procedures and adherence to merit system principles.

d. **Human Resources Management Officers.** Each HRM Officer will:

(1) Participate with line officials in carrying out the Federal merit promotion policy and the requirements of this chapter;

(2) Determine applicants' eligibility for promotion; and

(3) Participate with line officials in establishing and applying evaluation methods in a manner consistent with proper personnel measurement procedures and merit system principles. These responsibilities include development or selection of evaluation procedures, their application, administration and security, and personnel measurement program review in the organization served.

e. **Operating Officials and Supervisors.** Operating officials and supervisors are responsible for assisting in the development of plans and for explaining the merit promotion program and applicable plans to employees. They participate in the evaluation process and select from among the best qualified persons available. As selecting officials they must familiarize themselves with the techniques and procedures used to identify and select the best qualified candidates. Both as a high public trust and a fundamental management responsibility, careful and objective judgment, consistent with merit principles, policy requirements and selection procedure requirements is required in each selection.

f. **Employees.** All employees have primary responsibility for furnishing accurate information to update their qualification records and making application for promotion opportunities in accordance with prescribed procedures in a timely manner.

3. GENERAL MERIT PROMOTION REQUIREMENTS

a. The policies in this handbook are fully applicable and binding. Statements will be included in every promotion plan to reflect the requirements in this handbook.

b. **5 CFR, Part 335 Requirements.** The following five basic merit promotion requirements of 5 CFR 335.103(b) are fully applicable and binding:

Requirement 1. Each agency must establish procedures for promoting employees which are based on merit and are available in writing to candidates. Agencies must list appropriate exceptions, including those required by law or regulation, as specified in 5 CFR 335.103(c). Actions under a promotion plan, whether identification, qualification, evaluation, or selection of candidates, shall be made without regard to political, religious, or labor organization affiliation or nonaffiliation, marital status, race, color, sex, national origin, nondisqualifying disability, or age, and shall be based solely on job-related criteria.

Requirement 2. Areas of consideration must be sufficiently broad to ensure the availability of high quality candidates, taking into account the nature and level of the positions covered. Agencies must also ensure that employees within the area of consideration who are absent for legitimate reasons, e.g., on detail, on leave, at training courses, in the military service, or serving in public international organizations or on Intergovernmental Personnel Act assignments, receive appropriate consideration for promotion.

Requirement 3. To be eligible for promotion or placement, candidates must meet the minimum qualification standards, to include any physical/mental requirements, prescribed by the Office of Personnel Management (OPM) or VA, as appropriate. Methods of evaluation for promotion and placement, and selection for training which leads to promotion, must be consistent with instructions in 5 CFR, part 300 subpart A. Due weight shall be given to performance appraisals and incentive awards.

Requirement 4. Selection procedures will provide for management's right to select or not select from among a group of best qualified candidates. They will also provide for management's right to select from other appropriate sources, such as reemployment priority lists, reinstatement, transfer, disabled or Veterans Readjustment Act eligibles, or those within reach on an appropriate OPM certificate. In deciding which source or sources to use, agencies have an obligation to determine which is most likely to best meet the agency mission objectives, contribute fresh ideas and new viewpoints, and meet the agency's affirmative action goals.

NOTE: *For Career Transition Assistance Program (CTAP) and Interagency Career Transition Assistance Program (ICTAP) requirements, see part IV, section I, paragraph 5 of this handbook.*

Requirement 5. Administration of the promotion system will include recordkeeping and the provision of providing necessary information to employees and the public, ensuring that individuals' rights to privacy are protected. Each agency must maintain a temporary record of each promotion

sufficient to allow reconstruction of the promotion action, including documentation on how candidates were rated and ranked. These records may be destroyed after 2 years or after the program has been formally evaluated by the OPM (whichever comes first), if the time limit for grievance has lapsed before the anniversary date.

c. **Promotion Plan. Requirements** - Promotion plans will be in writing and will contain a statement identifying the positions covered, exceptions to competitive promotion procedures, the areas of consideration, the methods of locating candidates, the qualification standards to be used, the evaluation procedures and rating/ranking and selection procedures. Each promotion plan must contain a provision which will allow facilities to experiment with alternative selection procedures as part of the Department's efforts to increase the validity of selection procedures. All proposed experiments outside the provisions of the applicable promotion plan must be forwarded through channels to the Director, Human Resources Management Programs and Policies Service (051) for approval. **Guidance** - Subject to proper coordination and/or negotiation, referrals for consideration may be those best qualified candidates identified in accordance with the provisions of the applicable promotion plan, those identified under the experimental alternative procedure or those identified in both. **Requirement** - If, however, the experimental procedure results in greater validity or less adverse impact, requirements to reevaluate the existing selection procedure in light of the findings must be imposed. **Guidance** – All candidates must be screened to determine which candidates are to be placed in the best qualified category. **This process must take place regardless of the number of candidates, using an evaluation procedure that is job-related and applied fairly and consistently.** This does not mean that best qualified determinations must be made prior to issuing a certificate when there are fewer than 10 candidates. A sample certificate, offering options as to who may make the best qualified determination can be reviewed in appendix III-G, this part. An assessment tool (e.g., position description, crediting plan or structured interview process, etc.) should be used to assist the evaluator(s) in distinguishing between candidates. Selecting officials should uniformly consider each of the best qualified candidates and document on the certificate the basis for his/her selection. All processes used in making the selection determination must be job-related, appropriate to the position being filled, and consistent with merit principles.

d. **Guidance.** When considering candidates for promotion, all application materials should be evaluated on an equal basis. In particular, when references to outstanding performance or performance awards are included, these references should be given due consideration. As mentioned in 5 CFR 335.103(b)(3), evaluation materials should include acknowledgement of outstanding performance or performance awards. This may be accomplished by incorporating language in the crediting plan that gives credit for consistently outstanding performance and/or awards which are directly related to the work of the position to be filled.

NOTE: *The merit promotion plan for competitive positions centralized to the Secretary may be found in appendix III-E.*

4. COVERED PERSONNEL ACTIONS. Requirements - Competitive promotion procedures apply to all promotions under 5 CFR 335.102 and to the following actions:

a. Reassignment or demotion to a position with greater known promotion potential than a position previously held on a permanent basis in the competitive service (except as permitted by reduction-in-force (RIF) regulations) (5 CFR 335.103(c)(iv));

b. Selection for training which is given primarily to prepare an employee for advancement and is required by the qualification standard for promotion (i.e., when qualification standard minimum eligibility for promotion depends on whether an employee has completed training) (5 CFR 335.103(c)(iii));

c. Transfer of an employee from another Federal agency to a VA position at a higher grade or with more promotion potential than a position previously held on a permanent basis in the competitive service (5 CFR 335.103(c)(v));

d. Reinstatement, including those made from reemployment priority lists, to a permanent or temporary position at a higher grade or with more promotion potential than a position previously held on a permanent basis in the competitive service (5 CFR 335.103(c)(vi));

e. Selection for details for more than 120 days to a higher grade position or a position with higher known promotion potential in accordance with 5 CFR 335.103(c)(ii);

f. Temporary promotion under 5 CFR 335.102(f)(1) for more than 120 days (all prior service by detail to higher grade and temporary promotion during the preceding 12 months is to be counted toward the 120-day time limit) (5 CFR 335.103(c)(i)).

5. EXCEPTIONS TO COMPETITIVE PROMOTION PROCEDURES. Requirements - The following actions are exceptions to competitive promotion procedures and must be included in all VA promotion plans:

a. **Upgrading Without Significant Change in Duties and Responsibilities.** When the issuance of a new or revised classification standard or the correction of an earlier classification error results in the upgrading of a position, the incumbent must be promoted if minimum qualification standard requirements and regulatory requirements are met, unless the incumbent properly vacates the position.

b. **Promotion During Reduction in Force.** Position changes during reduction in force which are technically promotions because of pay fixing policies are to be made without competition. This does not mean that RIF sets aside other competitive promotion requirements, e.g., GS-7 to GS-8.

c. **Promotion After Failure to Receive Proper Consideration.** When it has been determined that an employee has failed to receive proper consideration in a promotion action and the original selectee is retained in the position, the employee who lost proper consideration must be given priority consideration for the next appropriate vacancy. This is a referral for selection consideration ahead of all others not entitled to a higher requirement for consideration. All employees due equal consideration and qualified for the vacancy are referred together, in competition with each other, for the priority consideration. A selection resulting from a priority referral is excepted from competitive promotion procedures. Although priority consideration is guaranteed, promotion is not guaranteed. An employee is to receive priority consideration only one time for each proper consideration lost.

NOTE: *Close adherence to the applicable promotion plan's requirements and procedures, laws, rules, regulations, and policies will greatly reduce the necessity for priority consideration. The importance of a full understanding of, and adherence to, the promotion plan's requirements by all concerned cannot be overemphasized.*

d. **Repromotion to Grades from Which Demoted Without Personal Cause.** Repromotion up to a grade previously held on a permanent basis from which an employee was demoted without personal cause. **Guidance** - Such repromotions may occur under the provisions of the VA Priority Placement Program, among others. See Appendix III-F.

6. DISCRETIONARY EXCEPTIONS TO COMPETITIVE PROMOTION PROCEDURES.
Guidance - Promotion plans may or may not require competition for:

a. Temporary promotions for 120 days or less;

b. Details to higher grades or to positions with higher known promotion potential for 120 days or less;

c. Selections for training which may significantly enhance chances for future promotion but which is not required for promotion;

d. Promotion resulting from an employee's position being reclassified to a higher grade because of additional duties and responsibilities (see paragraph 12d of this chapter, referencing prohibited personnel practices);

e. Competition for promotion to the next higher grade in a career ladder when the number of satisfactory employees at a grade level equals or exceeds the number of opportunities available at the next higher grade.

f. Noncompetitive advancement to a higher grade of an employee who was selected at an earlier stage under competitive procedures (e.g., from a civil service register, under direct hire, or under an agency merit promotion program).

g. Reassignment requested by employee from a position having known promotion potential to a position having no higher known potential.

7. AREAS OF PROMOTION CONSIDERATION

a. **Requirement** - Areas of consideration, which are descriptions of the geographic or organizational areas from which high-quality VA employees are sought in actions requiring competitive procedures, must be clearly defined in promotion plans and must be broad enough to ensure the availability of high-quality candidates, taking into account the nature and level of the positions covered. Their establishment must be consistent with policy related to prohibited practices in this handbook.

b. **Use of Other Recruitment Sources. Requirement** - The terms "area of consideration" and "minimum area of consideration," and references to limitation and extensions thereof, apply only to the use of competitive promotion procedures for VA employees. The organizational or geographic boundaries associated with area of promotion consideration do not apply to other methods of recruitment such as appointment, transfer, reinstatement, reassignment, etc. An area of promotion consideration does not restrict the use of alternative recruitment methods, a management right, or the geographic area from which applicants from other recruitment sources are considered.

c. **Minimum Area of Promotion Consideration**

(1) Usually, the minimum area of consideration should be at least facilitywide. Not only does this provide for possible advancement opportunities for all facility employees, it also precludes overlooking well-qualified employees whose previous experience or education is directly related to a vacancy even though their present job is in an unrelated field.

(2) There are, however, circumstances when a minimum area less than facilitywide may be appropriate if the applicable promotion plan provides for its use. Promotion plans should specify procedures to be used to establish such areas. If such an area is used, the circumstances involved should be carefully documented to support the action, particularly in relation to prohibited practice policies and as a means to explain the necessity and logic to other employees. Some examples of lesser minimum areas which may be appropriate are:

(a) New equipment or machinery, technological changes, or additional workloads or responsibilities may require additional higher level duties, raising the grade of a position or establishing a new position in lieu of another position in a service or division which has no ceiling for an additional position. Announcement of the opportunity facilitywide would increase expectations of employees outside the service or division when, in fact, their selection is unlikely because of the ceiling restrictions.

(b) Restriction of the minimum area to a service or division may also be appropriate when VACO assigns additional program responsibility without a corresponding increase in ceiling, resulting in the need for a higher grade position in a division or service at full ceiling.

(c) When a reorganization occurs within a service or division at full ceiling and, as a result, an additional supervisory position is necessary, it may be appropriate to restrict the area of promotion consideration for the newly created supervisory position to that service or division.

(d) Over a period of time, higher grade duties may gradually accrue to an identical-additional (IA) position. It becomes evident that, in the interest of effective management, the additional duties should be consolidated in one position or a few positions rather than fragmented throughout all the IA positions. If there is no additional ceiling available to the service or division, it may be appropriate to restrict the area of promotion consideration to those employees on the IA position description.

(e) Field facilities with two divisions, or a main facility with one or more satellite facilities, may find it in the best interest of employees and management efficiency to establish separate minimum areas of promotion consideration for each. Careful consideration should be given to the effect such an action would have on upward mobility opportunities, the availability of high quality candidates for positions

common to one or more of the organizational elements, and the need for interchange of new concepts and/or methods between organizational elements.

(f) It may be appropriate to restrict consideration to a service or division for competitive temporary promotions and/or competitive details. In many cases employees who are familiar with the day-to-day functions of a division or service are likely to fulfill the temporary need most effectively. In addition, the selection of an employee from another division or service may result in a disruption of that organization during the selectee's absence.

(3) **Centralized Positions. Requirement** - For positions centralized to the Secretary, Administration Heads, Assistant Secretaries or Other Key Officials, the applicable merit promotion plan will specify the area of promotion consideration.

d. **Extensions of the Area of Promotion Consideration**

(1) **Requirement** - An extension of the area of promotion consideration is defined as the search for additional high quality VA employees in actions requiring competitive promotion procedures. Recruitment for appointment, reinstatement, transfer, reassignment, demotion or reemployment candidates which does not require merit promotion competition will not be considered as an extension of an area of promotion consideration.

(2) **Guidance** - Promotion plans should provide for extensions of the minimum area of promotion consideration to the extent necessary to locate a sufficient number of high quality candidates. Either of the methods in subparagraphs (a) and (b) below may be used.

(a) **Requirement** - The promotion panel, after initial rating and ranking reveals an inadequate number of best qualified candidates, may determine that the area of promotion consideration is to be extended before any candidates are certified under the plan; or

(b) **Requirement** - The selecting official, after receipt of the certificate and a review of the records reveals an inadequate number of best qualified candidates and in coordination with human resources officials concerning the likelihood of locating additional promotion candidates, may decide (or recommend to the official who retains the authority to decide) to extend the area of promotion consideration.

(c) **Requirement** - To preclude misunderstandings, misinterpretations, and employee dissatisfaction, and to ensure that all employees are adequately informed, each area of promotion consideration which may be used must be properly defined or explained in the plan, including the commuting area if it is used. The plan must clearly explain when and how different areas of promotion consideration are to be used.

(3) **Guidance** - A commuting area may vary from facility to facility. The geographic distance may vary one direction to another depending on the location of the facility in relation to residential districts. One determinant may be the distance several employees commute daily to the facility. An excessive distance which only one employee commutes daily is not necessarily the normal commuting area.

(4) **Voluntary Applications. Requirement** - If unsolicited applications for promotion from VA employees at other facilities are accepted, they may be considered in any area of consideration (limited, minimum and extended) but they must be considered when the candidate's home facility is included within an extended area of promotion consideration. These candidates must indicate the specific type(s) and grade level(s) of positions for which they wish consideration. An indication of the title of the position (formal or informal) and grade level is sufficient.

(5) **Filling a Position Occupied by an Employee on Leave**

(a) If a replacement is required while the incumbent is on extended leave, an interim position may be established. Generally, interim positions will be terminated within 1 year or less, and may be extended only under extenuating circumstances. (See 5 CFR 335.103, and this part for information on temporary promotions.) Where an employee has occupied an interim position under a temporary promotion for more than 2 years, any action taken to place him in another position must observe adverse action procedures where applicable (5 CFR 752.301, and this part).

(b) When an interim position is filled by the reassignment or temporary promotion of an employee, the personnel action filling the position will normally be limited to the period covered by the absence of the regular incumbent. The employee selected to fill an interim position must be fully informed about the action. To make sure the employee understands, a signed statement such as the following may be entered on the reverse of the request for personnel action:

"I voluntarily accept (reassignment or temporary promotion) to the interim position of (title, grade, series, salary). I understand that this position will be canceled upon return of the incumbent. I also understand that at that time I will be returned to my position of (title, grade, series, salary), or, with my concurrence, placed without time limit in a different position in a grade no lower than my position of (title, grade, series, salary). The salary I will receive will be based on regulations in effect at that time and will not be less than what I would have earned had I remained in my position of (title, grade, series, salary)."

(c) If an interim position is filled from outside VA, the appointment will be limited to the period of time the interim position will be required unless it can be expected that another position of like status, grade, and pay will be available for the appointee when the interim position ends.

(6) **Central Office Referrals. Requirements** - Central Office referrals for noncentralized positions must be accepted and considered in limited, minimum and extended areas and ranked in accordance with the provisions of the applicable promotion plan. Program officials responsible for such referrals must assure they are made in accordance with merit principles.

e. **Limiting Extension of the Area of Promotion Consideration.** When and how far to extend the area of promotion consideration may be affected by several factors. There may be circumstances when an extended search for additional high quality promotion candidates would not be appropriate, such as:

(1) **Guidance** - Several recent extensions for the same type and grade position have not produced additional high quality candidates;

(2) **Guidance** - The position is located in Alaska, Hawaii, Puerto Rico or the Philippines; and it would not be practical to search for promotion candidates beyond the particular geographic area;

(3) **Guidance** - Funds to cover moving and travel expenses may not be available, or limited funds may dictate such payments only for higher priority positions. Under these circumstances, limitation to such geographic boundaries as the commuting area, facility groupings, statewide, or regionwide, may be appropriate;

(4) **Guidance** - It may not be practical to extend the area of consideration for temporary promotions and details, although the option to extend should be retained in case unique circumstances develop in the future;

(5) **Guidance** - In over-ceiling situations or at-ceiling situations, it may be appropriate to limit the area of consideration;

(6) **Requirement** - If it is determined not to extend the area of promotion consideration for the reasons listed above, or a similarly valid reason, and the promotion plan calls for the extension but permits exceptions, the basis for the decision must be documented in the facility promotion file. The documentation may be brief but it must be clear.

(7) **Guidance** - When circumstances indicate an extension of the area of promotion consideration is inappropriate, and promotion continues to be a recruitment source, promotion consideration should be given only to high quality promotion candidates from the lesser area. In the interest of maximum efficiency and proper utilization of public funds, well-qualified candidates from other recruitment sources should be considered.

8. LOCATING CANDIDATES. Guidance - Several methods may be used to locate eligible candidates. Different methods or combinations of methods may be appropriate for different occupations or grades. Posting vacancy announcements for individual vacancies, open-continuous announcements for entry-level jobs, posting general notices of placement opportunities such as the VA Recruitment Bulletin, Weekly Summary Bulletin, sending electronic notices to other VA facilities, Central Office referrals, and use of skills files are several methods. **Requirement** - To provide proper information to employees, each promotion plan must state which method or methods are used.

a. **Vacancy Announcements**

(1) **Guidance** - Vacancies may be announced by posting notices on bulletin boards, through electronic transmission, and/or by circulating special notices to employees.

(2) **Requirement** - Vacancy announcements must receive sufficient publicity and be open long enough so all eligible employees within the area of consideration have the opportunity to learn of the vacancy and apply. They must be clear and tell employees: the area of consideration; if the position is part-time, the number of hours per week; the pay range; the location of the position; summarized duties of the job; the summarized minimum qualifications, including selective placement factors (if appropriate); where the qualification standard requirements are available for review; a list of the rating factors or job elements; application procedures; the closing date; whether the position has known promotion potential; and that VA

policies on equal employment opportunity are fully applicable, including the reasonable accommodation statement. The announcement should state that preference eligibles or veterans who have been separated under honorable conditions from the armed forces after 3 or more years of continuous active service may compete for vacancies under merit promotion when an agency accepts applications from individuals outside its own workforce (VEOA).

(3) **Requirement** - Open-continuous announcements must be clear and tell employees: the area of consideration; target grade level; that VA policies on equal employment opportunity are fully applicable, including the reasonable accommodation statement; and what has to be done to apply. The other information in subparagraph (2) above must be available on request.

(4) **Requirement** - When a vacancy announcement does not yield a sufficient number of best qualified candidates and the area of consideration is extended, the original announcement closing date must also be extended to coincide with the closing date for candidates in the extended area. This new area of consideration and the new closing date must be conveyed to local employees in an appropriate manner.

(5) **Requirement** - When the target grade level is known, it (and any intervening grade levels) must be stated in the vacancy announcement. When there is potential but the anticipated grade has not yet been determined, the estimated grade level must be indicated. In such cases, it is extremely important that all possible applicants are fully aware that an estimated potential grade may or may not materialize.
Guidance - Occasionally, a position may be announced at multiple grade levels. The announcement should clearly indicate when selection for any of the lower grades indicated carries with it the potential for the highest grade indicated. When this is not the case, the announcement should provide proper information to applicants.

(6) **Requirement** - All vacancy announcements of positions with identified target grade level must inform all potential applicants that:

(a) Selection does not guarantee promotion to the target grade (or any intervening grade, if appropriate);

(b) All legal and regulatory requirements for promotion to the next higher grade must be met; and

(c) Subsequent promotion to the next higher grade is dependent on the selectee's demonstration of the ability to perform the duties of that grade to the satisfaction of the supervisor and the availability of enough work at the next higher grade to support the target position.

(7) **Requirement** - When vacancy announcements are used to recruit for standing registers to fill the same type and grade position over an extended period (e.g., 90 days), the announcement must provide this information to potential candidates. Employees who apply for consideration during the life of the standing register must be provided information concerning how their applications will be treated and under what circumstances they will be considered (i.e., (a) applications will be accepted and consideration extended for the next vacancy filled from the register; (b) applications will be accepted and retained for consideration when a new register is established; or (c) applications will be accepted only when a new register is being established). When standing registers are used, all selective factors and all rating factors (or job elements for wage grade) for all positions covered must be listed in the vacancy announcement.

Typically, the rating factors (job elements for wage grade) for all the positions covered by the standing register should be similar. They do not, however, have to be identical.

b. **Vacancy Announcements to Other VA Facilities. Requirement** - When used, vacancy announcements to other VA facilities must identify the position and grade being offered, reference the appropriate OPM or VA qualification standard, vacancy announcement number, target grade level, the closing date, and specify any forms which should be submitted with the application. Vacancy announcements of extension of the area of promotion consideration must be made available to all potential applicants at the receiving facility(ies). Posting in a centralized location accessible to all employees is adequate. Referral only to the corresponding service or division at the receiving facility may not be satisfactory in some cases because qualified employees may be located in other services or divisions.

NOTE: *See chapter 2, paragraph 11d of this part, for processing applications resulting from extension of the area of promotion consideration.*

c. **Skills Files. Guidance** - Skills files, including sufficient information on all eligible employees in an area of consideration to rate them fairly, may be used to locate candidates for vacancies. All eligible employees are considered under this method. Extreme care should be exercised to ensure that information on each employee is accurate and up to date and that the system can be used economically and efficiently.

d. **Central Office Referrals. Requirement** - Central Office referrals to facilities for positions which are covered by the local promotion plan must be evaluated and ranked in accordance with the local plan along with other qualified applicants.

9. JOB ANALYSIS AND EVALUATION CRITERIA

a. **Requirement** - Job analysis and evaluation criteria must satisfy the requirements of 5 CFR, part 335, Handbook X-118C, and this chapter (see appendix III-G and III-H). Specific procedures to be used for crediting plan development must be established in writing. It should be noted that annual performance appraisals and awards must be considered to the extent that they are related to the job to be filled (see paragraph 3b, Requirement 3, of this chapter). Individuals and/or organizations involved in the development of selection procedures are responsible for compliance with OPM and VA policy requirements and the procedures' impact on applicants.

b. **Requirement** - Credit based on length of experience or length of service may not be granted unless it can be shown through a proper job analysis and accompanying documentation to be a valid, job-related factor for the position being filled.

c. **Requirement** - Selection procedures not approved for inservice use must be submitted through channels to the Director, Human Resources Management Programs and Policies Service (051) with the required documentation to support acceptability. Field facilities will not deal directly with OPM in requesting selection procedure approval.

d. **Guidance** - Development of knowledges, skills, abilities and other characteristics (KSAOs) evaluation procedures for General Schedule positions which are not identical to those in this handbook is permissible as long as they are consistent with requirements of the Uniform Guidelines on Employee

Selection Procedures. The evaluation process should not include provisions for deducting points or for negative ranking credit for adverse information concerning a candidate (e.g., adverse and disciplinary actions). Information of this nature should be considered in the annual performance appraisal, the supervisory KSAO assessment, and/or the supervisory appraisal of performance for promotion. Deducting points for inservice placement purposes would constitute a double penalty.

e. **Requirement** - In the interest of fairness and equity to all candidates, crediting plans for GS positions are to be kept secure. Since they are the basis by which point credit is to be granted, they may not be reviewed by potential candidates prior to the announcement of a vacancy or prior to rating and ranking. To do so may give a candidate unfair advantage. This does not preclude:

(1) A review of the crediting plan by the employee and/or a properly designated representative during the informal grievance stage or in conjunction with EEO investigations;

(2) Review and release to authorized officials who have a need to know for the performance of their official duties; or,

(3) Release for inclusion in EEO or grievance files.

10. PROMOTION PANELS

a. **Guidance** - Either human resources staff members or promotion panels may evaluate candidates against the criteria contained in the crediting plan for the position(s). Separate panels may be used for each position or panels may be established for specific categories of positions. Use of promotion panels is strongly encouraged because it provides a base for the justification of the rating and ranking in accordance with the Uniform Guidelines on Employee Selection Procedures.

b. **Requirement** - Handbook X-118C requires a panel of one or more raters who know or can quickly learn about both the job and the employees' qualifications (Subject Matter Experts) and a reviewer (usually a HRM Specialist) for trades and labor promotion opportunities. (See subparagraphs c and d below.)

c. **Requirement** - If promotion panels are used to evaluate and rank candidates, the panel members (except the HRM representative) must be subject matter experts (see paragraph 1e of chapter 2, this part), one of which must be at least equal in grade to the job to be filled. All must have a clear understanding of the functions of promotion panel members and clearly understand the crediting plan, the selection procedure being used, and basic human resources management concepts related to qualification and rating and ranking, preferably at the journeyman level. In performing their functions, panel members are official representatives of management. The selecting official will not serve as a panel member unless there are no other qualified SMEs available. Selecting officials who serve as panel members must understand clearly the difference between the two functions and carefully observe merit principles.

d. **Requirement** - If promotion panels are used, panel members, as part of their official responsibilities, must review certain personal information concerning candidates. Other employees who may be present as observers during the deliberations of the panel are not permitted access to such documents and written information concerning any candidate without the written consent of the subject of the record. All persons present at promotion panel meetings are precluded from revealing information of a confidential or personal

nature about any candidate which may be gained during the deliberation process and may be disciplined if they do so.

11. REFERRAL AND SELECTION

a. **Referral of Internal Candidates. Requirement** - The best qualified group referred to the selecting official for promotion or promotion potential consideration will consist only of the VA candidates from whom promotion competition is required (e.g., promotion candidates as well as reassignment and/or demotion candidates who are competing for a position with higher potential).

b. **Referral of External Non-VA Candidates**

(1) **Requirement** - If transfer, reinstatement, and VEOA eligibles are being considered for a higher-graded position than previously held, they must be evaluated and ranked along with competing VA employees to determine the cut-point. Once that has been established, all best qualified candidates will be referred on two separate certificates; one for internal candidates and the other for external candidates. In such cases, an inadequate number of best qualified VA promotion candidates is justification for extending the area of promotion consideration to other VA employees.

NOTE: *Normally, the selection official determines if there is an adequate number of best qualified VA promotion candidates. An extension of the area of promotion consideration resulting in additional VA candidates for promotion under these circumstances may cause the cut-point to change and necessitate a redetermination of best qualified candidates for each recruitment source.*

(2) If the competitive service position provides promotion or placement in a position with higher promotion potential, qualified excepted service employees covered by the interchange agreements will be rated and ranked, when a panel is required, to determine which applicants are best qualified for referral. When there are fewer than 10 applicants, no panel is required. However, screening to determine the best qualified applicants must take place before a selection is made. (A sample certificate, offering options as to who may make the best qualified determination can be reviewed in appendix G, this part.) Excepted service and competitive service employees will be referred on separate certificates. The selecting official may select from either certificate. (See part III, chapter 3.)

(3) **Requirement** - When a position is announced at multiple grade levels, a best qualified group for each grade level, if available, will be referred for consideration on separate certificates.

(4) **Guidance** - A best qualified group consists of VA candidates who are competing for promotion and/or for a position with higher promotion potential. VA employees who are candidates for reassignment and demotion to a position with no higher potential are eligible to be placed in those categories through previous competition or other appropriate procedures. Transfer applicants from other agencies and reinstatement eligibles for positions equal in grade to their current or former nontemporary, competitive service positions have also achieved that eligibility through appropriate competition. To mingle such candidates with VA employees who are competing for promotion could result in displacement of best qualified VA employees from the promotion certificate and, therefore, reduce advancement opportunities for them.

(5) **Guidance** - The number of promotion candidates to be referred will vary depending on the cut-point (see Appendix III-G, paragraph 7c), the number of candidates being considered and other circumstances which prevail. At any rate, the selecting official should receive an adequate number of promotion candidates, if available, for consideration. Although rating and ranking is permitted when there are 10 or fewer qualified promotion candidates, referral of all candidates for consideration without rating and ranking is permissible (see Appendix III-G, par 7b(1). Before making a selection, however, the best qualified candidates must be identified. Best qualified candidates may be referred by category, 1-2-3 rank order, or in alphabetical order.

(6) **Guidance** - When the point credit difference between candidates is so small that a bona fide difference in predicted capability is not apparent, it may be desirable to obtain additional information from such candidates to determine whether there are, in fact, meaningful distinctions among them. The selecting official should not, however, be burdened with so many candidates that considering all candidates unduly delays the selection process; and an administrative limit may be necessary. Generally, 10 promotion candidates are considered sufficient.

(7) **Ties. Guidance** - All candidates with tied scores at the cut-point may be referred, if the plan so provides. If ties in total scores of candidates will result in a referral of more promotion candidates than the selecting official can reasonably consider and additional information cannot be collected or results in no meaningful distinction, provisions may be made to break the ties to arrive at an appropriate number of referrals (see Appendix III-I).

c. **Selection**

(1) **Requirement** - The responsibility for selection must be vested in one official. Promotion panels will not make final selections or recommendations.

(2) **Requirement** - A selecting official has the right, which will not be negotiated, to select or non-select candidates from a properly constructed promotion certificate. This includes the right to non-select all of the candidates and return the promotion certificate unused. Additionally, when a promotion certificate is issued to provide consideration for more than one vacancy and the selecting official selects for one vacancy, this action does not carry with it an obligation to select others from the promotion certificate for the remaining vacancies or preclude the consideration and selection of an applicant from any other appropriate recruitment source.

(3) **Requirement** - Once a final, properly constructed promotion certificate resulting from the original announcement has been issued, another merit promotion certificate for the same vacancy will not be issued for 6 months. Selection must be made from the properly constructed promotion certificate resulting from the original announcement if the position is filled by competitive promotion during that 6-month period. **Guidance** - The cancellation of an announcement and the resulting certificate after a best qualified group has been determined, for the purpose of improving or injuring the chances of any person, is in direct conflict with law. (See VA Directive 5005.) Such actions intended to alter the best qualified group because a particular employee is not included in it (such as providing time to meet basic qualification requirements, to meet other legal and regulatory requirements, to change supervisory appraisals to increase or decrease any employee's chances, etc.) are inconsistent with merit principles and law. The preceding requirement does not preclude the following actions:

(a) Adding high quality candidates if available from the rating and ranking process to replace best qualified candidates who decline consideration after the original promotion certificate has been issued; or

(b) The addition of high quality candidates who rank above the cut-point located as a result of an extension of the area of promotion consideration when an interim referral was made using a smaller area of promotion consideration.

(4) **Guidance** - Selecting officials should act promptly when considering candidates referred on a promotion certificate. It is not only in the interest of good management, but also of major concern to employees, that decisions concerning promotion opportunities be made expeditiously. Excessive delay often causes undue frustration on the part of candidates which may result in an erosion of trust and confidence. For these reasons, when there is excessive delay, it is entirely proper to require written justification from a selecting official to the HRM office. While some circumstances may require more time than usual, selecting officials normally should be able to make a decision within 5 workdays after receipt of a promotion certificate consisting of best qualified local candidates and within 10 workdays after receipt of a promotion certificate with best qualified candidates from an extended area of promotion consideration.

(5) A placement follow-up will be used to evaluate the employee's progress and adjustment following placement in a position.

12. CAREER PROMOTIONS

a. **General.** A career promotion is one without current competition when:

(1) An employee was appointed, or selected through the use of competitive promotion procedures, for an assignment intended to prepare the person for the position being filled (career ladder); or

(2) The employee's position is reclassified to a higher grade because of accretion of additional duties and responsibilities.

b. **Requirement** - All promotion plans must provide for career promotions, including career-ladder promotions in movements between VA facilities.

c. **Career-Ladder Promotions**

(1) **Requirement** – Career ladder promotions without current competition may be made only when the intent was a matter of record prior to the initial selection and all potential applicants were so informed. Career ladders must be documented and be available to employees. Career-ladder positions are those with known promotion potential; therefore, an announcement under competitive promotion procedures must inform possible applicants of the potential available to the selectee.

(2) **Guidance** – Career-ladders may consist of potential to the next higher grade or through several intermediate grades to a target several grades higher than the initial grade level. **Requirement** - Selection for the initial position provides only the opportunity for subsequent career-ladder promotion. Promotion to

the next higher grade is not guaranteed and depends on: (a) the selectee's demonstration of the ability to perform the duties of the next higher grade to the satisfaction of the supervisor; and (b) the availability of enough work at the next higher grade. Meeting the minimum qualification requirements and time-in-grade requirements for a higher grade in a career ladder is, of itself, only an indicator of eligibility, not an absolute guarantee for such a promotion.

(3) **Apprentice Position. Requirement** - When an employee has been properly selected for the initial grade level as described above, a career-ladder promotion of an apprentice in a trade or craft may be made through intermediate grades (if appropriate) to the target grade level.

(4) **Trainee Position. Requirement** - A properly selected trainee may receive career-ladder promotions through intermediate grades as each phase of training is satisfactorily completed and to the target grade level when the entire training program is satisfactorily completed.

(5) **Understudy Position. Requirement** - Occasionally, an understudy position is established to train a person for a position which is to be vacated at a future date. When properly selected for an understudy position, the selectee may receive a career-ladder promotion without additional competition to the target position when it is vacated. **Guidance** - Normally, the understudy position is established within 1 year or less of the anticipated vacancy.

(6) **Position Filled at a Grade Below the Established or Anticipated Grade. Requirement** - A career-ladder promotion may be made of an employee in a position which was properly filled at a grade below the established or anticipated grade.

(7) **Training or Executive Development Agreements. Requirement** - An employee, properly selected through competition as described previously, may receive a career-ladder promotion upon satisfactory completion of an approved training agreement or executive development agreement which specifically provides for the promotion.

(8) **Details for Training or Evaluation. Requirement** - An employee properly selected for a training or evaluation detail to a higher grade position or to one with known promotion potential may receive a career-ladder promotion if the fact that the detail could lead to promotion was made known to all potential candidates for the initial detail.

(9) **Veterans Readjustment Appointee.** (5 CFR 307.103) **Requirement** - When a Veterans Readjustment Appointment is made to a position with known promotion potential, subsequent career-ladder promotions may be made through intermediate grades (if appropriate) to the target grade level.

(10) **Others. Requirement** - When employees serving under the following types of appointments have satisfied the specified criteria of the appointment authority and are properly converted to career or career-conditional appointment in the competitive service in positions with known promotion potential, career-ladder promotions may be made through intermediate grades (if applicable) to the target grade level:

(a) Student Career Experience Program (commonly referred to as Cooperative Education students) (5 CFR 213.3202(b));

(b) Service disabled veterans (5 CFR 315.604);

(c) Service disabled veterans (30 percent or more) (5 CFR 315.707);

(d) Severely physically disabled or mentally retarded employees (5 CFR 315.709); and,

(e) Presidential Management Interns (5 CFR 315.708).

d. **Career Promotion of an Employee Whose Position is Reconstituted to a Higher Grade**

(1) **Requirement** - An employee whose position is reconstituted to a higher grade because of the accretion of additional duties and responsibilities may receive a career promotion.

NOTE: *The basic function of the original position must continue to be a part of the new one.*

(2) **Guidance** - Employees serving on identical-additional position descriptions are supposed to perform identical duties. It is the supervisor's responsibility to ensure that subordinates perform described duties. To single out one of several such employees for this type of career promotion may, therefore, be interpreted by others to be an act of personal favoritism. Any action of this nature should occur only after careful consideration and sufficient justification.

(3) **Guidance** - There may be times when circumstances require the assignment of additional duties and responsibilities to a position which will result in a promotion and competition is not practical. Some examples are:

(a) Higher level management decision results in a change in workload, technology, procedures or organization and provides for no increase in ceiling. The decision results in a need for a higher grade job to accomplish the assigned tasks. Only one of the employees in the affected unit, which is at ceiling, can qualify for the job;

(b) An increase in technology results in the purchase of new equipment for a line of work requiring an increase in the level of duties and responsibilities for those who will operate it. The employees will continue to perform the same basic function but at a higher level required by the new equipment;

(c) Additional personnel are assigned to an organization which results in a supervisor's position being upgraded;

(d) Additional responsibilities are imposed by law, rule, regulation or policy. To carry out the mandate, new duties must be added to a position in a unit and only one position provides the knowledges, skills or abilities necessary for satisfactory performance in the new job; or

(e) An employee performs a job in such an exemplary manner that other key employees outside the unit gradually come to rely on that person to such an extent, and involving such complicated issues, that eventually the employee is performing duties which are properly classified at a higher grade.

(4) **Requirement** - The prohibited personnel practices contained in law (5 U.S.C. 2302(f)) preclude the granting of preference or advantage, not authorized by law, rule or regulation, to improve or injure the prospects of any person. Managers, supervisors, human resources officials and selecting officials are responsible for ensuring that actions resulting in a promotion because of additional duties and responsibilities are not the result of a prohibited practice.

13. PROHIBITED PRACTICES. The following provisions of law are fully applicable and binding:

a. **The Civil Service Reform Act of 1978 (5 U.S.C. 2302).** Employees who have authority to take, direct others to take, recommend or approve any personnel action are prohibited from:

(1) Discrimination for or against any employee or applicant for employment;

(2) Soliciting or considering any recommendation or statement, oral or written, about a person who requests or is being considered for a personnel action, unless the recommendation or statement is based on personal knowledge or records of the person furnishing it and consists of an evaluation of the person's work performance, ability, aptitude, general qualifications, character, loyalty, or suitability;

(3) Using official authority to coerce political activity, including political contribution or service, or to retaliate against any employee or applicant for refusal to engage in such political activity;

(4) Deceiving or willfully obstructing a person with respect to the right to compete for Federal employment;

(5) Influencing anyone to withdraw from competition to injure or improve employment prospects for any other person;

(6) Granting preference or advantage not authorized by law, rule, or regulation (including defining the scope or manner of competition or the requirements for any position) to any employee or applicant to improve or injure the prospects of any person;

(7) Appointing, employing, promoting, advancing, or advocating for appointment, employment, promotion, or advancement, any relative (5 U.S.C. 3110a(3)) to or for any position in the VA;

(8) Taking or failing to take a personnel action concerning an employee or applicant as a reprisal for:

(a) Disclosure of information reasonably believed by the employee or applicant to evidence:

1. a violation of any law, rule or regulation or

2. mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health or safety, unless the disclosure is specifically prohibited by law or required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs;

(b) Disclosure to the Special Counsel of the Merit Systems Protection Board, or to the Inspector General, of information reasonably believed to evidence any of the preceding items;

(9) Taking or failing to take a personnel action against any person as a reprisal for exercising an appeal right granted by law, rule, or regulation;

(10) Discriminating for or against a person on the basis of conduct which does not adversely affect that person's performance or the performance of others (convictions for crimes may be taken into account in fitness and suitability determinations); and,

(11) Taking or failing to take any personnel action if taking or failing to take that action violates law, rule, or regulation implementing or concerning merit system principles.

b. **Competitive Service; Recommendations of Senators and Representatives (5 U.S.C. 3303).** Individuals concerned with examination or appointment of applicants in the competitive service may not receive or consider a recommendation by a Senator or Representative, except as to character or residence.

c. **Acceptance or Solicitation To Obtain Appointive Office (18 U.S.C. 211).** No person may solicit or receive, either as a political contribution or for personal gain, any money or thing of value in consideration of the promise of support or influence in obtaining any appointive office.

d. **Interference with Civil Service Examinations (18 U.S.C. 1917).** No individual in the public service shall:

(1) Defeat, deceive or obstruct the right to examination for the competitive service;

(2) Falsely mark, grade, estimate or report on an examination or proper standing;

(3) Make false representation concerning a mark, grade, estimate, or report on the examination or proper standing, or concerning the person being examined; or

(4) Furnish any special or secret information to improve or injure prospects or chances of a person examined, to be examined, being appointed, employed or promoted.

14. SUPERVISORY POSITIONS

a. **Requirement** - The qualification standard for supervisory positions in OPM's Operating Manual – Qualification Standards for General Schedule Positions will be used along with the specific qualification standard for that position for basic qualification determinations for supervisory positions. For wage grade jobs, the job-element system required for supervisory trades and labor jobs in Handbook X-118C will be used. Since supervisory positions require certain knowledges, skills, abilities and other characteristics related to the supervisory function, KSAOs for GS supervisory positions must be reflected in the crediting plan.

b. **Training for First-Level Supervisors. Requirement** - Suitable initial supervisory training will be provided for all newly selected first-level supervisors, either before they assume their new duties, or as

soon after as possible. **Guidance** – VA Handbook 5015, Employee Development, and 5 CFR, part 410, contain policy related to this training, including time limits.

c. It is essential that these first-time supervisors/managers receive training, including Equal Employment Opportunity (EEO) training, which will equip them with those skills needed to help the organization accomplish its mission and allow them to discharge their individual responsibilities satisfactorily.

d. The general requirement is that an employee must serve a 1-year probationary period upon initial assignment to a supervisory and/or managerial position. Requirements for completion of the probationary period, exceptions and what to do if a supervisor and/or manager fail to successfully complete the period, are listed in detail in appendix III-A.

15. TEMPORARY PROMOTIONS

a. **Requirements** - Competitive promotion procedures must be used when a temporary promotion will exceed 120 days. When a temporary promotion of 120 days or less is made as an exception to competitive procedures, an extension beyond 120 days must comply with these procedures. Candidates for a temporary promotion must be informed in advance of the temporary nature of the action, including the expected length, and assured of return to a position for which qualified at the former grade level upon termination of the temporary services in the higher grade, whether or not the expected period is completed. An initial competitive temporary promotion may be made for a specified period of not more than 5 years in accordance with 5 CFR 335.102(f). In some instances after review of the circumstances and a determination that a temporary situation remains, extension may be justified. The initial promotion and such extension(s) will not exceed 5 years. If all potential candidates are properly informed in advance, a temporary promotion may be made permanent. Requests to OPM for extension beyond 5 years in accordance with 5 CFR 335.102(f) must be submitted via the Human Resources Management Programs and Policies Service (051).

b. **Guidance** - Upward mobility opportunities, which result in the selectee being placed in a higher grade for training, should be processed as temporary promotions which may be made permanent. Upward mobility candidates who are unsuccessful must be returned to their former grade. (See VA Handbook 5015, Employee Development.) If a permanent promotion is utilized, and the selectee fails to meet the requirements expected, adverse action procedures would be required when the employee is returned to the previous position held.

16. EMPLOYEE AND LABOR RELATIONS

a. **Guidance** - While it is obvious that a monetary benefit accrues from promotion, the overall effect may involve many psychological and social aspects such as: peer group, community or social standing; satisfaction of personal needs; improved chances for further advancement; opening up a new career path; a feeling of success; a sense of equality; etc. For these reasons, true adherence to merit principles is of prime importance. Employee trust, understanding, participation and support are essential for an effective promotion program.

b. **Requirement** - Within the appropriate provisions of title 5, United States Code (e.g., sec. 7103(a)14, 7106 (a) and (b), 7117(a) and 7135), facilities must meet with exclusively recognized labor organizations representing employees covered by this chapter to consult and, as appropriate, negotiate concerning the development or modification of promotion plans under this chapter's provisions, including the procedures for its implementation and its impact on affected employees of the unit.

c. **Keeping Employees Informed**

(1) **Requirements** - The written promotion plan must be available to employees subject to its provisions. In addition, any employee who has an interest in, and inquires about, a specific promotion action will be given the following information by the HRM office or the selecting official:

(a) Whether the employee was considered for promotion and, if so, whether determined basically eligible in accordance with the applicable qualification standard;

(b) Whether the employee was in the best qualified group referred for selection consideration;

(c) Who was selected for promotion; and

(d) In what areas, if any, the employee should improve to increase future chances for promotion.

(2) **Requirement** - Employees must be permitted, upon request, to review or obtain, or both, copies of any record of production or supervisory appraisal which was used or may be used in considering them for promotion. **Guidance** - If the employee requests it, he or she should be permitted to have another person present when the record is reviewed.

(3) **Requirement** - Employees may see appraisal and records containing personal information about other employees only when dictated by their official responsibilities. Otherwise, employees are not permitted to see such information without the signed written consent of the subject of the record, unless the record has been properly sanitized for the protection of privacy.

(4) **Guidance** - Employees should be advised periodically of the various methods available for filling vacancies and the merit principle of selecting from among the best qualified candidates available. Information concerning recruitment and selection from various recruitment sources, exceptions to competitive promotion procedures, career promotions, selection by inservice placement actions other than promotion, selection by transfer from other agencies, appointments, etc., should be provided periodically.

17. GRIEVANCES

a. **Requirement** - Failure to be selected for promotion from a properly constructed promotion certificate (nonselection from a group of properly certified candidates) is not a basis for formal complaint.

b. **Requirement** - Dissatisfaction concerning the number of positions to be filled, or the grade level at which positions are advertised or filled, is not a basis for formal complaint.

c. **Requirement** - A grievance will be processed under a negotiated grievance procedure where applicable, or otherwise, under the provisions of the VA grievance procedure contained in VA Handbook 5021, Employee/Management Relations.

d. **Guidance** - In many instances, thorough and complete initial efforts to resolve dissatisfactions are successful. The time and effort involved at the beginning is to the benefit of both employees and management; increasing trust and understanding; providing for early, mutually satisfactory resolution; and reducing expenditure of time, effort and money. Comprehensive, good faith initial efforts cannot be overemphasized.

18. PROMOTION RECORDS

a. **Requirement** - A temporary record of each promotion action sufficient to allow reconstruction of the action, including documentation of how each candidate was rated and ranked, must be maintained for 2 years or until the local promotion program has been formally evaluated by OPM, whichever comes first. If the time limit for grievances or EEO complaints has not lapsed at the time the program is evaluated by OPM, the record must be maintained until it has lapsed.

b. **Guidance** - To provide for reconstruction the following should be kept in a promotion file:

(1) A copy of the vacancy announcement;

(2) A copy of the crediting plan used;

(3) A copy of each employee's application for consideration;

(4) A record of each qualification determination, clearly indicating the reasons for any disqualifications;

(5) A copy of each basically qualified candidate's annual performance evaluation;

(6) A copy of each basically qualified candidate's supervisory appraisal for promotion;

(7) Supplemental qualification statements for each basically qualified applicant, if used;

(8) The identification of the selection procedures used;

(9) A work sheet for each basically qualified candidate documenting:

(a) The basis of basic qualification determination, including what was used to satisfy general experience, specialized experience, and quality level of experience requirements (if applicable);

(b) The education which was substituted for experience in determining basic qualification;

(c) The basis for determining quality level and the corresponding point credit for that level;

(d) Identification of awards, training or self-development which contributed to credit;

(e) The total point credit awarded the candidates (if applicable);

(f) A notation of whether the candidate is in the best qualified group; and,

(g) The signatures of any HRM staff member involved with determining best qualified or basic qualifications and those of promotion panel members (if applicable);

(10) The completed promotion certificate showing the names certified for promotion, the decision, the selecting official's signature and date;

(11) A copy of the notices to applicants concerning the outcome of the action; and

(12) An explanation of any circumstances peculiar to the action which is needed for clarification.

19. SELECTION PROCEDURE DOCUMENTATION

a. **Requirements** - The following requirements are prescribed by the Uniform Guidelines on Employee Selection Procedures for documentation of a selection procedure supported by content validity. Good documentation provides a basis of support for the procedure should its validity be challenged. Lack of documentation increases the possibility of a finding of adverse impact and, therefore, discrimination, or may preclude establishing adequate job relatedness.

(1) **Identifying Information.** The names, titles and other identifying information of all personnel involved in developing the selection procedure;

(2) **Dates of Events.** Documents concerning each step of the selection procedure development, from the job analysis through the crediting plan, forms developed, supplemental experience statements etc., must contain the date;

(3) **Job Analysis Information.** All notes and decisions related to the job analysis and subject matter expert panel decisions (including the list of tasks; the relationships of the KSAOs to the tasks; the determination of the important KSAOs; the quality level statements related to each KSAO or rating factor; supplemental experience statements; supervisory KSAO assessment if developed; the specialized supervisory appraisal, if developed; the crediting plan; etc.).

b. **Requirement** - The selection procedure documentation file must be maintained as long as it is used and for at least 2 years after the procedure has been discontinued.

c. **Guidance** - For wage grade jobs, the job elements have, in many instances, been provided. **Requirement** - Documentation for the crediting plan development must, however, be maintained. A record of the review of the individual position and the adequacy of Handbook X-118C job elements; documentation related to alterations, deletions, and additions of job elements; the crediting plan, including quality level statements; supplemental qualification statements; supervisory KSAO assessments; etc., are necessary for support of the procedure.

d. **Guidance** - The documentation for a procedure used for one job may be kept in the merit promotion file for that action. If, however, a procedure is used frequently for a number of actions, the documentation for the procedure should be maintained in a separate file.

NOTE: *It is important, in such cases, that the merit promotion file for each action identify the selection procedure used, the documentation file for that procedure, and its location.*

20. PERIODIC REVIEW

a. **Requirement** - Management at each organizational level responsible for the administration of a promotion plan will make a comprehensive review of their promotion plan periodically. **Guidance** – Service and division chiefs, supervisors, employees, and labor organizations should participate in such reviews which should occur at least once every 3 years.

b. **Requirement** - Periodically, the Deputy Assistant Secretary for Human Resources Management (05) will review:

(1) The overall operation of field facility, staff office and administration programs to determine the extent of conformance with requirements; and

(2) The VA-wide merit promotion program to ensure that policy requirements are realistic and practical and to recommend improvement when needed.

21. CORRECTIVE ACTIONS. Requirement - Corrective action may be required by VA Central Office officials and other officials responsible for the establishment and administration of promotion plans, or by officials of the Office of Personnel Management, the Merit Systems Protection Board, or the Equal Employment Opportunity Commission. Corrective action may include appropriate disciplinary action when warranted.

CHAPTER 4. TITLE 38 ADVANCEMENTS

1. GENERAL

a. This chapter contains instructions and procedures governing the advancement of physicians, dentists, podiatrists, optometrists, registered nurses (RNs), nurse anesthetists, physician assistants (PAs) and expanded-function dental auxiliaries (EFDAs) appointed under authority of 38 U.S.C. 7401(1) or 7405(a); pharmacists, physical therapists (PTs), occupational therapists (OTs), certified respiratory therapists (CRTs), registered respiratory therapists (RRTs), and licensed practical or vocational nurses (LPNs/LVNs) appointed under authority of 38 U.S.C. 7401(3) or 7405(a)**;** and medical and dental residents appointed under authority of 38 U.S.C. 7406. **NOTE:** *Residents serving under a disbursement agreement are excluded from coverage under the provisions of this chapter.*

b. The advancement system shall provide advancement opportunities for employees, predicated upon the recognition of the quality of service rendered, additional experience and professional attainment as determined by an examination of the employee's individual record.

c. To meet the criteria for advancement, the individual must have demonstrated professional and/or administrative growth. Examination of the individual's total record must reveal evidence that the contribution to VA medical service is of sufficient value to warrant advancement. Potential for continuously greater contribution is also a prerequisite. Judgment and decisions of boards will be sufficient to ensure that advancement is fully merited and not recommended based on meeting administrative requirements alone. The individual's total record and professional stature will be carefully evaluated and supported by documentary evidence as necessary.

d. Advancement actions will be taken without discrimination for such reasons as age, race, color, religion, sex, national origin, lawful partisan political affiliation, marital status, physical or mental disability (when the employee is qualified to do the work), or membership or non-membership in a labor organization, or any other irrelevant factor.

e. Advancement actions will conform to the restrictions governing the employment of relatives. (See VA Handbook 5025, Legal.)

f. Advancement opportunities shall include:

(1) **Promotion.** Advancement to a higher grade in recognition of substantially greater service to the patient and VA.

(2) **Advancement**

(a) Advancement of physicians and dentists to Director grade for assumption of responsibilities of a Director of a medical center, medical and regional office center, domiciliary, or independent outpatient clinic and advancement of physicians to Executive grade for assumption of responsibilities of Chief of Staff at a medical center, medical and regional office center, domiciliary, independent outpatient clinic, or comparable position.

(b) Advancement to Grade IV or Grade V of the Nurse Schedule, for assignment to positions of nurse anesthetist, Nurse Executive, or other key nursing positions. Key nursing personnel refers to registered nurses (other than Nurse Executives) at Nurse IV and above whose grade is based on both their personal qualifications and responsibilities of their assignment. The grades of Nurse Executives are based on the facility complexity levels as established by the Under Secretary for Health. Advancement of other registered nurses and nurse anesthetists to these grades will be based on the VA Qualifications Standards for Nurses and Nurse Anesthetists and promotion criteria which cover the complexity and responsibility involved in the specific assignment.

(c) Advancement of Nurses in Grade I to Level 2 or Level 3.

(d) Special Advancements for Achievement and Performance (see VA Handbook 5017, Employee Recognition and Awards).

2. PERSONS AUTHORIZED TO ACT ON RECOMMENDATIONS OF BOARDS FOR ADVANCEMENTS. The following persons act on recommendations of Professional Standards Boards for advancement of employees in the Veterans Health Administration appointed under authority of 38 U.S.C. 7401(1), 7401(3), and 7405(a)(1).

a. The Secretary shall approve all assignments of physicians and dentists to Director grade on the recommendation of the Under Secretary for Health or designee.

b. The Under Secretary for Health, or a designee, Network Directors and facility directors: (See appendix III-K, this part).

3. PROFESSIONAL STANDARDS BOARDS

(See part II, chapter 3, section C, this handbook)

4. PROMOTION - GENERAL

a. **Consideration.** Full-time, part-time, and intermittent employees, having attained eligibility for initial appointment on the basis of appropriate qualification standards, shall be considered periodically for promotion in their current occupation. Eligibility for such promotion considerations shall be based upon fully meeting prescribed administrative requirements.

b. **Advancement in Grade.** Promotion shall be limited to advancements of one grade at a time, except that pharmacists, PTs, OTs, CRTs and RRTs may be advanced one or two grades to GS-11 and below. In addition, when an employee enters a special program where the grade of the employee is restricted by the program, appropriate grade adjustments may be made upon completion of the required period for the special program. The employee may be promoted to the grade and step for which qualified for appointment, provided the administrative requirements for promotion consideration, except for time-in-grade, have been met.

c. **Effective Date.** The effective date of a promotion or an advancement to a higher level within a grade is the 1st day of the pay period following administrative approval by the appropriate authority, but not earlier than the date on which all administrative requirements for consideration have been met.

d. **Notification of Eligibility.** Human Resources Management Officers are responsible for assuring that appropriate officials are notified approximately 60 days in advance of the date employees meet the administrative requirements for promotion, except that for podiatrists and optometrists in Associate or Full grade, physician assistants in Associate grade and expanded-function dental auxiliaries in Junior grade, notification of consideration for promotion will be made approximately 60 days in advance of the anniversary date of grade. If the employee is not promoted, these notifications shall continue to be made annually approximately 60 days prior to the anniversary date of grade until a change in grade occurs. A longer period for consideration, not to exceed 3 years, may be established by the approving authority when a nurse or expanded-function dental auxiliary does not meet the qualification standard requirements of education or required experience.

e. **Administrative Requirements for Consideration**

(1) A current proficiency rating of "Satisfactory".

(2) Time-in-grade requirements (see Appendix III-L, this part)

(3) The experience and education requirements set forth in VA Qualification Standards

f. **Service Which May Be Credited Toward Meeting Time-In-Grade Requirement - Promotion**

(1) Continuous full-time, part-time and intermittent paid employment rendered under 38 U.S.C. 7401(1) and 7405(a)(1), or under 38 U.S.C. 7406 as a medical or dental resident. For hybrid employees appointed under 38 U.S.C. 7401(3) or 7405(a)(1)(B), prior VA service in the same occupation at the next lower level is creditable.

(2) All leave with pay.

(3) Full-time, part-time and intermittent paid employment under authority of 38 U.S.C. ch. 73 or 74 which is:

(a) Rendered prior to a separation other than for cause, provided such period of separation was not in excess of 3 years.

(b) Rendered prior to a period of approved LWOP irrespective of the length of such period.

(4) Continuous temporary full-time and part-time paid employment under 38 U.S.C. 7405(a)(1) as a graduate nurse technician, graduate physician assistant or graduate nurse anesthetist rendered prior to appointment under 38 U.S.C. 7401(1) or 7405(a)(1), without a break in service for more than 3 calendar days.

(5) LWOP approved for educational purposes which has been granted on the premise that it will ultimately be to the advantage of VA.

(6) LWOP for pharmacists and OTs is creditable towards meeting time-in-grade requirements.

(7) LWOP granted for other than educational purposes not to exceed 30 calendar days for full-time physicians, dentists, podiatrists, and optometrists, and 22 days for those who are part-time, for each year of time-in-grade required, up to a maximum of 120 calendar days or 88 workdays, respectively. LWOP granted for other than educational purposes not to exceed 176 hours (22 workdays) for full and part time registered nurses and nurse anesthetists for each year of time-in-grade required, up to a maximum of 528 hours (66 workdays). LWOP granted for other than educational purposes not to exceed 176 hours (22 workdays) for physician assistants and expanded-functional dental auxiliaries for each year of time-in-grade required, up to a maximum of 352 hours (44 workdays). The maximum amount of LWOP for other than educational purposes which may be granted toward meeting the time-in-grade requirements is 176 hours (22 workdays) for PTs, CRTs, RRTs and LPNs/LVNs. LWOP in excess of such amounts requires employees to serve an additional number of days or hours equal to such excess.

(8) Active military duty when otherwise creditable service was interrupted thereby and the employee exercises statutory restoration rights.

(9) Service not to exceed 120 calendar days between discharge or termination from the Armed Forces and reemployment under mandatory provisions of any statute or regulation.

(10) All time during which an employee receives benefits under the Federal Employees' Compensation Act, provided sufficient service has been performed so that the candidate can be properly evaluated.

g. **Examination.** As prescribed by the Under Secretary for Health, Professional Standards Boards shall administer professional examinations appropriate in character and scope for the specialty and profession of the examinee. Such examinations will comprise discussions of professional and/or administrative subjects appropriate to the proposed grade, specialty, experience and assignment of the examinee and shall be sufficiently comprehensive to indicate the capability of such examinee. Examinations ordinarily will be oral but may be in written form at the discretion of the board.

h. **Promotion Grade Adjustment.** The Under Secretary for Health or a designee may direct that the grade of an employee be adjusted if it is determined upon review that an employee has not been promoted in accordance with the promotion requirements.

5. PROMOTION OF PHYSICIANS, DENTISTS, PODIATRISTS, OPTOMETRISTS, PHYSICIAN ASSISTANTS, EXPANDED-FUNCTION DENTAL AUXILIARIES, PHARMACISTS, OCCUPATIONAL THERAPISTS, PHYSICAL THERAPISTS, CERTIFIED RESPIRATORY THERAPISTS, REGISTERED RESPIRATORY THERAPISTS, AND LICENSED PRACTICAL OR VOCATIONAL NURSES

a. **Requirements for Physicians and Dentists.** Except for those in Chief grade and above, physicians and dentists will become eligible for periodic consideration for promotion to the next higher grade after they fully meet all the requirements specified below:

(1) Current proficiency rating of "Satisfactory."

(2) Served the required time-in-grade as stipulated in appendix L, this part.

(3) For promotion to Full and Intermediate grades, the physician or dentist must have demonstrated professional competence and performance which merit advancement through demonstrated skills and aptitudes in the direct care of patients. There must be evidence of professional growth with potential for assuming greater professional responsibility.

(4) For promotion to Senior grade, the physician or dentist must have shown professional attainment through recognized proficiency in the care and treatment of patients or completion of an approved residency with a demonstrated high level of performance. There must be evidence of professional growth and development.

(5) For promotion to Chief grade, the physician or dentist must have demonstrated a sustained high level of professional performance with evidence of exceptional effort, ability and contribution in the care and treatment of patients. There must be evidence of professional and/or administrative development, along with sustained professional growth. In addition, they must meet either subparagraph (a) or (b) below:

(a) Actual assumption of substantial professional and/or administrative responsibilities; or,

(b) Outstanding professional attainment. Examples of such attainment are:

1. A faculty appointment (post residency) at professional rank.

2. Achievement of outstanding results in research.

3. Outstanding clinical development (including publications).

4. Notable recognition by national professional societies or groups.

b. **Requirements for Podiatrists, Optometrists, Physician Assistants, Expanded Function Dental Auxiliaries, Pharmacists, Occupational and Physical Therapists, Certified Respiratory Therapists, Registered Respiratory Therapists, and Licensed Practical/Vocational Nurses.** Before they can be considered for promotion, employees in the above occupations must have a current proficiency rating of "Satisfactory" or a current performance appraisal of "Successful". In addition, these employees must meet the time-in-grade requirements as specified in appendix L, this part. These employees must meet the same grade requirements, including the specified demonstrated accomplishments, as for appointment. Any deviation or exception to these requirements will be limited to those specified in the appropriate qualification standard. (See part II, appendix D).

c. **Processing Procedures** (See appendix III-M, this part)

(1) **Notification of Eligibility**

(a) Approximately 60 days prior to the date the employee meets the time-in-grade requirement for consideration for promotion, the health care facility will receive from the Austin Automation Center (AAC) VA form 5-97, Notice of Pending Personnel Action, in duplicate, identifying the employee and stating that the employee meets the time requirements for promotion as of the date specified. In addition, VA Form 5-97 will indicate if there is a satisfactory proficiency on record and the amount of leave without pay (LWOP) since the beginning of the waiting period to the date VA Form 5-97 is issued. (VA Form 5-97 will be received approximately 60 days prior to the anniversary date of grade for podiatrists and optometrists in Associate or Full grade, physician assistants in Associate grade and for expanded-function dental auxiliaries in Junior grade.)

(b) If the employee is not promoted, the AAC will continue to send the VA Form 5-97 annually until a change in grade occurs. The VA Form 5-97 will be forwarded to the appropriate supervisory official. An employee who is not promoted will be reconsidered on the next anniversary date of grade. A longer period for consideration, not to exceed 3 years, may be established by the approving authority when an expanded-function dental auxiliary does not meet the qualification standard grade requirements of education or required experience. In these cases, the Human Resources Management Office will tab the service control file and will destroy the VA Form 5-97 for the year(s) when the employee is not to receive consideration.

(2) **Examinations**

(a) The Professional Standards Board may recommend that an appropriate examination be conducted. An examination will not be administered until after approval is received from the person authorized to act on board recommendations. If a health care facility board cannot be properly constituted for a particular examination, the file, consisting of VA Form 5-97, supervisory evaluations, the employee's personnel folder, and other information will be sent to the appropriate Professional Standards Board. After conducting the examination, the designated board will forward the results of the examination and the promotion file to the employee's facility.

(b) The character and scope of the examination will be appropriate for and will be such that the professional and administrative adequacy of the individual may be determined. Examinations ordinarily will be oral but may be prescribed in written form at the discretion of the board and will consist of

discussions of professional and/or administrative subjects appropriate to the new grade, specialty, experience and assignment of the examinee.

(c) When travel to another facility is required for examination, the candidate may be detailed to that facility for temporary duty. Travel will be at Government expense. The board may develop a written examination to be administered at the candidate's facility, thereby reducing the need for travel. If written examination is used, it will be sufficiently comprehensive to indicate the capabilities of the candidate. The questions will be sent, marked "For Official Use Only," to the Chief of Staff at the facility where the candidate is employed. This official will arrange for and monitor the examination. The answers will be returned to the board, which will evaluate the examination and enter the results on VA Form 10-2543, Board Action. A copy of the questions and answers will be attached to the Board Action.

6. PROMOTION AND ADVANCMENT TO A HIGHER LEVEL WITHIN THE GRADE OF REGISTERED NURSES AND NURSE ANESTHETISTS

a. **Administrative Requirements.** Before they can be considered for promotion or advancement to a higher level within the grade, registered nurses and nurse anesthetists must have a current proficiency rating of "Satisfactory" and meet the time-in-grade requirements specified in appendix L, this part. Registered nurses and nurse anesthetists considered for promotion or for advancement to a higher level within the grade based on possession of additional qualifications and/or placement in an enhanced assignment must meet the requirements in the applicable qualification standard. Any deviation or exception to these requirements will be limited to those specified in the qualification standard.

b. **Criteria for Consideration of Registered Nurses.** Registered nurses who meet the above administrative requirements become eligible for consideration for promotion or advancement to a higher level within the grade and must meet the following criteria:

(1) Have improved the effectiveness of patient care through the use of more complex skills and application of scholarly knowledge to practice.

(2) Have assumed greater responsibility for the improvement of patient care.

(3) Have made steady progress toward professional goals for the improvement of patient care.

(4) Have demonstrated the same level of professional nursing practice as required in the qualification standard for appointment to the grade to which the registered nurse is being considered for promotion or advancement to a higher level within the grade.

c. **Criteria for Positions Other Than Nurse Executive Which May Warrant Advancement of a Registered Nurse to Nurse IV or Nurse V**

(1) Assignments such as Associate or Assistant Chief, Nursing Service; Associate Chief Nursing Service for Research; Associate Chief Nursing Service for Education; Supervisor, Nursing Home Care Unit; assignments in the Employee Education System; or Central Office nursing positions are potentials for these grades. Assignments are typically located in organizational settings where there is a high rate

of activity, where there is a broad program mission involving a great variety of specialty/subspecialty care in the more highly sophisticated medical center; and other special programs. These assignments are usually found at medical centers for which the Nurse Executive Complexity Level has been assigned at Level 1 or 2, and at VISN offices or Central Office. Assignments of the scope and complexity contemplated for these grade levels may occur, on a limited basis, at other medical facilities.

(2) In considering the scope and complexity of the assignment, reviewers should look at those factors which specifically relate to the administrative, clinical, educational or research functions of the position:

(a) **Administrative Assignments.** The individual's responsibility for managing and supervising the total nursing program; planning, organizing, directing, controlling and evaluating programs and follow-up actions required by internal and external review organizations and/or accrediting bodies; giving daily attention to complex personnel management problems; participating in executive and decision making deliberations; and performing a full range of administrative duties.

(b) **Educational Assignments.** The individual's responsibility for developing broad educational and training programs involving a variety of nurse specialties in widely diversified nursing activities; providing nursing personnel with the vital link between nursing education and nursing practice; coordinating and maintaining close relationships with affiliated schools of nursing, professional organizations, certifying bodies, and program directors of students of other disciplines who rotate through the medical facility; and serving on Education and Training Committees and nursing advisory groups and special task force teams concerned with managing education and career development activities.

(c) **Research Assignments.** The individual's responsibility for (1) conducting merit-reviewed, approved research projects relative to nursing care and related specialty areas**,** performing independent research or serving as a primary contributing member of a research team, formulating the research proposal and protocol submission to Central Office for merit review, and publishing in appropriate nursing and related professional journals or speaking to peer groups; or (2) serving as a mature, competent and productive researcher on problems of major scope, directing independent research of considerable interest and value to the nursing or related fields, where the research contributions can be reviewed as being highly productive and of such quality and originality as to have marked the nurse scientist as a significant contributor to advances in the practice of nursing.

(d) **Nursing Home Care Supervisor Assignments.** The individual's responsibility for supervising a large Nursing Home Care Unit (NHCU) characterized by a high degree of interdisciplinary involvement, significant involvement in rehabilitation and outplacement efforts, and nursing home care program planning, organizing, directing, controlling, and evaluating activities. The assignment includes significant human resources responsibilities along with a full range of administrative duties.

(e) **Other Comparable Assignments.** The individual's responsibility for assignments comparable to any one or combination of those described in subparagraphs (a) through (d) above.

d. **Criteria for Consideration of Nurse Anesthetists.** Nurse anesthetists who meet the above administrative requirements become eligible for promotion and must meet the following criteria:

(1) Supervisory evaluations clearly illustrate the significant contribution the candidate's accomplishments have made directly or indirectly to services to the patient.

(2) There has been consistent and progressive professional and/or administrative growth.

(3) There has been shown increasing professional responsibility for patient welfare.

(4) There has been displayed the ability to communicate and work effectively with others.

(5) There is demonstrated the potential for further development and professional attainment.

(6) Their performance must show evidence of continuously greater contribution to the service.

e. **Processing Promotions and Advancements to a Higher Level within the Grade for Nurse Anesthetists.** Promotions and advancements to a higher level within the grade for nurse anesthetists will be processed in the same manner as promotions of physicians and dentists (see Appendix III-M, this part). When possible, the physician chief of anesthesiology, physician consultant in anesthesiology or Chief, Surgical Service, shall be a member of the Physician Professional Standards Board in examining nurse anesthetists for promotion to higher grade.

f. **Processing Promotions and Advancements to a Higher Level within the Grade for Registered Nurses.** See appendix III-M, this part.

(1) **General.** Approximately 60 days prior to the date the registered nurse meets the time-in-grade requirement for consideration for promotion or advancement to a higher level within the grade, the facility will receive from the AAC, VA Form 5-97, Notice of Pending Personnel Action, in duplicate, identifying the employee and stating that the employee meets the time requirement for promotion or advancement to a higher level within the grade as of the date specified. In addition, VA Form 5-97 will indicate if there is a satisfactory proficiency rating on record and the amount of LWOP since the beginning of the waiting period to the date VA Form 5-97 is issued.

(2) **Promotions for Facility Nurse Executives, VISN Nurses and Nurses in Central Office**

(a) The recommending official forwards the proposed functional description, employee's curriculum vitae and the latest two proficiency reports (or their equivalent) to the appropriate Nurse Professional Standards Board (NPSB) for review. VHA Central Office NPSB is appropriate for VHA Central Office and VISN staff. The VHA Central Office NPSB is also the appropriate NPSB for all promotions of facility Nurse Executives requiring a waiver of facility complexity level. All other promotions and advancements are to be reviewed by the NPSB designated for the VISN. (See appendix H5, part II of this handbook.)

(b) The NPSB reviews the employee's qualifications and the scope of the position to determine whether the proposed grade is warranted and makes a recommendation regarding the employee's promotion to the approving official (facility Director or designee for nurse executives, the Under Secretary for Health or designee for VISN and Central Office staff).

(c) The approving official approves or disapproves the promotion.

(d) Notification of VISN and VA Central Office. When a selection is made for one of these positions, approving officials will notify the appropriate Network Director and the [Office of Nursing Services (108)] in VA Central Office.

(3) **Promotions to Nurse IV and Nurse V for Registered Nurses Other Than Those Cited in Subparagraph (2) Above**

(a) Procedures for advancement are the same as in paragraph (2) above, except subparagraph (d) does not apply to those covered by this paragraph.

(b) [A]pproximately 120 days before the anniversary date of the registered nurse's assignment to Nurse III or IV, the AAC will send to the facility a VA Form 5-97, Notice of Pending Personnel Action, in duplicate. The servicing Human Resources Management Office will retain the duplicate [ ] as a suspense copy and forward the original to the Nurse Executive. The Nurse Executive will review the registered nurse's assignment and compare it with the criteria in the VA Nurse Qualification Standard for the grade for which the registered nurse is being considered and the criteria in paragraph 6c above. [ ] If the Nurse Executive recommends advancement, the front of the VA Form 10-2543, Board Action, will be completed[, and a special Proficiency Report shall be prepared if the most recent Proficiency Report does not accurately reflect the employee's current performance.] The recommendation, the Board Action, the registered nurse's personnel folder, and a description of the assignment's responsibilities will be forwarded [ ] to the facility Director. If the [ ] Director concurs, the Director will send the documents, along with the recommendations, to the appropriate NPSB. [If the Nurse Executive does not recommend advancement, the facility Director does not concur, or the facility Director disapproves the advancement after review by the NPSB, the recommending, concurring, or approving official is to take the actions prescribed in paragraph 3(d) below.]

(c) Recommendations [ ] will address the individual's personal qualifications as specified in the VA Nurse Qualification Standard and the scope and complexity of the assignment. To recommend an action covered by this paragraph, the NPSB must find that the individual meets the qualifications for the position and that the scope and complexity of the assignment are comparable to the corresponding Nurse Executive assignment. The corresponding Nurse Executive assignment means that:

1. A Nurse IV assignment must be comparable to a Nurse Executive assignment at a Level 4 or 3 (complexity index) facility,

2. A Nurse V assignment must be comparable to a Nurse Executive at a Level 2 or 1 (complexity index) facility,

(d) If advancement is not recommended[, the facility Director does not concur, or the action is] disapproved[, a] Board Action [is to be completed and approved by the recommending, concurring, or approving official. The Board Action is to] be filed in the personnel folder, and the nurse will be informed of the decision.

(e) Once appropriate officials have determined that the scope and complexity level of the assignment do not warrant promotion to a higher grade, a review of the registered nurse's qualifications and performance is required only when there has been a significant change in the nature of assignment or a reassignment.

(f) Registered nurses who are not recommended or approved for assignment to these grades are not entitled to higher level review[, including promotion reconsideration].

(g) Grade assignments to Nurse IV or above are limited to the registered nurse's current position. Registered nurses who are reassigned will not retain Nurse IV or above unless a determination is made by the appropriate NPSB that the duties of the new position meet the scope and complexity criteria for the contemplated grade. Also, the position vacated will not be filled at the Nurse IV level or above without prior review of the qualifications of the individual registered nurse to be assigned to the position. Such recommendations will be forwarded to the appropriate NPSB.

(4) **Promotion Consideration to Nurse III and Below for the Positions of Associate Chief, Nursing Service for Education; Supervisor, Nursing Home Care Unit; Assistant Chief, Nursing Service [ ]; Associate Chief, Nursing Service; and Associate Chief, Nursing Service for Research**

(a) Upon receipt of VA Form 5-97, the Human Resources Management office will retain the duplicate copy of the form as a suspense copy and forward the original to the Nurse Executive. This individual will complete the front of VA Form 10-2543. If the most recent proficiency report on file was prepared more than 6 months before the date of promotion consideration, narrative performance evaluations will be prepared by the Nurse Executive and by the Chief of Staff. These evaluations may be in the form of a supplement to the latest proficiency report. The registered nurse's file, including the personnel folder, will then be forwarded, through the facility Director, to the appropriate NPSB for consideration, after the Human Resources Management Officer has made an administrative review of the case.

(b) Following consideration by the appropriate Board, the file will be returned to the facility Director for approval or disapproval**.**

(5) **Promotions and Advancements to a Higher Level within the Grade to Nurse III and Below Other Than for Positions Identified in Subparagraph (4) Above.** (Also see appendix III-M, this part, for processing instructions.)

(a) In considering a registered nurse for promotion or advancement to a higher level within the grade, the local NPSB determines whether or not the individual meets the VA Nurse Qualification Standard requirements. If the board determines that requirements are met, the registered nurse is eligible for promotion or advancement consideration. Following consideration by the board, the file will be referred to the facility Director for appropriate action.

(b) If the employee is not promoted, the AAC will continue to send the VA Form 5-97 annually until a change in grade occurs. The VA Form 5-97 will be forwarded to the appropriate supervisory official. An employee at Nurse II and below who is not promoted or advanced to a higher level within the grade will be considered for promotion or advancement to a higher level within the grade on the next anniversary date of grade. A longer period for consideration, not to exceed 3 years, may be established by the approving authority when a registered nurse at Nurse II and below does not meet the qualification standard grade requirements of education or required experience. In these cases, the Human Resources Management office will tab the service control file and will destroy the VA Form 5-97 for the year(s) when the employee is not to receive consideration.

NOTE: *Upon completion of the degree requirement, a registered nurse or nurse anesthetist may be considered for promotion if the administrative requirements are met. This is the only time a registered nurse or nurse anesthetist may be considered for promotion other than on the anniversary date of grade.*

(6) **Waiver of Experience and /or Degree Requirements.** The appointing official may authorize a waiver of experience and/or the degree requirements for individuals whose professional accomplishments, performance, and qualifications warrant such consideration based on demonstrated ability to meet the requirements for promotion to the next higher grade or advancement to a higher level within the grade (see the VA Nurse Qualification Standard). In considering a registered nurse for promotion to Nurse III or below, the appropriate NPSB will determine whether or not the individual should be recommended for promotion or advancement to a higher level within the grade with a waiver of the experience and/or degree requirements.

(7) **Recommendations of Nurse Professional Standards Boards.** If consideration of a registered nurse promotion or advancement to a higher level within the grade by the Under Secretary for Health or designee is requested, the Human Resources Management Officer will take necessary steps to ensure that the Nurse Executive and the Chief of Staff are aware of the case and of the recommendation(s) of the appropriate Nurse Professional Standards Boards.

7. PROMOTION RECONSIDERATION AND REVIEW

a. Physicians, Dentists, Podiatrists, Optometrists, Registered Nurses, Nurse Anesthetists, Physician Assistants, and Expanded-Function Dental Auxiliaries Appointed Under 38 U.S.C. 7401(1).

(1) **Informal Discussion.** If an employee serving on a probationary appointment or who has acquired permanent status believes that the action taken to deny a promotion not requiring a waiver by the Under Secretary for Health or designee was improper, the employee may discuss the dissatisfaction with the appropriate service chief or a designee. If the employee feels that such official's explanation is not satisfactory, the employee may then discuss the action with the Chief of Staff. Through the entire informal stage of reconsideration, constructive effort will be made by the officials concerned to satisfactorily resolve the dissatisfaction. If after discussion with the Chief of Staff the employee is still not satisfied, the employee will be advised that a formal request for reconsideration may be submitted to the facility Director.

(2) **Employee's Request.** The request for reconsideration must be submitted in writing within 10 calendar days after the discussion with the Chief of Staff. It will cite the specific facts and circumstances which make the employee believe that the action was not proper; indicate the corrective action desired; and include a brief summary of the results of the informal attempts to obtain a satisfactory decision. If the request for reconsideration does not provide the information specified above, the Director will require the employee to furnish the necessary information.

(3) **Action by Promotion Approving Authority**

(a) **Facility Director as Promotion Approving Authority.** On review of the promotion file and the information provided in the employee's request for reconsideration, the Director will decide whether to refer the employee's request for reconsideration to the appropriate Professional Standards Board. The VISN NPSB will be the appropriate board for nurses if this is the board that initially considered the nurse for promotion.

1. If after referral to the PSB for reconsideration the Director agrees with the board's recommendation that the employee should be promoted, the Director will authorize the adjustment of the employee's grade.

2. If after referral to the board for reconsideration the Director agrees with the board's recommendation that the employee should not be promoted, the employee will be advised that a review of the decision by the Under Secretary for Health may be requested. The request will be made in writing through the facility Director and administration channels within 15 calendar days after the employee is advised of the decision. The complete promotion file, including the employee's personnel folder, will be forwarded by the Director.

3. If after referral to the board for reconsideration the Director disagrees with the board recommendation, the complete promotion file, including the employee's personnel folder, with the Director's comments will be forwarded to the Under Secretary for Health for action as outlined in subparagraph (4) below.

4. If after review of the promotion file and the information provided in the employee's request for reconsideration the Director still agrees with the board's initial recommendation that the employee should not be promoted and decides not to refer the employee's request for reconsideration to the board, the employee will be advised that a review of the decision by the Under Secretary for Health may be requested as indicated in subparagraph b above.

(b) **Under Secretary for Health or Designee as Promotion Approving Authority.** When the Under Secretary for Health or a designee is the promotion approving authority, the facility Director, a designee, or both, will discuss the disapproval decision with the employee. If the employee is still not satisfied, the employee will be advised that a review of the decision by the Under Secretary for Health may be requested as indicated in subparagraph (3)(a)4 above. The complete file, including the employee's personnel folder with the Director's comments and the comments of the Professional Standards Board, will be forwarded through channels to the Under Secretary for Health for review.

(4) **Action by Under Secretary for Health.** On receipt of the promotion file in accordance with paragraph (3) above.

(a) If it is determined that the employee should be promoted, the Under Secretary for Health will direct that the grade of the employee be adjusted.

(b) If it is determined that the employee should not be promoted, the employee will be advised in writing of this decision, which will be final.

(5) **Effective Date.** If upon promotion review it is determined that the employee should be promoted, the grade of the employee will be adjusted effective as of the beginning of the next pay period.

b. **Pharmacists and Occupational Therapists Appointed under 38 U.S.C. 7401(3).** The following provisions do not apply to those appointed under 38 U.S.C. 7405(a)(1)(B).

(1) **Employee's Request.** If a full-time, permanent occupational therapist or pharmacist believes denial of a permanent promotion not involving a waiver was improper, the employee must first informally discuss the action as outlined in paragraph 7(a)(1) above. Prior to the informal decision, a bargaining unit employee will be afforded the opportunity to have a union representative present at the informal discussion stage, if the employee so desires. If still not satisfied, the employee may submit a formal request for reconsideration to the approving official. If, after review of the reconsideration request by the approving official, the employee is still not promoted, the employee may request reconsideration by the appropriate VISN/Regional Board or its alternate. The request, the Board Action, the employee's personnel folder, and the facility Director's comments will be forwarded to the appropriate VISN/Regional Board for review. (If the facility Director has delegated approval authority, the approving official's comments will also be forwarded.) The VISN/Regional Board will document its findings and recommendations on the Board Action and forward the case to the appropriate Network Director (10N_/051) for final decision. (If the VISN/Regional Board made the initial promotion recommendation, the facility Director will send the reconsideration to the Central Office Board (10N_/051), which will document its findings and recommendations and send the action to the appropriate Network Director for final decision).

NOTE *The only exception to this procedure is that the second stage of any informal discussions should take place between the employee and the Assistant or Associate Director, where organizationally appropriate.*

(2) **Promotion Review.** If the approving official disagrees with the recommendation of a Board, the facility Director's comments, the Board Action, the employee's personnel folder, and related papers will be sent to the appropriate VISN/Regional Board for review. (If the facility Director has delegated approval authority, the approving official's comments will also be forwarded.) The VISN/Regional Board will document its findings and recommendations on the Board Action, and forward the case to the appropriate Network Director (10N_/051) for final decision.

NOTE: *Requests for promotion review are to be sent to Central Office Standards Board (10N_/051) if the Regional Board made the original recommendation.*

c. **Physical Therapists, Certified Respiratory Therapists, Registered Respiratory Therapists, and Licensed Practical or Vocational Nurses Appointed under 38 U.S.C. 7401(3).** The following provisions do not apply to those appointed under 38 U.S.C. 7405(a)(1)(B).

(1) **Employee's Request.** If a PT, CRT, RRT or LPN/LVN believes that a promotion denial not involving a waiver was improper, the employee must first informally discuss the action as described in paragraph 7(a)(1) above. If still not satisfied, the employee may submit a formal request for reconsideration to the approving official. If, after local review of the reconsideration request, the employee is still not promoted, the employee may request consideration by the appropriate VISN/Regional Board. The request, the Board Action, the employee's personnel folder, and the facility Director's comments will be forwarded to the appropriate VISN/Regional Board for review. (If the facility Director has delegated approval authority, the approving official's comments will also be forwarded.) The VISN/Regional Board will document its findings and recommendations on the Board Action and forward the case to the appropriate Network Director (10N_/051) for final decision. (If the VISN/Regional Board made an initial promotion review under subparagraph (2) below or because a facility Board was not available, the facility Director will send the reconsideration request to the VISN/Regional Board. If the employee is still not promoted, the employee may request consideration by the Central Office Board. The material mentioned above will be forwarded to the Central Office Board (10N_/051), which will document its findings and recommendations and send the case to the Office of Patient Care Services for final decision.)

(2) **Promotion Review.** If the approving official disagrees with the recommendation of a Board, the facility Director's comments, the Board Action, the employee's personnel folder, and related papers will be sent to the appropriate VISN/Regional Board for review. (If the facility Director has delegated approval authority, the approving official's comments will also be forwarded.) The VISN/Regional Board will document its findings and recommendations on the Board Action, and forward the case to the appropriate Network Director (10N_/051) for final decision.

d. **Approval Authority.** Network Directors are authorized to act upon requests for promotion reconsideration from employees at field facilities within the respective VISNs. This authority applies to all occupations except that of registered nurse. Requests from registered nurses and VHA Central Office employees will continue to be acted upon by the Under Secretary for Health, or designee.

8. EFFECTING ADVANCEMENT AND PROMOTION ACTIONS

a. **Effective Date**

(1) The promotion will be placed into effect by the Human Resources Management Officer on the first day of the pay period following the date of administrative approval of the promotion by the officials designated in appendix III-K, this part, but in no case earlier than the date on which all administrative requirements are met.

(2) If an employee becomes eligible for promotion while on LWOP for educational or other purposes, no action will be taken until the employee returns to duty. If the employee on return to duty meets all other requirements for promotion, an appropriate recommendation will be made. However, if promoted, the promotion will not be effected retroactively.

NOTE: *See chapter 6, this part, for effecting of promotion actions upon return from military service.*

b. **Disposition of Forms.** On completion of the promotion action, or disapproval of promotion, the original VA Form 10-2543 and any accompanying documents will be filed in a separate envelope in the employee's personnel folder.

9. ADJUSTMENT OF PROMOTIONS OR ADVANCEMENTS TO A HIGHER LEVEL WITHIN THE GRADE. Appointing officials may adjust an employee's promotion or advancement to a higher level within the grade if it is determined that such action is consistent with applicable qualification requirements. Such decisions shall consider the recommendation of the appropriate Standards Board. Actions taken under this paragraph will be effected at the beginning of the next pay period following approval.

NOTE: *Service in a lower grade prior to the grade adjustment will not be credited toward meeting the required time-in-grade for promotion.*

10. ADVANCEMENT OF RESIDENTS. Residents appointed under authority of 38 U.S.C. 7406 will be advanced in salary upon successful completion of each year of training provided the House Staff Review Committee recommends the increase and continuation of training. If the committee recommends the advancement, the effective date of promotion will be the first day following completion of each year of training. The required training may have been obtained in part from sources outside VA. (See M-8, pt. II, ch. 1.)

11. TEMPORARY CHIEF OF STAFF ASSIGNMENTS (PROMOTIONS)

a. **General.** When the position of Chief of Staff is vacant, the facility Director may request the temporary reassignment and promotion of a physician as Chief of Staff. These reassignments will be for a period not to exceed 1 year, and may be terminated prior to the expiration date.

b. **Submission of Requests.** Facility officials will continue to forward chief of staff nominations to the Management Support Office (10A2B). The chief of staff program staff in the Management Support Office will provide a technical review of the nomination, arrange for appropriate approvals and/or reviews with VHA Central Office officials as necessary, and forward the completed nomination to the Network Director for approval. Requests for temporary reassignment to chief of staff in Executive grade for renewable periods not to exceed 1 year require approval of the appropriate Network Director. Normally, these reassignments will be approved only after an employee has served in an acting capacity for at least 90 days. In exceptional circumstances, the appropriate Network Director may approve a temporary reassignment when an employee has served less than 90 days in an acting capacity.

c. **Temporary Promotion.** An employee who is temporarily reassigned to a Chief of Staff position will be advanced to the Executive grade for the duration of the assignment. On expiration or termination of the assignment, the grade and salary of the employee will be adjusted in accordance with the provisions of VA Handbook 5007, Pay Administration. In applying the provisions of this handbook, the salary will be adjusted to the salary held previously, unless a higher rate is warranted by reason of periodic step increases. On assignment, the following statement will be placed in the "Remarks" item of the SF 50-B, Notification of Personnel Action: "Employee informed of conditions of temporary grade assignment." Any request submitted under this subparagraph is also to include a request to increase the employee's special pay, if applicable.

12. DETAILS, TEMPORARY REASSIGNMENTS, AND TEMPORARY PROMOTIONS FOR REGISTERED NURSES AND NURSE ANESTHETISTS

a. **Details.** When the position of Nurse Executive, or a nurse anesthetist position at Nurse IV or Nurse V is vacant, the facility Director may detail an employee to that position. Generally, details will not exceed 90 days, and may be terminated prior to the expiration date. Under unusual circumstances, the facility Director may approve extensions of the detail in 90-day increments.

b. **Temporary Reassignments.** When a position at Nurse IV or V is vacant, the facility Director may approve the temporary reassignment of an individual into the position. Generally, temporary reassignments will be for a period not to exceed 1 year, and may be terminated prior to the expiration date. Under unusual circumstances, the facility Director may approve the extension of a temporary reassignment not to exceed 1 additional year. Normally, such temporary reassignments will be approved only after a registered nurse or nurse anesthetist has acted in the position for at least 90 days. In unusual circumstances, the approving official may approve a temporary reassignment when an employee has served less than 90 days in an acting capacity (e.g., when the position is expected to vacant for an extended period). On approval of the temporary reassignment, the following statement will be placed in the "Remarks" section of the SF 50-B: "Employee informed of conditions of temporary assignment."

c. **Temporary Promotions.** If a registered nurse is temporarily reassigned to a higher grade assignment under subparagraph b above, the facility Director may temporarily promote the individual. Such action will be taken only after the facility Director considers the recommendation of the appropriate NPSB. The facility Director may similarly temporarily promote a nurse anesthetist to Nurse IV or V after considering the recommendation of the facility PSB for nurse anesthetists. On expiration or termination of the temporary promotion, the grade and salary of the employee will be adjusted in accordance with the provisions of VA Handbook 5007, Pay Administration. The employee will be advised in writing of the conditions of the temporary promotion or assignment. In applying the provisions of this handbook, the salary will be adjusted to the salary held previously, unless a higher step is warranted by reason of a periodic step increase, special advancement, or under the highest previous step rule.

13. OTHER GRADE CHANGES

a. **Change to Lower Grade**

(1) **General.** (See subparagraphs (2) through (3) below for policy regarding specific occupations.) As provided by 38 U.S.C. 7403, the grade level and salary of an employee changed from a level of assignment where the grade is based on both the nature of the assignment and personal qualifications, may be adjusted to the grade and salary otherwise appropriate. Such action may be taken by the Secretary, upon recommendation of the Under Secretary for Health, on any physician or dentist in Director grade; by the Under Secretary for Health on any physician or dentist in Executive grade; by the Under Secretary for Health or designee for pharmacists in centralized positions and of all OTs and pharmacists in assignments at GS-13 and above, except for assistant chiefs of pharmacy service; by the facility Director for OTs and pharmacists in noncentralized assignments below GS-13 and assistant chiefs of pharmacy service at GS-13, and for RRTs, CRTs, PTs, and LPN/LVNs. Facility directors may delegate their authority to chiefs of staff for OTs, RRTs, CRTs and PTs; to chiefs of pharmacy service for pharmacists; and, to nurse executives for LPNs/LVNs.

(2) **Key Nursing Personnel (Registered Nurses Other Than Nurse Executives) and Nurse Anesthetists in Nurse IV and Above Whose Grade is Based on Both Their Personal Qualifications and Responsibilities of Their Assignment.**

(a) **Placement in a Lower Grade for the Good of VA.** Employees placed in a lower grade for reasons other than cause or at the employee's request will have their pay set at the lowest step of the lower grade which equals or exceeds their existing rate of basic pay. If there is no such step, employees are entitled to pay retention.

(b) **Voluntary Changes to a Lower Grade.** Employees who take a voluntary change to a lower grade may have their pay set at any step of the grade that does not exceed their highest previous rate. However, the employee is not eligible for pay retention, and, if the employee changes facilities, the pay rates of the gaining facility shall be applicable. The employee must submit a written request, through channels, for the employment change. The employee's signed request is to be filed on the right side of the employee's personnel folder.

(3) **Physical Therapists, Certified Respiratory Therapists, Registered Respiratory Therapists, and Licensed Practical or Vocational Nurses.** Employees appointed under authority of 38 U.S.C. 7401(3) are entitled to the following grade and pay retention provisions. Those appointed under 38 U.S.C. 7405(a)(1)(B) are not entitled to the following grade and pay retention provisions.

(a) **Erroneously Graded Assignments.** If an employee's grade is based on both the nature of assignment and personal qualifications and the assignment does not meet the requirements for the employee's grade, the employee shall be eligible for grade and pay retention if the employee has been in grade for at least 1 year. If the employee has been in grade for less than 1 year, the employee shall be eligible for pay retention, and pay shall be set in accordance with 5 CFR, part 536.

(b) **Change in Assignment.** If the duties and responsibilities of an employee's assignment change sufficiently, either through gradual erosion or planned management action, so that it no longer warrants the grade level of the incumbent, the incumbent shall be eligible for grade and pay retention provided the incumbent has been in grade for at least 52 weeks. If the employee has been in grade for less than 52 weeks, the employee shall be eligible for pay retention, and pay shall be set in accordance with 5 CFR, part 536.

(c) **Assignment Change.** If an employee is voluntarily placed in a different assignment which does not warrant the employee's current grade level, the employee will not be eligible for grade retention. The employee's entitlement to pay retention will be determined in accordance with VA Handbook 5007, Pay Administration.

(4) **Occupational Therapists and Pharmacists.** OTs and pharmacists who are not on time-limited appointments are entitled to the following grade and pay retention provisions.

(a) **Erroneously Graded Assignment.** If the employee's grade is based on both the nature of assignment and personal qualifications, and the assignment does not meet the requirements for the employee's grade, the employee shall be eligible for grade and pay retention if the employee has been in grade for at least 1 year. If the employee has been in grade for less than 1 year, the employee shall be eligible for pay retention, and the pay shall be set under 5 CFR, part 536.

(b) **Change in Assignment.** If the duties and responsibilities of an employee's assignment change sufficiently, either through gradual erosion or planned management action, so that it no longer warrants the grade level of the incumbent, the incumbent shall be eligible for grade and pay retention provided the employee has been in grade for at least 52 weeks. If the employee has been in grade for less than 52 weeks, the employee is eligible for pay retention, with pay to be set under 5 CFR, part 536. The affected employee will be notified promptly once a decision is made; for bargaining unit employees, the union will be notified at the same time as the employee.

(c) **Assignment Change for Cause or at the Employee's Request.** If an employee is changed to an assignment which does not warrant the employee's current grade level for cause or at the employee's request, the employee is not eligible for grade or pay retention.

b. **Review of Assignments of Key Nursing Personnel (Registered Nurses Other Than Nurse Executives) and Nurse Anesthetists in Nurse IV and Above Whose Grade is Based on Both Their Personal Qualifications and Responsibilities of Their Assignment.**

(1) Facility directors or officials in Central Office may request review of an assignment if they believe it no longer warrants the current grade; the assignment cannot be restructured within the requesting official's scope of responsibilities; and the employee will not voluntarily accept a change to a lower grade. Reviews are initiated if there has been a significant change in the assignment or an accretion or erosion of responsibilities results in the assignment being more appropriately placed at a different grade

(2) Recommendations related to nurse assignments will be sent to the Central Office NPSB and the Nursing Strategic Healthcare Group (051/118). Those related to nurse anesthetist assignments will be sent to the Central Office Nurse Anesthetist PSB and the Office of Patient Care Services (051/11). If it is determined that the grade is inappropriate, the correct grade will be identified and the following action will be taken:

(a) Any promotion or advancement will be effected on the first day of the first pay period following the approving official's determination.

(b) If the Central Office program official determines that the current grade is no longer warranted:

1. The facility's request is forwarded to the Assistant Deputy Under Secretary for Health (10N). This office will attempt voluntary or involuntary placement of the employee in a more appropriate assignment. If no placement opportunities are available, the request will be returned to the facility.

2. The requesting official shall reduce the employee to the appropriate grade. Such employees are eligible for pay retention.

NOTE: *Directed transfers or reductions in grade approved under this paragraph will not be considered adverse actions under 38 U.S.C. 7461, provided they are not based on charges related to conduct or performance. The actions are, however, grievable under the provisions of VA Handbook 5021 (Employee/Management Relations).*

CHAPTER 5. CONVERSIONS (TITLE 38)

1. DEFINITION. All personnel actions changing an employee from one type of appointment to another under authority of 38 U.S.C., chapter 73 or 74 and not involving a break in service will be processed as conversions except changes from or to fee-basis appointments under authority of 38 U.S.C. 7405(a)(2) and lump-sum fee-basis appointments of consultants and attendings under authority of 38 U.S.C. 7405(a)(2), and without compensation appointments under 38 U.S.C. 7405(a)(1). These actions will be processed as new appointments.

NOTE: *Conversion to another appointment giving the employee fewer rights and benefits will not be made until the employee has been advised in writing of the conditions of employment under the new appointment, and the employee has submitted a written resignation or other written evidence clearly indicating voluntary separation from the previous employment.*

2. UTILIZATION ON A FEE BASIS

a. Individuals who render service to VA on a fee basis, such as employees paid according to a schedule of fees or consultants or attendings used by letter of appointment (see part II, section G, this handbook) may not be converted to appointments under the provisions of sections 7306, 7401(1), 7401(3), and 7405(a)(1). Fee-basis employees will be terminated prior to appointment under these authorities.

b. Full-time, part-time or intermittent employees appointed under sections 7306, 7401(1), 7401(3), or 7405(a)(1), may not be converted to utilization on a fee basis. An employee must resign or the appointment must be terminated prior to rendering service on a fee basis except for instances in which dual appointment has been approved. (See part II, chapter 3, section A).

3. ACTION BY PROFESSIONAL STANDARDS BOARD

a. A PSB will be responsible for making recommendations to the approving authority concerning any conversion action to a probationary appointment under 38 U.S.C. 7401(1) or 7401(3), and on any conversion involving a change in grade and/or step rate within the grade. No action by a PSB will be required on conversion from an appointment under 38 U.S.C. 7401(1) or 7401(3) provided the employee has previously acquired permanent status under 38 U.S.C. 7401(1) or 7401(3), as appropriate, and has had continuous service under 38 U.S.C., chapter 73 or 74 since acquiring such status.

b. The board will determine that the employee's past and expected future performance and physical, mental and emotional ability warrants the change in employment status. VA Form 10-2543, Board Action, will be used to document the board's recommendation to the approving authority.

4. APPROVAL AUTHORITY. All conversion actions may be approved by the facility Director except those involving a change in grade or step rate for which the approving authority is vested in Central Office or where Central Office approval is specifically required.

5. PROCESSING REQUIREMENTS

a. Personnel actions necessary to effect conversions to appointments under 38 U.S.C., chapter 73 or 74 generally will be effective the first day of the pay period following approval of the conversion except where otherwise specified. When necessary, in order to prevent a break in service caused by the expiration of an appointment prior to the first day of the next pay period, the action may be made effective the first day following the expiration of such appointment.

b. The nature of action will indicate conversion to an appropriate excepted appointment under the authority of 38 U.S.C., chapter 73 or 74. For individuals converted to an appointment under 38 U.S.C. 7401(1), the "Remarks" section of the SF 50-B will, when appropriate, state "Appointment subject to probationary period of 2 years." When appropriate, it will also show the amount of any prior service which is creditable toward completion of the required probationary period.

c. A new application is not required for conversions when one is already on file and VA Form 10-2850, 10-2850a, or 10-2850c is not specifically required.

6. CONVERSION TO APPOINTMENT UNDER SECTION 7401(1) FROM APPOINTMENT UNDER SECTION 7306. Employees serving under section 7306 appointments will notify the Under Secretary for Health (10) if they desire full-time appointments under 7401(1). (See part II, chapter 3, section A, this handbook.) A Central Office Professional Standards Board will recommend to the Under Secretary for Health the grade and rate of pay and type of assignment which should be made on conversion. On approval of the board's recommendation by the Under Secretary for Health, personnel action will be taken to effect the conversion.

7. CONVERSION TO RESIDENCY APPOINTMENTS UNDER SECTION 7406. An employee who requests conversion to a residency appointment will apply using VA Form 10-2850b, Application for Residency. The application will be processed in accordance with provisions of M-8, part II, chapter 1.

CHAPTER 6. MILITARY LEAVE AND RESTORATION/REEMPLOYMENT AFTER SERVICE WITH THE ARMED FORCES

1. MILITARY LEAVE (also see VA Directive and Handbook 5011, Hours of Duty and Leave)

a. Military leave will be granted to VA employees who are members of the National Guard or reserve components of the Armed Forces when ordered by proper authority to active duty with the Armed Forces. For active duty, active duty training, and inactive duty training, see 5 U.S.C. 6323(a).

(1) Employees serving under temporary (less than 1 year) or intermittent appointments who are members of the National Guard or reserve components of the Armed Forces are not entitled to military leave. Temporary employees may, however, be granted annual leave or leave without pay for performance of active or inactive duty.

(2) Part-time career employees covered by chapter 34 of title 5, U.S.C., are entitled to accrue military leave on a percentage basis (PL 96-431). (See VA Handbook 5011, Hours of Duty and Leave, for VA policy concerning part-time employees appointed under authority of 38 U.S.C. 7405(a)(1)(A) to positions not limited to 1 year or less.)

(3) The employee is responsible for furnishing the supervisor with the yearly or quarterly schedule of inactive duty military drills as early as is possible so that adequate VA coverage may be arranged.

(4) The employee has an absolute right to take military leave for active duty, active and inactive duty training.

b. **Leave of Absence for Military Duty.** Employees serving under career or career-conditional appointments in the competitive service and under permanent or indefinite appointments in the excepted service shall be granted leave of absence for the following reasons:

(1) **For Induction or To Determine Physical Fitness to Enter the Armed Forces.** An employee will be granted a leave of absence for the period of time required to report for the purpose of being inducted into, entering or determining physical fitness to enter the Armed Forces. When the purpose of the absence is to determine physical fitness, absence without charge to leave is authorized for 1 day unless military pay is received for that day. For additional days and for any day for which military pay is received, the absence is charged to appropriate leave.

(2) **For Military Training.** A leave of absence will be granted upon the request of an employee who, as a reservist or member of the National Guard, is ordered to duty for active duty , active and inactive duty training, to attend service schools, training courses, etc. This includes active duty for an initial period of training of at least twelve consecutive weeks. Such leave of absence will consist of military leave (if available and applicable), annual leave, leave without pay or any combination of these types of leave.

(3) **For Extended Periods of Active Duty for Training.** An employee entering on active duty for training purposes (service schools, etc.) for a period of time which extends beyond 1-year will, however, be separated with restoration rights described in this chapter.

(4) **Absence Because of Service in Military.** The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) requires an agency to place an employee entering the military on LWOP unless the employee chooses to be placed on military leave or annual leave, as appropriate, or the employee requests to be separated.

c. **Military Separations.** In all other cases in which a reservist or member of the National Guard is inducted, enlists or is otherwise ordered to active duty for service for an extended period (usually more than 1 year) (38 U.S.C. 4321 or 4324(a) or (b)), the employee will be separated. However, the military separation date will be established so as to include any military leave to which the employee might be entitled. (See 5 CFR 353 and 4b below.)

2. ENTITLEMENT TO RESTORATION

a. Approving officials, Human Resources Management (HRM) Officers and VHA Boards (for title 38 employees) will follow the provisions of 5 CFR, part 353, which describes the general conditions under which employees who are separated to perform military duties are entitled to restoration. Employees who meet these conditions and who apply for restoration within 90 days of release from active duty under honorable conditions, or discharge from hospitalization continuing for no more than 1 year after release from active duty must be restored within 30 days after the application is received in the appropriate HRM office. If restoration is denied or is not accomplished within the time limit specified, the HRM office must take the actions indicated in 5 CFR 353.

b. Reservists (including members of the National Guard) are also granted restoration rights under the provisions of 5 U.S.C. 3551. While the restoration rights granted by title 38 United States Code apply only to employees in other than temporary positions, 5 U.S.C. 3551 applies to permanent as well as temporary (not limited to 1 year) appointments. Employees who leave non-temporary positions in VHA (those appointed under authority of 38 U.S.C. 7306, 7401(1), and without time limit under 7405(a)(1)(A)) to enter active military service are entitled to reemployment rights under applicable laws and 5 CFR 353 (See part II, this handbook). This includes leaving employment via separation or resignation.

3. ACTIONS AT THE TIME OF SEPARATION

a. **Resignation in Lieu of Separation--Military**

(1) Employees entering on extended active duty for service who wish to resign must be allowed to do so. They will be advised that if they resign to enter the Armed Forces and then decide not to enter on active military duty, they may not be entitled to restoration rights. (See subparagraph (2) below.) Except for this one fact, the action is considered the same as a "Separation--Military" and employees receive the same rights and benefits to which otherwise entitled.

(2) Employees who leave their positions for the purpose of enlisting into, entering or determining their physical fitness to enter the Armed Forces who are rejected or found not qualified shall be restored to positions for which they are qualified and which will provide them with like status and pay to their former position(s).

(3) Employees who leave their positions for reasons unrelated to military service and then enter the Armed Forces will not be entitled to restoration rights.

b. **Separation Date.** The effective date of separation of a reservist or National Guard member for military duty is the last day before the employee enters on active duty unless the employee is entitled to military leave. Before being separated the employee must be given the chance to use any military leave to which the employee is entitled. If he takes military leave and is then separated, the effective date of the separation should be the date of expiration of military leave. The personnel action will not be processed until after it is known that the employee has actually entered on active duty. The control for this date will be shown on the military orders.

c. **Records.** The specific actions required in 5 CFR 353, for checking and updating personnel records for employees covered by 38 U.S.C. 4321, et. seq., will also be taken for employees eligible under 5 U.S.C. 3551.

d. **Information To Be Furnished Employees on Separation**

(1) Employees will be advised of their responsibility for notifying the HRM office as soon as possible whether they actually enter on active duty and for keeping their mailing addresses current. The rights and benefits retained while absent for military service and available upon return to duty and the procedures for applying for restoration will also be explained with emphasis upon the time period for restoration following their separation date.

(2) Employees being separated will be advised that they will receive a lump-sum payment of annual leave unless they submit a written request to leave it in their account for use after they return to duty. They will also be told that if they elect to retain their leave, they may request a lump-sum payment at any time while they are on active duty, but once they receive the lump-sum payment the leave cannot be re-credited (22 Comp. Gen. 229). However, if the employees receive a lump-sum payment and return to civilian duty before the end of the period covered by annual leave, they will be required to repay that portion of the lump-sum payment covering the unused leave [5 U.S.C. 630(a)]. Sick leave automatically remains to their credit. When the employee returns, credit is given for military service in determining the accrual rate.

e. **Personnel Folder Maintenance.** The personnel folder will be maintained in an active file for employees separated for military service with restoration rights back to VA. When an employee does not exercise his/her restoration rights, or it is known sooner that the employee has been released from the military service and does not intend to return to VA, the personnel folder will be transferred to the National Personnel Records Center.

4. ACTIONS WHILE EMPLOYEES ARE ABSENT ON MILITARY DUTY. Employees who have restoration rights under 38 U.S.C. 4321, et. seq., must be considered for all promotions for which they would normally have been considered had they not been absent. In instances where an employee was in a position which was classified to a higher grade during his/her absence due to (1) an increase in duties or responsibilities occurring before departure for military duty, (2) a correction of a classification error, or (3) a change in classification standards, the employee must be promoted to the grade of the re-graded position. However, if the position to which the employee was assigned was classified to a higher grade during his/her absence due to an increase in duties or responsibilities after his/her departure for

military duty, there is no guarantee of promotion in the position; however, the employee must be considered for promotion to that position as though he/she were present. For title 5 employees, a promotion made while the employee is absent on military duty will be made on the day it would have been made had the employee been present. However, if the employee does not exercise his/her right to return, the promotion must be canceled. Personnel actions for separated employees will be recorded and approved on a request for personnel action form, which will be filed in the personnel folder. For title 38 employees, the effective date of the advancement will be the date the employee would have become administratively eligible and qualified for advancement notwithstanding the absence because of military service. When it is impossible to complete any board action on advancement prior to the date of reemployment, the employee will be restored to the rolls as soon as possible and in any event within 30 calendar days at the old grade with appropriate periodic step increases. If the standards board subsequently finds that the employee met the requirement for advancement during the period of military service, the advancement will be made effective retroactively to the date on which the employee became administratively eligible and qualified. Persons found administratively eligible and qualified for advancement at the time of reemployment will have their reemployment and advancement actions reported simultaneously on one SF 50-B, Notification of Personnel Action. Effective dates of advancements effected simultaneously with reemployment will be shown in the "Remarks" space on the SF 50-B.

5. PLACEMENT OF INDIVIDUALS WHOSE POSITIONS HAVE BEEN ABOLISHED

a. **Title 5.** If the employee's position is abolished during his/her absence, he/she must be assigned to another position of like seniority, status and pay. Employees may indicate the specific position(s) that they wish to be considered for during their absence and submit the list to the Chief, HRM.

b. **Title 38.** In the event a facility received notice of intent to return to VA after military service from a person who left a nontemporary position in a VA facility which has subsequently been abolished, the Director of the facility at which application is made will place the individual in another comparable position at that facility. The Director may also seek appropriate placement at another VA facility if the individual is willing to relocate. The Assistant Deputy Under Secretary for Health (10N_/051) will be advised promptly by the facility Director of any placement difficulties.

c. **Effective Date.** When the employee returns to duty, the SF 50-B will be issued with the effective date established under regulations then in effect at the time of the action.

d. **Salary Adjustment.** The employee's salary is adjusted to include any change in rate of pay granted by law during the absence on military duty.

e. **Civil Service Retirement.** If employees do not withdraw their retirement deductions, they may remain a member of the retirement system during military service, but not exceeding 5 years. This does not affect an employee's eligibility for deferred retirement if otherwise eligible (e.g., has not withdrawn retirement deductions and has at least 5 years of creditable service). If the retirement deductions are withdrawn, an employee loses all annuity unless there is later reemployment in a position subject to the retirement system.

f. **Life Insurance.** Life insurance continues during military service if the employee is on paid military leave from his/her civilian position. Although it stops when the individual enters other periods of active duty, life insurance protection continues for 31 days (but not accidental death and dismemberment insurance) along with the right to convert to an individual life insurance policy without medical examination.

g. **Health Insurance**

(1) If an employee who requests to be separated enters on active duty in one of the uniformed services for a period of time not limited to 30 days or less, the health insurance enrollment is terminated subject to the 31 day temporary extension of coverage. The enrollment is reinstated if reemployment rights are exercised by the employee upon return from military service. If the employee returns but does not exercise reemployment rights, that person must register again as a new employee.

(2) Employees (who request LWOP) who enter the uniformed services may elect to have their health insurance coverage continue for up to 12 months, and the employee continues to pay his or her share of the premium. Employees who remain in the uniformed services beyond 12 months may continue their health insurance for an additional 6 months by paying 102 percent of the premium, i.e., the employee's share, the Government's share, and a 2 percent administrative fee.

NOTE: *Title 38 employees are also eligible for promotion consideration and salary adjustment but only at the time of their return to duty. (See Paragraph 4 above)*

6. ELIGIBILITY FOR RESTORATION AFTER MILITARY SEPARATION. The basic authority for restoring employees to duty after separation for active duty with the Armed Forces is 38 U.S.C. 4321 et. seq., (formerly section 9 of the Military Selective Service Act of 1967, as Amended).

a. Most employees who enter into the Armed Forces are eligible for restoration to duty under this law. To be eligible, they must, at the time they enter the Armed Forces, be serving in other than a temporary position. They may be inductees, enlistees, or members of the National Guard or a reserve component of the Armed Forces. Their right to restoration is lost if they are released from the service under other than honorable conditions, fail to apply within the time limit prescribed or serve in excess of the time limit prescribed by law and regulations. The time limits for returning from continuous active military service to be eligible for restoration are as follows:

(1) Inductees are covered for the full period of their inducted service.

(2) Enlistees are covered for 4 years unless extended at the request of the Federal government. Even if extended the coverage does not exceed 5 years. However, the 5-year period does not include any service required (beyond 5 years) to complete obligated service (5 CFR 353.203).

(3) Other employees who enter active duty (voluntarily or involuntarily) in response to an order or call to active duty are covered for 4 years plus any additional period in which they were unable to obtain orders relieving them from active duty.

b. **Position to Which Restored Under 38 U.S.C. 4321, et. seq., Provision.** An employee seeking restoration after military service has a right to a position of like status and pay unless unable to perform the duties of the position, in which case he/she will be restored to the best available position for which the employee meets the minimum qualification and physical requirements. The regulations do not require medical examinations of employees applying for restoration. Employees will normally be restored to the position they left. However, since the expiration of the Whitten Amendment there is no positive requirement for obligating a position vacated by a permanent employee called to military service. If the position was changed to a lower grade, is not available because it is filled by an employee with higher retention standing or has been abolished, the employee will be placed, if otherwise qualified, in another position of the same status and pay held at the time of separation. If the facility has been deactivated, the specific department or staff office with field facility units (i.e., Office of Inspector General, Office of General Counsel) or if the position was not under any of the above, the Central Office Human Resources Service will assume responsibility for assuring the employee is restored to a position of the same status and pay as the one left.

c. **Time limit of applying.** The time limit for inductees and enlistees for making application for restoration is within 90 days of the release from military service or discharge from hospitalization continuing for no more than 1 year from release.

7. RESTORATION AFTER UNIFORMED SERVICE. Eligible employees entitled to restoration under 5 CFR 353 that believe the department has not complied with the law or with OPM regulations governing restoration rights may file a complaint with the Department of Labor's (DOL) local Veterans Employment and Training Service (VETS) Office or appeal directly to the Merit Systems Protection Board (MSPB).

a. **Appeals to the Department of Labor (Taken from OPM's Vet Guide).** An eligible veteran may file a complaint with the local VETS office within 45 days of an agency action regarding the following issues:

(1) Agency failure to list with OPM and the State Employment Service, as required by 5 U.S.C. 3327(b), competitive vacancies for which it is soliciting "outside" candidates;

(2) Agency failure to accord veterans' preference in initial employment to a veteran who is entitled to preference under 5 U.S.C. 2108, or

(3) Agency failure to promote the maximum of employment and job advancement opportunities for disabled veterans and veterans eligible for a Veterans' Readjustment Appointment as required by 38 U.S.C.

b. A**ppeals to the Merit Systems Protection Board.** An eligible employee who is entitled to restoration under 5 CFR 353 and who properly applies for restoration may appeal within 20 calendar days of the agency action to the MSPB for any of the following reasons:

(1) A failure by the department to restore the employee within 30 days after application provided an appeal is made within 20 calendar days of the expiration of the 30 day period.

(2) A determination by the department that it is infeasible to restore the employee,

(3) A refusal by the department to restore the employee, and

(4) An improper restoration by the department.

If the department is abolished and its functions not transferred, an employee is entitled to request that OPM find him or her employment.

APPENDIX A. PROBATIONARY PERIOD FOR FIRST-TIME SUPERVISORS/MANAGERS

1. SCOPE

a. This appendix contains policies and procedures pertaining to the probationary period required of all first-time supervisors and managers in the competitive service.

b. It does not apply to excepted service employment in the Veterans Health Administration under 38 U.S.C., chapter 73, 74 or 78 authorities. Also excluded are those positions excepted when filled by a particular group of persons such as those who are severely physically disabled, and those positions excepted under 5 CFR 302.101(c).

2. POLICY. The success or failure of VA's mission of providing high quality health care and benefits programs for veterans is dependent, to a large extent, on the caliber of our supervisors and managers. Incumbents of these positions must possess unique skills and abilities which cannot readily be taught or developed in other kinds of positions. A probationary period provides the opportunity for assessing the new supervisor's or manager's performance on the job, and includes procedures for the return of such employees to nonsupervisory or nonmanagerial positions in instances where they fail to successfully complete the required probationary period. Generally, this probationary period is required for all those individuals whose initial assignment to a supervisory/managerial position occurred on or after August 11, 1979.

3. AUTHORITY. This requirement is established by section 5 U.S.C. 3321 and 5 CFR, part 315, subpart I.

4. DEFINITIONS

a. "Supervisory" and "managerial" positions have the meaning given them in OPM's General Schedule Supervisory Guide.

b. For wage system positions, "supervisory positions" have the meaning given them in the OPM's Federal Wage System Job Grading Standard for Supervisors.

c. A supervisory/managerial probationary period under 5 U.S.C. 3321 and 5 CFR, part 315, subpart I means: The first year of service as a newly appointed supervisor or manager in the competitive service.

d. A probationary period under 5 CFR, part 315, subpart H, and Civil Service Rule 2.4 means: The first year of service following appointment of an employee who has been given a career-conditional (or career, if applicable) appointment in the competitive service before competitive status is acquired.

5. BASIC REQUIREMENTS AND LENGTH OF PROBATIONARY PERIOD

a. The general requirement is that an employee must serve a 1-year probationary period upon initial assignment to a supervisory and/or managerial position. Exemptions and exceptions to this requirement are as follows:

(1) Employees who, as of August 11, 1979, were serving or had served in Federal civilian supervisory or managerial positions are exempt from this requirement. This means that a present or former supervisor is not subject to a probationary period for supervisors, and a present or former manager is not subject to a probationary period for either managers or supervisors. However, a present or former supervisor who is assigned to a managerial position on or after August 11, 1979, is subject to a probationary period for managers unless an exception is made under the following provisions.

(2) The exemption from serving a probationary period in a supervisory or managerial position also applies to employees who, prior to August 11, 1979, served on a temporary assignment in a supervisory or managerial position, provided (a) they were officially assigned to the position (service while on a detail does not count) and (b) the temporary assignment was in excess of 120 days. Such individuals who served as supervisors, however, will be required to serve a probationary period upon initial assignment to a managerial position unless an exception is made under the following provisions.

(3) Supervisors who have fulfilled a subpart I (5 CFR, part 315) probationary period requirement and are later placed in managerial positions without interruption of the period may be excepted from serving a probationary period of managers when justified on the basis of demonstrated performance and experience. When the subpart I requirement has not been completed at the time a supervisor is placed in a managerial position without a break in service, the employee must serve a full probationary period in the managerial position, unless service as a supervisor is credited, as an exception, towards completion of the managerial probationary period. A recommendation for an exception from the appropriate immediate higher level supervisor will be forwarded to the next higher managerial official for approval. The managerial candidate's composite qualifications must indicate possession of the necessary knowledges, skills, and abilities and that the employee has received supervisory and other appropriate training which will enable the employee to perform the duties successfully.

NOTE: *Where a supervisor has not completed the subpart I supervisory probationary period at the time of placement in a managerial position without interruption of the period, the time spent in the supervisory probationary period may be credited towards completion of the managerial probationary period requirements under the criteria and procedures for exceptions described above.*

(4) Requests for such exceptions will be approved by the facility Director for decentralized positions. Exceptions for occupants of centralized positions and noncentralized positions in VA Central Office will be approved by the appropriate Administration or Staff Office Head or designee, based on recommendations and certifications by appropriate program officials.

(5) Where an administration/staff office head directly supervises subordinate managers, the administration/staff office head may approve such exceptions without higher level concurrence.

b. An employee whose initial appointment is to a position which is both supervisory and managerial is required to complete a single probationary period for a supervisor or manager.

c. If, upon appointment, a supervisory or managerial employee is required to serve concurrent probationary periods under subpart H and I, 5 CFR, part 315, of the regulations, then the subpart H probationary period takes precedence and the satisfactory completion of this probationary period fulfills the requirements.

d. An employee serving a probationary period under subpart H and subsequently assigned as a supervisor or manager must complete the remaining part of the subpart H probationary period as well as the full 1-year probationary period established under the provisions of subpart I for supervisors and managers.

e. An employee serving a managerial or supervisory probationary period under subpart I who is reassigned to another managerial or supervisory position before the completion of the probationary period will have the time spent in the prior position credited toward meeting the 1-year probationary period requirement.

f. An employee who has completed a managerial probationary period and is later assigned to a supervisory position is not required to complete a new probationary period (5 CFR 315.904). However, when an employee serving in a managerial probationary period is assigned to a supervisory position before completing the managerial probationary period, the time spent in a managerial probationary period is creditable towards completion of the probationary period in the new supervisory position.

g. The following types of service are applicable towards meeting the probationary period requirements:

(1) Service by an employee on a temporary appointment, promotion or reassignment to a supervisory/managerial position on or after August 11, 1979 (except where exempt under the provisions in paragraph d(1)(b) above), whose assignment later becomes permanent is creditable towards completion of the required probationary period in that position, provided:

(a) The temporary service is immediately prior to the permanent assignment and there is no break in service, and

(b) The individual was officially assigned to the position (time spent on detail to a position is not creditable).

(2) Absence in a nonpay status while on the rolls (other than absence because of compensable injury or military duty) is creditable up to a total of 22 workdays. Any nonpay time in excess of the total 22 workdays extends the probationary period by an equal amount.

(3) Absence (whether on or off the rolls) due to compensable injury or military duty from which the employee is entitled to restoration rights or priority consideration under 5 CFR , part 353 is creditable in full.

(4) A probationary period which is interrupted by intervening service in a nonmanagerial or nonsupervisory position or a break in service is not creditable toward completion of that or any subsequent probationary period. Following such an interruption or break in service, the individual must serve a completely new probationary period.

h. Completion of the probationary period is documented in the employee's personnel folder. VA Form 4645a, Request for Review of a Supervisory/Managerial Employee's Probationary Period, will be used for obtaining the supervisor's certification.

i. PAID reporting procedures for the supervisory/managerial probationary period are contained in VA Manual, MP-6, part V, supplement No. 1.5.

6. EVALUATION DURING PROBATIONARY PERIOD

a. Performance of first-time supervisors/managers will be evaluated against written performance standards in effect at the time of entry into a position. These requirements will be developed using the principle of critical elements in conjunction with the performance appraisal system contained in VA Directive and Handbook 5013, Performance Management Systems, and will include specific performance expected relating to equal employment opportunity responsibility. Written critical element identification and performance standards must be developed within 60 days following the assignment. After the employee has completed at least 4 months but not more than 6 months in the assignment, a placement follow-up will be conducted. In order to assess the employee's performance and adjustment in the job, the facility HRM office will ensure that a placement follow-up is conducted. Where significant deficiencies are noted, the employee will be counseled and appropriate courses of action leading to desired improvement considered. The follow-up form, VA Form 5-97, Notice of Pending Personnel Action, normally will be annotated to show that the follow-up was made, and only significant results will be recorded. Employees will be kept informed by their immediate supervisors on a regular basis about their performance, their strengths, and areas in which improvement is needed or is a realistic goal for both the employee and the organization.

b. The immediate supervisor of first-level supervisors/managers must forward through channels to the appropriate higher level supervisor (i.e., service/division chief, Director, administration or staff office head), normally no later than the end of the 10th month, a signed statement certifying that the performance of supervisory or managerial responsibilities of the individual has been found to be either satisfactory or unsatisfactory. Each certification must contain a recommendation as to whether the individual should be retained in the position beyond the probationary period. The appropriate higher level supervisor will either approve or disapprove the immediate supervisor's recommendation. Where disapproval is indicated, the basis for the decision must also be stated.

c. If it is determined that the employee should not be retained in the position beyond the probationary period, the determination must indicate the specific performance standards not met which make the person unsuited for continued employment in the supervisory or managerial position. (See VA Handbook 5013, Performance Management Systems.)

d. Satisfactory certifications will be filed on the left side of the employee's personnel folder.

APPENDIX B. TIME-IN-GRADE RESTRICTIONS (TITLE 5 – 5 CFR, PART 300, SUBPART F)

1. PURPOSE. This appendix contains current VA policy on time-in-grade (TIG) restrictions for promotions to General Schedule positions in both the competitive and excepted service.

2. APPLICABILITY OF TIME-IN-GRADE RESTRICTIONS. The provisions of the TIG restrictions as set forth in 5 CFR, part 300, subpart F, govern advancement to General Schedule positions in the competitive service only. In VA, however, these regulations have been extended to advancement to excepted service positions that are subject to the General Schedule. Although the TIG restrictions are not applicable to positions outside the General Schedule (e.g., wage system jobs); noncompetitive actions in wage system jobs or between wage system jobs and General Schedule positions must be consistent with competitive merit principles even in the absence of specific controls or restrictions on excessively rapid promotions. 5 CFR 330.501 provides instructions on the Office of Personnel Management's separate but related time-after-competitive appointment requirement.

3. GENERAL RESTRICTIONS. The application of the general restrictions will be as outlined in 5 CFR 300.602 and 300.604.

4. VA EXCEPTIONS TO TIME-IN-GRADE RESTRICTIONS. In addition to TIG exceptions listed in 5 CFR 300.603, the following conditions are applied in VA:

a. **Persons Within Reach on a Register.** The TIG restrictions do not apply to persons who are within reach on an appropriate register maintained by a VA Excepted Board of Examiners for an excepted service position provided that all other statutory and regulatory requirements are met.

b. **Promotions in Accordance With a Training Agreement.** Employees who are being promoted under the terms of a training agreement which provides for an exception to normal TIG restrictions because of an accelerated rate of training are not subject to the TIG restrictions. Such agreements will be approved by the Administration Head subject to concurrence by the Office of Human Resources Management, Human Resources Management Programs and Policies Service (051). However, an employee may not be promoted more than two grades in 1 year solely on the basis of a training agreement or a series of training agreements.

5. AUTHORITY TO WAIVE TIME-IN-GRADE RESTRICTIONS. The Secretary may waive TIG restrictions for competitive and excepted service positions for advancements of not more than three grades during any 1 service year to avoid undue hardship or inequity in an individual case of a meritorious nature. Requests for such waivers should be submitted as outlined in paragraph 6 below.

6. SUBMITTING REQUESTS

a. Requests for waivers of TIG restrictions must be submitted over the signature of a field facility director, or Administration Head, as appropriate. Such requests must contain documentation fully supporting the request and will be forwarded through channels to the Office of Human Resources Management, Human Resources Management Programs and Policies Service (051) for technical review,

recommendations, processing and maintenance of records. Before forwarding requests to VA Central Office for consideration, signatory officials will carefully review them to ensure that all other requirements for promotion, including quality and length of experience requirements contained in the appropriate qualification standard, are met.

b. The following minimum records will be maintained by the Human Resources Management Programs and Policies Service (051), Office of Human Resources Management, for each action taken under this authority: (1) type of action taken; (2) processing time for taking the action; (3) name of person authorizing the final action; (4) date of the decision on the action; and (5) a brief statement of the rationale for the decision. These records will be kept and available for audit by OPM for at least 2 years. Additionally, the monitoring process may require information concerning problems and/or benefits which may result from use of this authority.

7. INAPPROPRIATE USE OF TIG WAIVER. A TIG waiver is not to be used to provide early promotions in recognition of an employee's outstanding performance of official duties. Outstanding performance should be recognized through such measures as quality step increases, superior performance awards or other appropriate special achievement awards. A justification citing high level performance, dedication and/or demonstrated potential to work at a higher grade will not normally support a TIG waiver.

8. CLARIFICATION OF APPLICABLE TERMS. In applying TIG restrictions, the following principles will be used in VA for both competitive and excepted service employees:

a. **Excessively Rapid Promotion.** The basic intent of the TIG restrictions is to prevent "excessively rapid promotion." Excessive in these instances refers to any proposed advancement which outstrips reasonable expectations of growth in job demands or employee competence. For example, any promotion of more than two grades or any request involving a second TIG waiver for the same person would normally be considered excessive.

b. **Hardship or Inequity.** In interpreting these terms, hardship basically refers to the effect on the Department's mission while inequity refers to a burden on the employee.

c. **Undue Hardship or Inequity.** The excessiveness or unreasonableness of the hardship to the agency and/or inequity to the employee must be fully documented. Typically, an undue hardship or inequity must be one that is unusual or extraordinary and not one which other employees in the same or similar situation and/or grade level are normally required or expected to undergo on a regular basis. Such an undue hardship or inequity must be both unavoidable and uncorrectable through valid actions other than a TIG waiver. If the situation the facility wishes to have redressed resulted from planned management action or from failure to exercise proper position management, or if it can be corrected by job restructuring or redistribution of work, consistent with classification requirements, then no undue hardship or inequity exists. Moreover, undue hardship or inequity normally occurs only when all other requirements for promotion other than TIG have been met.

d. **Individual Case of Meritorious Nature.** Each request for a waiver is considered on its own merits. Although waiver requests resulting from a reclassification or a reorganization may cover a number of employees whose situation is identical, approval of such requests covers only the employees specified and does not confer blanket authorization to grant exceptions to other employees in similar positions. In the case of a promotion action, an approved waiver applies only to the specific promotion action for which it is authorized and may not be used to cover subsequent promotion of another employee to the same position. Approval for a particular position or situation does not set a precedent for approval of requests involving similar positions or situations.

APPENDIX C. INTERCHANGE AGREEMENTS

1. PURPOSE. This appendix outlines changes resulting from three interchange agreements between VA and Office of Personnel Management (OPM) negotiated under provisions contained in Executive Orders 9830 and 10577, Civil Service Rule 6.7. Two agreements allow for movement of personnel employed under 38 U.S.C. 7401(1) and 7401(3) in Veterans Health Administration (VHA) and the competitive civil service. The third agreement allows for movement of personnel employed under 38 U.S.C.7802 in the Canteen Management Program of the Veterans Canteen Service (VCS) and the competitive civil service. Employees must have at least 1 year of continuous service in order to be covered by the terms of these agreements.

2. INSTRUCTIONS. Following are implementing instructions regarding program areas affected by the agreements:

a. **Coverage**

(1) Appointments under 38 U.S.C. 7401(1) are limited to physicians, dentists, nurses, nurse anesthetists, podiatrists, optometrists, physician assistants and expanded-function dental auxiliaries employed on a full-time basis. Appointments under 38 U.S.C. 7401(3) are limited to full-time, permanent certified respiratory therapists, registered respiratory therapists, licensed physical therapists, licensed practical or vocational nurses, pharmacists and occupational therapists. The Canteen Management program includes those individuals employed under 38 U.S.C. 7802 as Canteen Officers, Assistant Canteen Officers, and Assistant Canteen Officer Trainees.

(2) Employees involuntarily separated without personal cause from qualifying positions (described in subparagraph a(1) above) may be appointed non-competitively within 1 year of the separation period.

b. **Consideration for Conversion to a Competitive Service Appointment.** The following procedures will be used when the Director or designee has determined that employees covered by these interchange agreements are to be considered for competitive service positions:

(1) If the competitive service position does not provide promotion or placement in a position with promotion potential, qualified excepted service employees covered by the interchange agreements may be selected and converted to the competitive service position without competition. If an increase in pay will result, it is considered a promotion and competition under the appropriate merit promotion plan for competitive service positions will take place as described in the next paragraph.

(2) If the competitive service position provides promotion or placement in a position with higher promotion potential, qualified excepted service employees covered by the interchange agreements will be rated and ranked along with competitive service employees. Excepted service and competitive service employees will be referred on separate certificates when a panel is required. The selecting official may select from either certificate. (See chapter 3 of this part).

NOTE: *For VHA policy regarding the utilization of title 38 employees (appointment/assignment to non-clinical duties), see appendix III-N.*

c. **Appointment to Positions Under 38 U.S.C. 7401(1) 7401(3) and 7802**

(1) Civil Service Rule 6.7 allows OPM and any Federal agency having an independent merit system (e.g., title 38, United States Code), to enter into an agreement providing for the movement of persons between the competitive civil service and the independent system. Under provisions of the agreements between VA and OPM, personnel employed under 38 U.S.C. 7401(1) and 7401(3) and in the Canteen Management program may apply for competitive service positions. However, the "interchange" agreements also include procedures which competitive service employees should follow in applying for positions in the independent merit system (in this case, positions in the Canteen Management program and those filled under 38 U.S.C. 7401(1) and 7401(3)).

(2) Competitive service employees applying for positions filled under 38 U.S.C. 7401(1) or 7401(3) will be appointed in accordance with the provisions of chapter 4 of this part. Employees will be appointed at the grade and step for which they qualify based on the recommendation of a Professional Standards Board for 7401(1) appointees or 7401(3) appointees, and approval by the appropriate authority. Competitive service employees must have completed the 1-year probationary period required in connection with their career-conditional or career appointment before they may be appointed to title 38, United States Code positions under the authority of these interchange agreements. However, the agreements do not preclude the appointment under 38 U.S.C. 7401(1) or 7401(3) of qualified competitive service employees at any time, outside the terms of these agreements, using appropriate procedures specified in part II, chapter 3, this handbook.

(3) Competitive service employees applying for positions in the Canteen Management program should submit an employment application to VCS in St. Louis, Missouri. Such employees must have completed the 1-year probationary period before they can be appointed to positions in the Canteen Management program under authority of the interchange agreement. The interchange agreement does not preclude the appointment of qualified competitive service employees at any time outside the terms of the agreement.

d. **PAID Instructions.** SF 52, Request for Personnel Action, for conversions under the interchange agreements, will be prepared in accordance with instructions in VA Manual MP-6, part V, supplement No. 1.5.

APPENDIX D. SAMPLE REFERRAL CERTIFICATE

DEPARTMENT OF VETERANS AFFAIRS
SAMPLE REFERRAL CERTIFICATE

Part 1 – To Be Completed By Human Resources Management Office

1. To: Office of Administration
Division of Management Operations, Operations Section

2. Announcement No. *OA-00-20*

3. POSITION TO BE FILLED (Title, series, grade, organization and location)
Management Analyst, GS-343-12
Office of Administration, Division of Management Operations
Operations Section, VAMC Richmond, VA

4. BEST QUALIFIED CANDIDATES DETERMINED BY (Check applicable box):

Human Resources Specialist Subject-Matter Expert Recommending Officials
Selecting Official Rating and Ranking Panel

5. QUALIFIED CANDIDATES: In accordance with the procedures of the Merit Promotion Plan, the following candidates, listed in alphabetical order, have been determined to be qualified for this position: Employment applications and/or Professional/Technical Resumes (as appropriate), Supervisory Reference and Qualifications Analysis Forms and Narrative Qualification Statements for KSAOs for each of the qualified candidates are furnished for your review and consideration. After evaluating the credentials of each qualified candidate, please distinguish the best qualified candidates by annotating BQ beside their name. Selection may only be made from among the BQ candidates. Please indicate the name of the candidate you have selected in Part II below.

MERIT PROMOTION CANDIDATES		NONCOMPETITIVE CANDIDATES	
Name(s)	Grade Level(s)For Which Referred	Name(s)	Grade Level(s) For Which Referred
		30 % Disabled Eligibles	
Applecart, Upseta	*12*	*Creamcheese, Susie*	*12*
Buffalo, Bill	*12*		
Unicorn, Cornelia	*12*		
		Reinstatement Eligible	
		Petty, Peter	*12*
		Thief, Paul	*12*
		Wood, Mary	*12*

SAMPLE

Betty Boop, Staffing Specialist, (345) 861-2828
Human Resources Specialist (Name, Title and Telephone Number) Signature and Date

Part II – To Be Completed By Selecting Official

6. TO THE HUMAN RESOURCES MANAGEMENT OFFICE:

I have considered each of the best qualified candidates and evaluated their credentials relative to the quality ranking and/or selective placement factors specified in the merit promotion announcement. Based upon this review:

I have selected *Susie Creamcheese* for the following specific reasons:
She demonstrated through the performance-based Interview process that she possessed extensive knowledge of current VAMC construction projects, including budgetary estimates and justifications for expansion. This knowledge is critical to the Division of Management Operations' goal of reducing overhead and eliminating the purchase of excess materials.

I did not make a selection (state reasons for non-selection and, if applicable, the further recruitment action(s) desired.)

Roger Rabbitt, Supervisory Management Analyst
(Selecting Official Name and Title) (Signature & Date)

APPENDIX E. MERIT PROMOTION PLAN FOR COMPETITIVE POSITIONS CENTRALIZED TO THE SECRETARY

1. SCOPE

a. This section contains the merit promotion plan for all competitive service positions centralized to the Secretary except for those positions in the Secretary's office below grade GS-15 which are covered by Central Office promotion plans. This section also includes those positions specifically designed to train or develop employees for placement into such positions. There may be instances, when simultaneous consideration for promotion or for assignment to positions with higher known promotion potential of certain excepted service employees (e.g., Schedule A, title 38, etc.) is desirable. When such concurrent consideration occurs, the same rating and ranking criteria will apply to both types of appointees, thereby affording consideration of both groups for promotion on separate referral certificates. (For Senior Executive Service positions, refer to VA Directive and Handbook 5027.)

b. The procedures of this plan apply to the following actions:

(1) Promotion;

(2) Reassignment or change-to-lower grade to a position with greater known promotion potential than the current position (except as permitted by reduction-in-force regulations);

(3) Selection for training which is part of an authorized training program or required before an employee may be considered for a promotion;

(4) Transfer of an employee from another Federal agency to a higher grade VA position, or to a VA position with higher known promotion potential than his/her current position;

(5) Reinstatement, including those made from reemployment priority lists, to a permanent or temporary position at a higher grade than the last grade held in a non-temporary position in the competitive service, or to a position with higher known promotion potential than the last non-temporary competitive service position held;

(6) Selection for details of more than 120 days to a higher grade position or a position with higher known promotion potential (5 CFR 335.103(c)(ii), and chapter 3 of this part);

(7) Temporary promotion for more than 120 days (all prior service by detail to higher grade and by temporary promotion, whether competitive or noncompetitive, during the preceding 12 months is to be counted toward the 120-day time limit);

(8) Promotion resulting from a position being upgraded due to the addition of duties and responsibilities; when a career promotion is determined not to be appropriate. (See paragraph 11 of this appendix for a discussion of career promotions under these circumstances.)

c. This merit promotion plan applies to the actions specified in subparagraph b above. Management retains the right to fill positions by any appropriate recruitment method, such as reassignment, appointment, promotion, transfer, reemployment, reinstatement or change-to-lower grade. The decision as to which method(s) to use (singly, in any sequence, or concurrently in any combination, or to change at any time from one method to another) will be made by management for each vacancy. Management also retains the right to determine the number of positions to be filled and the grade levels at which positions will be announced or filled.

2. REFERENCES

a. VA Handbook 5005

b. Central Office Operating Instructions, OI-1, part V, chapter 6.

3. POLICY

a. Selections under the competitive procedures of this plan will be made from among the best qualified candidates available.

b. All actions under this plan will be based on job-related selection criteria and will be made without discrimination for such reasons as race, color, religion, national origin, sex, lawful political affiliation, marital status, non-disqualifying physical or mental handicap, age, or membership or non-membership in a labor organization.

c. It is the policy of the Secretary to identify, develop and advance employees who demonstrate the potential to assume positions of increased responsibility. However, the Secretary recognizes the need to assimilate high quality talent which may become available from other sources and the need to meet the goals of the Federal Equal Opportunity Recruitment Program. Thus, persons outside VA may be considered and selected for positions covered by this plan when a determination is made that the best interests of VA will be served.

d. Officials at any level who are involved in the promotion process will not commit acts of personal favoritism, nepotism, unlawful reprisal, or any other practice which violates merit system principles as described in VA Directive 5005. Actions taken under this plan will conform to requirements governing employment of relatives (5 CFR, part 310 and VA Directive and Handbook 5025, Legal).

e. Employees will not be denied a position change covered by this plan by reason of difficulty in replacing them.

4. RESPONSIBILITIES

a. All staff and line officials who participate in the identification, evaluation, ranking, referral, and selection of candidates will become familiar with the provisions of this section, and will strive not only to comply with its literal provisions but also to achieve its objectives.

b. The Secretary retains the authority to make final selections for positions under this plan.

c. Appropriate Central Office officials are responsible for ensuring the completion of the job analyses for positions covered by this plan in a timely manner.

d. Management officials are responsible for nominating candidates for the approval of the Secretary in accordance with the provisions of this plan and the procedures for submitting nominations of candidates for the Secretary's approval contained in Central Office Operating Instructions, OI-1 part V, chapter 6.

e. Top management officials at facility and Central Office levels are responsible for providing guidance and counseling to employees about development and career advancement. This is an important responsibility and challenge for all line and staff officials.

f. Employees who expect to advance their careers must apply themselves diligently, produce qualitative results, and recognize that preparation for more responsible assignments is to a large degree a matter of self-development. Employees who desire consideration for specific announcements are responsible for furnishing accurate information reflecting their pertinent qualifications.

g. Employees on official absence for an extended period who desire consideration for centralized vacancies advertised in their absence are responsible for: (1) identifying such positions by titles (organizational/classification), series, grade and geographic location on a written request submitted directly by employees, or given to their supervisor if they wish their names to be submitted for them; and (2) timely submission to the appropriate office of their application and/or other background information required for consideration. Official absence includes detail, leave, training, military service with restoration rights, absence due to compensable injury, Intergovernmental Personal Act assignments, etc. (See chapter 3 of this part.)

h. Supervisors are responsible for the timely submission of the names of employees from whom they have received written requests in accordance with subparagraph g above.

5. AREA OF PROMOTION CONSIDERATION

a. Normally, the area of promotion consideration for the positions covered by this plan will be VA-wide.

b. If determined necessary by the appropriate Administration Head, Assistant Secretary or Other Key Official (e.g., General Counsel) for substantive reasons comparable to those cited in chapter 3, paragraph 7c of this part, the area of promotion consideration for individual centralized vacancies may be smaller than VA-wide. Reasons for restricting the area of consideration will be documented and submitted with the nomination records for approval by the Secretary.

6. QUALIFICATION AND ELIGIBILITY REQUIREMENTS

a. To be promoted, candidates must meet the minimum qualification requirements established for the position by VA or the Office of Personnel Management (OPM's Operating Manual – Qualification Standards for General Schedule Positions), including any selective placement factors (see paragraph 6b

below), as well as any applicable statutory and regulatory requirements such as those covering time-in-grade.

b. When there are special placement factors which are not adequately covered by the minimum qualification standard and which were identified by a job analysis as essential to successful performance in the position to be filled, they become selective placement factors and, as such, constitute a part of the minimum requirements for the particular position. Licensure, registration, certification or organization membership which is not required by the appropriate qualification standard will not be used as selective placement factors.

c. Written tests will not be used in evaluating the qualifications of any applicant unless required by the OPM or approved for use by the Director, Human Resources Management Programs and Policies Service (051).

7. LOCATING CANDIDATES. Specific information for candidates on application procedures will be contained in VA-wide publicity. Candidates may be located by several different methods. Normally, vacancies will be publicized individually by announcements issued in the Weekly Summary Bulletin. Other sources of candidates may include reinstatement eligibles and employees from other agencies. Information regarding other methods for locating candidates, when used, will be communicated through appropriate channels.

8. EVALUATION AND RANKING PROCEDURES

a. Evaluation procedures will meet the requirements of 5 CFR, part 335. See chapter 3 of this part and appendix III-G and III-I. Evaluation criteria used to rate candidates will be expressed in a crediting plan resulting from a job analysis of the position, or class of positions, to be filled.

b. When there are 10 or fewer qualified promotion candidates, they may be referred to the selecting official for final consideration without rating or ranking. Before making a selection, however, the best qualified candidates must be identified. The provisions of chapter 3, paragraph 11 of this part must be adhered to.

c. An HRM Office representative will conduct the job analysis using available informational material on the position(s), normally with the assistance of a panel, which will usually consist of at least two subject matter experts (SMEs). In those few instances in which appropriate SME participation cannot be obtained, the circumstances will be documented as part of the crediting plan's background records. SMEs are persons with direct knowledge of what is done in the job, what KSAOs are required to perform the job, and the general background of persons who are able to do the job successfully. This may include those currently doing the job, recent incumbents, those who supervise or have recently supervised others doing the job, and other acknowledged job experts. SMEs must be (or have been) at least equal in grade to the position being analyzed, or equal to the highest grade if a class of positions is being analyzed. Assignment of SMEs for positions within their organization will be determined by the appropriate Administration Head, Assistant Secretary or Other Key Official.

d. The crediting plan will consist of several rating factors on which applicants are evaluated to distinguish superior or high quality candidates from acceptable ones. The rating factors will consist of knowledges, skills, abilities, and other characteristics (KSAOs) which: (1) are relevant to successful performance upon entry into the job; (2) are measurable; and (3) are observable.

NOTE: *See paragraph 8k(2) below for guidance on the term "high quality."*

e. Unless dictated otherwise by the results of the job analysis, the rating factors will be supported by three quality level descriptions. These quality levels will further define the rating factor by giving concrete examples of various proficiency levels in terms of observable behaviors, past experiences, quality of performance, pertinent education and training, etc. Point credit for each rating factor will be awarded as follows:

Level A (Superior)	5 Points
Level B (Average)	3 Points
Level C (Acceptable)	1 Point

However, the above crediting system does not preclude the weighting of certain rating factors when justified by the job analysis (or other pertinent job-related information), or crediting four (4) points or two (2) points when the promotion panel determines that a candidate falls between two (2) levels on a particular rating factor.

f. Rating factors or quality level descriptions will not prescribe point credit based on a certain number of points or a certain percentage of points for each source of information (i.e., supervisory appraisal, experience, education, training, awards, etc.). Rating factors or quality level descriptions will not refer to length of service, length of education, licensure, registration, certification or organization membership, unless the job analysis and accompanying documentation show the item to be a valid, job-related factor which enhances a candidate's ability to perform the duties of the job to be filled.

g. Crediting plans will be periodically reviewed for both (1) currency of the tasks and KSAOs and (2) effectiveness in distinguishing superior (or high quality) candidates from acceptable ones for the subject positions. If necessary, based on such job-related review and any needed supplemental SME information, officials of the Central Office Human Resources Service (035) and the appropriate Administration Head, Assistant Secretary or Other Key Official may revise the crediting plans accordingly for future application to better achieve the above two objectives.

h. The Central Office Human Resources Service will convene a promotion panel, which will be normally composed of at least two (2) SMEs to evaluate candidates against the criteria described in the crediting plan. SMEs must be at least equal in grade to the position being filled. Assignment of SMEs for positions within their organization will be determined by the appropriate Administration Head, Assistant Secretary or Other Key Official (e.g., General Counsel). When a crediting plan has been developed from the job analysis of a class of positions, the promotion panel, using appropriate SME information provided by one of the above officials or his/her designee, may modify the crediting plan for the position to reflect the relevant tasks and KSAOs not identified in the original class analysis.

i. A member of the Central Office Human Resources Service will be available to provide technical guidance and assistance to each promotion panel or may participate in the rating process.

j. All present at promotion panel meetings are prohibited from revealing information of a confidential or personal nature about any candidate which may be gained during the deliberation process, and may be subject to disciplinary action if such information is improperly divulged.

k. Candidates will be evaluated on the extent to which their experience, education, appraisals, training, awards, and outside activities taken as a whole show possession of the KSAOs in the rating factors used. Ratings will be based on all relevant information which a candidate has submitted, and when appropriate, such other tools as job-related interviews, reference checks, and work samples. This combined information will be evaluated against the quality level descriptions for each of the rating factors used. Each candidate's total point credit will be the sum of points awarded for each of the rating factors. Since the number of rating factors used for different jobs may vary, the maximum possible points which may be credited may vary from job to job.

(l) After all candidates have been assigned points under the crediting plan, they will be listed in descending order of their point scores. The promotion panel will establish a "cut-score" in accordance with the following paragraphs to identify the best qualified candidates for referral to the selecting official for final consideration. The cut-score will not be set arbitrarily at a particular point score or at a particular percentage of the total possible points. An overall objective of applying the crediting plan and establishing the cut-score is to enable high quality candidates to be identified and referred for selection consideration. Technical guidance will be provided by a representative of the Central Office Human Resources Service.

(2) For the purposes of this plan, high quality candidates are those who in the promotion panel's judgment possess a total background which reflects the capability to perform the position being filled in a highly competent and effective manner. A pre-set numerical score to uniformly indicate high quality candidates is not proper as this does not allow for the relevant differences among positions and available candidates. Nonetheless, it is generally anticipated that high quality candidates will possess the KSAOs required for positions sufficiently to warrant a middle range of total possible points, or higher, under an appropriate crediting plan.

(3) When a natural gap among the high quality candidates is present, those above the gap will normally be considered best qualified. However, an adequate number of promotion candidates, if available, should be referred for consideration.

(4) When there is no natural gap or when the number of candidates above the natural gap is so large as to cause an undue administrative burden, the promotion panel will decide the number of high quality candidates to be referred as best qualified. Generally, a referral of 10 candidates will be considered sufficient; for each additional vacancy an additional candidate may be referred.

(5) In the absence of any high quality candidates, candidates ranked as qualified may be referred as best qualified in accordance with the principles in paragraphs (3) or (4) above.

9. REFERRAL AND SELECTION PROCEDURES

a. Following completion of the rating and ranking process, or as vacancies occur, a promotion certificate containing the names of the best qualified VA candidates (listed in alphabetical order) will be prepared.

(1) If transfer and/or reinstatement eligibles and/or certain excepted service employees are being considered for higher grade positions, or for positions with higher known potential, they will be evaluated and ranked along with competing competitive service VA employees to determine the cut-score. After the cut-score has been established, those who rank at or above the cut-score will be referred on a separate list for each source of candidates.

(2) If a position is announced at multiple grade levels, separate certificates will be referred for each grade level.

b. The signed certificates will be forwarded to the nominating official. This official will recommend a selection to the Secretary in accordance with procedures in Central Office Operating Instructions, OI-1, part V, chapter 6. When nominating a candidate who must relocate to accept an assignment, information should be provided regarding cost considerations. Additionally, if the candidate has been in his or her current VA assignment less than 36 months, a justification of the move will be included.

c. Until selections for positions centralized to the Secretary have been approved by the Secretary, candidates nominated for these positions should not be informed of their nominations, and no personnel action will be taken.

d. The Secretary has the right to select or non-select from a promotion certificate or from any other appropriate source of candidates. This includes the right to non-select all the promotion candidates and return the promotion certificate unused. Where multiple vacancies or multiple grade levels are involved, this includes the right to select for one or more vacancies at the same or other grade levels (if applicable) and to return the certificates without selecting for remaining vacancies.

e. The Secretary's final approval will be communicated by the appropriate Administration Head, Assistant Secretary or Other Key Official.

10. EFFECTIVE DATES. Employees will be released to their new assignments within a reasonable length of time.

a. Normally, the effective date of a position change at the same facility will be the first day of the next pay period after the date of administrative approval. Where unusual circumstances justify a period longer than 2 weeks prior to release, either (1) the employee should be informed in writing over the signature of the official responsible for the delay of the reasons for the delay and the expected release date, or (2) the position change action should be effected and the employee detailed back to the former position.

b. The release date for an employee transferring to another VA facility will be arranged by the responsible officials. Unless circumstances dictate otherwise or both the releasing and receiving facilities otherwise agree, travel time will be accomplished on the receiving facility's time.

11. EXCEPTIONS TO COMPETITIVE PROMOTION PROCEDURES. The following actions are exceptions to the competitive promotion procedures of this plan:

a. Career promotions (see paragraph 12 below);

b. Promotion after failure to receive proper consideration;

c. Position change from a position having known promotion potential to a position having no higher known potential (see paragraph 12d, below);

d. Position changes in reduction-in-force situations: (1) which are technically promotions due to pay fixing policies, or (2) which result in placement in positions having higher known promotion potential due to exercise of RIF assignment rights;

e. Selection of a Federal employee who is within reach on an OPM register for a higher graded position;

f. Repromotion to grades from which demoted without personal cause;

g. Repromotion to grades held prior to initial entry by demotion into supervisory or managerial positions when return to the former grade is required because of failure to complete the supervisory/managerial probationary period;

h. Temporary promotions for 120 days or less;

i. Details to higher grades or positions with higher known promotion potential for 120 days or less;

j. Selections for training which may significantly enhance chances for future promotion but which is not required for promotion.

12. CAREER PROMOTIONS

a. Career promotions are those made without current competition when the employee was previously appointed to, or selected through earlier competitive promotion procedures for an assignment which was intended to prepare the person for progression to the target grade level (career-ladder), or the position is reclassified at a higher grade level because of additional duties and responsibilities. Career promotions under this plan include career-ladder promotions involving movements between VA facilities.

b. Career-ladder promotions may be made only when the intent has been made a matter of record prior to the initial selection and all potential candidates informed. Career-ladder promotions, such as the following, are included among covered career promotion opportunities:

(1) Trainee or developmental positions;

(2) Understudy positions;

(3) Positions filled at a grade below the established or anticipated grade;

(4) Positions filled under a training agreement which provides for career-ladder promotions;

(5) Positions filled after employees were detailed to them, provided initial selection for detail was under a competitive action which provided for future promotion;

(6) Positions filled by permanent promotion of employees who were temporarily promoted to them, provided initial selection for temporary promotion was under a competitive action which provided for permanent promotion.

c. Where employees appointed under special appointment authorities have been properly converted to career-conditional (or career, if applicable) appointments to positions covered by this plan which have known promotion potential, career-ladder promotions may be made to the target grade level of the position.

d. Upgrading without significant change in duties and responsibilities due to the issuance of a new or revised classification standard or the correction of an earlier classification error is a career promotion.

e. Employees whose positions are reclassified at a higher grade because of additional duties and responsibilities where the basic function of the original position continues to be a part of the new one, may be promoted without competition, but are subject to the following considerations:

(1) The prohibited personnel practices contained in law preclude the granting of preference or advantage, not authorized by law, rule or regulation, to improve or injure the prospects of any person. Managers, supervisors, selecting officials and Human Resources Management officials are responsible for ensuring that actions resulting in a promotion because of additional duties and responsibilities are not the result of a prohibited practice.

(2) In making decisions regarding the appropriateness of such a career promotion, managers, supervisors, selecting officials and Human Resources Management officials should be guided by the examples of circumstances which would warrant such a promotion discussed in chapter 3, paragraph 12d(3) of this part.

13. ALTERNATIVE RATING AND RANKING PROCEDURES. When approved by the Director, Human Resources Management Programs and Policies Service (051), alternative rating and ranking procedures may be developed on an experimental basis and utilized to determine the appropriateness of the basic procedure required under this plan.

14. KEEPING EMPLOYEES INFORMED

a. While movement among the several specific career fields is possible, a typical career path closely follows a particular career field. Career counseling is available to employees and may be sought at any time. (See paragraph 4e of this merit promotion plan.)

b. Copies of this plan will be posted at each VA facility. In addition, a copy of this plan will be made available on an employee's request.

c. Each candidate who individually applies to indicate interest in and availability for a particular position will be subsequently notified of the action taken by the Central Office Human Resources Service.

d. Selections made under this plan will be publicized at least quarterly by the Central Office Human Resources Service.

e. Employees who apply for and inquire about the results of a specific promotion action will be given the following information:

(1) By the Central Office Human Resources Service:

(a) Whether they met the minimum qualification requirements;

(b) Whether they were in the group from which selection was made;

(c) Who was selected; and

(2) By the appropriate Administration Head, Assistant Secretary or Other Key Official or their designee, upon request, in what areas, if any, they should improve to increase their chances for future promotion.

f. Upon request, employees will be shown any record of production, or any supervisory appraisal of past performance which has been used in considering them for promotion. An employee is not entitled to see the records of another employee unless they are the selecting official, a member of the promotion panel, or otherwise performing official duties which involve reviewing records of that specific promotion file, or he/she has the written consent of the subject of the record.

15. GRIEVANCES / DISCRIMINATION / COMPLAINTS

a. Failure to be selected for promotion from a properly constructed promotion certificate (nonselection from a group of properly certified candidates) is not a basis for formal grievance, nor is dissatisfaction concerning the number of positions to be filled, or the grade level at which positions are advertised or filled. Grievances will be processed under the provisions of the VA grievance procedure contained in VA Handbook 5021, Employee/Management Relations.

b. Any complaints that action(s) taken under this plan were based on the non-merit factors of race, color, religion, sex, national origin, age or disability, will be processed under the provisions of 29 CFR § 1614.

APPENDIX F. PRIORITY PLACEMENT PROGRAM FOR EMPLOYEES IN RETAINED GRADE OR PAY STATUS

1. PURPOSE. Revises and updates the Priority Placement Program for VA employees entitled to grade or pay retention benefits. The program anticipates positive action by management to place employees in properly classified positions and provides a system for first consideration of these employees for General Schedule or Federal Wage System positions equal to their retained grade or pay, or any intervening grade, in an area of sufficient size to ensure reasonable opportunity for placement of most affected employees.

2. SCOPE. The following provisions apply to employees under or moving into positions under the General Schedule and the Federal Wage System, including Nonappropriated Fund employees in the Veterans Canteen Service (VCS) who are subject to the Federal Wage System.

3. EXCLUSIONS

a. Veterans Health Administration employees appointed or compensated under 38 U.S.C. ch. 73 or 74.

b. Employees compensated under the Executive Schedule (5 U.S.C. ch. 53).

c. Employees in the Senior Executive Service (5 U.S.C. ch. 21).

d. Nonappropriated Fund VCS employees appointed under 38 U.S.C. 7802(5), except those employed in a recognized trade or craft, as indicated in paragraph 2 above.

NOTE: *All Nonappropriated Fund VCS employees moving into positions covered by paragraph 2 are covered provided they meet the criteria for grade and pay retention benefits contained in 5 CFR, part 536.*

e. Purchase and hire employees appointed under Schedule A, section 213.3127(a)(1).

f. Employees whose appointments have a definite time limitation or are designated as temporary or term.

4. REFERENCES

a. 5 U.S.C., chapter 53, subchapter VI, Grade and Pay Retention.

b. 5 CFR, part 536.

5. POLICY. Every effort will be made to place employees receiving grade or pay retention benefits in positions or grade levels equal to their retained grade or pay, as appropriate. Participation in the Priority Placement Program is voluntary for those employees whose eligibility for grade retention is based on a reclassification or as the result of a reduction in force (5 CFR 536.103(a)). Participation in the program is mandatory for those employees whose eligibility for grade retention is based on actions other than reclassification and reduction in force pursuant to 5 CFR 536.103(b). In applying the provisions of this program, effort will be made to assure to the maximum extent possible that affirmative action goals are

not adversely affected. Each VA facility will adopt local procedures which will assure that the Priority Placement Program is carried out in a timely and systematic manner.

6. RESPONSIBILITIES

a. Administration and staff office heads or their designees shall apply the provisions of this appendix to centralized positions and to employees within their immediate jurisdiction.

b. Facility directors and HRM Officers shall apply the provisions of this appendix to positions and employees at their installations. Directors are also to assure that the Priority Placement Program procedures at the local level are reviewed annually.

c. Supervisors and others responsible for assigning duties and responsibilities to positions are directly responsible for application of the Priority Placement Program within their immediate jurisdiction.

7. EVALUATION. Records concerning the implementation and application of the Priority Placement Program will be maintained and are subject to review by VA and Office of Personnel Management (OPM) officials conducting personnel management evaluations, as well as other VA Central Office officials visiting field facilities. Necessary corrective actions may be directed by VA Central Office or OPM.

8. ELIGIBILITY. The following employees in retained grade or pay status are eligible for consideration under the provisions of this Priority Placement Program:

a. Those who are in such status as a result of a reduction-in-force action and those who are in pay retention status as a result of a demotion in lieu of a reduction in force.

b. Those who are in such status as a result of a reclassification action.

c. Those who are in such status because of a declination to transfer with their function, provided the provisions of 5 CFR 536.103 are fully met.

d. Those who are in such status because of acceptance of a position with grade retention in lieu of transferring with their function, provided the provisions of 5 CFR 536.103 are fully met.

9. PRIORITY PLACEMENT PROGRAM

a. Subject to the exceptions listed in paragraph 11 below, eligible employees will receive first consideration for vacancies in the manner described in this paragraph. Employees must meet all qualification standards and legal and regulatory requirements for positions for which they are considered. Qualifications for eligible employees will be evaluated in accordance with 5 CFR 337.102.

NOTE: *For the remainder of this appendix, "eligible employee(s)" and "employee(s)" refer to employees whose eligibility for grade retention is based on 5 CFR 536.103(a) and who wish to take part in this program and employees whose eligibility for grade retention is based on 5 CFR 536.103(b).*

b. First consideration means that eligible employees must be referred (certified separately) and fully considered for an appropriate vacancy before recruitment action is initiated to fill the vacancy by any other method. If there are qualified persons on a reemployment priority list, a selection may be made either from among qualified employees eligible under the Priority Placement Program or from among qualified persons on the reemployment priority list. Employees eligible for first consideration under the Priority Placement Program will be referred prior to individuals eligible for placement in lieu of disability retirement.

c. Written notice of eligibility for grade and/or pay retention which includes the requirements of the Priority Placement Program is to be issued to affected individuals at least ten workdays prior to the effective date of a proposed action which would entitle the individual to grade or pay retention benefits. Employees whose eligibility for grade retention is *not* based on a reclassification or as the result of a reduction in force (i.e., their eligibility for grade retention is based on 5 CFR 536.103(b)) will be informed that failure to enroll in or comply with the requirements of the Priority Placement Program will result in loss of eligibility for grade retention. The employee may appeal such termination of benefits through the VA grievance procedure or through the negotiated grievance procedure, as appropriate. All eligible employees will designate five position categories (broken down by classification title and series) for which they qualify. Employees who do not qualify for five position categories will designate the position categories for which they do qualify.

d. Eligible employees in retained grade status (including those in Alaska, Hawaii, Puerto Rico and Manila) who occupy noncentralized positions will receive first consideration for vacancies in their designated position categories, equal to their retained grade or any intervening grade between the retained grade and the grade to which reduced, on the following basis:

(1) All eligible employees will receive first consideration for all appropriate positions (including centralized positions) at their current duty station.

(2) Eligible employees whose retained grade or whose grade from which demoted is GS-11 or above will receive first consideration for all appropriate positions (including centralized positions) at any VA facility, within the 48 contiguous States, for which they request referral. No employee, however, is entitled to first consideration at a facility in Alaska, Hawaii, Puerto Rico or Manila unless presently an employee at one of these facilities.

(3) All eligible Federal Wage System employees and all eligible employees whose retained grade or grade from which demoted is below GS-11 will receive first consideration for all appropriate positions (including centralized positions) at all VA facilities within the commuting area of their current duty facility. In cases where the number of VA facilities within the commuting area is below five, employees may request referral to the VA facilities closest to their current duty station. The total number of VA facilities, other than the current duty facility, to which an employee receives referral is limited to five (including facilities within and outside the commuting area, if applicable). For this purpose, facilities serviced by the same HRM office will count as one facility. (See subparagraphs h and i below for referral requirements.)

e. Eligible employees who are in retained grade status as a result of an action taken while occupying a centralized position will receive first consideration for vacancies in their designated position categories equal to their retained grade or any intervening grade between the retained grade and the grade to which reduced, on the following basis:

(1) All eligible centralized employees will receive first consideration for all appropriate centralized positions in their designated position categories on a department-wide basis, if centralized to the Secretary, or on a staff office or administration-wide basis, if centralized to a staff office or Administration Head.

(2) All eligible centralized employees will receive first consideration for all appropriate noncentralized positions in their designated position categories at their current duty station and at all facilities for which they request referral through their HRM office.

NOTE: *See chapter 2 of this part; 5 CFR 335.102; VA Handbook 5021; and Comberiate v. The United States, 203 Ct. C1.285, (1973), for guidance in applying these requirements to eligible employees who are in retained grade status as a result of an action taken while occupying a centralized position.*

f. Eligible centralized and noncentralized employees in retained pay status will receive first consideration for repromotion to all vacant positions, equal in grade to the position from which they were demoted, or to any intervening grade, on the same basis (as outlined in subparagraphs d and e above) as employees in retained grade status. Employees repromoted to their retained grade will be placed in the step to which they would have been entitled had they remained in that grade and not been demoted. The step rate for employees on retained pay, who are repromoted to an intervening grade or their former grade, shall be set in accordance with VA Handbook 5007, Pay Administration.

g. After 2 years of eligibility under the provisions of the Priority Placement Program, noncentralized employees will be eligible for first consideration only at their current duty station; centralized employees will continue to be eligible for first consideration on an agency, administration or staff office basis as long as they are on retained pay status.

h. Position category designations must be made in writing by the employee and be received by the HRM Officer or designee at the employee's current duty station no later than the effective date of the proposed action entitling the employee to priority placement. In situations where it is determined that an employee cannot make the required designations by the effective date of the proposed action (e.g., in cases of hospitalization, military reserve or National Guard training, etc.) facility directors or designees (in Central Office, the second-line supervisor) may authorize an extension to this time limit. The HRM Officer or designee will make an initial qualification determination within 15 workdays of receipt of position designations from the employee. An employee who is found not eligible for a chosen position category may choose another category as a substitute. Once the position categories for which the employee is eligible have been designated, these are the only position categories for which the employee may be considered at any facility under the Priority Placement Program. HRM Officers will forward the choices of position categories for centralized employees through channels to the appropriate Central Office administration or staff office head.

i. Eligible noncentralized employees who want to be considered for appropriate positions (both centralized and noncentralized) at other VA facilities, and centralized employees who want to be considered for appropriate noncentralized positions at other VA facilities, must apply through the HRM office at their current duty station. Employees will not apply directly to another facility on their own. HRM Officers will be responsible for maintaining a record of the facilities for which each employee has applied and for forwarding applications to the facilities the employee selects or to the facilities where the employee is to receive consideration, as applicable. When forwarding applications, the HRM Officer will identify the applicant as an employee who is eligible for consideration under the Priority Placement Program. Facilities which receive these applications will consider them, along with local priority placement eligibles, in accordance with the provisions of this program. No employee is entitled to receive consideration, under the provisions of this program, for vacancies for which recruitment action has already been initiated at the time the HRM office (or appropriate official, in the case of Central Office) at the recruiting facility is notified of the employee's enrollment in the Priority Placement Program. A local log should be maintained which identifies employees eligible for priority placement consideration. The log will help assure priority placement consideration of eligible employees, assist in recovering information concerning priority placement actions and facilitate the evaluation of the Priority Placement Program by Central Office officials.

j. As indicated in subparagraph d above, noncentralized employees may receive first consideration for appropriate centralized positions at their current duty station, at other VA facilities within the commuting area, and at other VA facilities for which they request referral in accordance with the provisions contained in subparagraph d above, as applicable. In such cases, the HRM office at the receiving facility will not notify appropriate Central Office officials of the employee's interest until such time as an appropriate centralized vacancy occurs. When such a vacancy occurs, the HRM office will notify the appropriate staff office or Administration Head of the employee's interest and eligibility at the same time Central Office recruitment action is requested, and will forward a copy of the employee's application to the appropriate Central Office official.

k. Generally, an employee will not receive first consideration for vacant positions at the same grade level to which demoted (e.g., an employee demoted from GS-11 to a GS-9 continuing position is not entitled to first consideration for another GS-9 position). However, if a vacancy occurs at the same grade as that to which the employee is demoted and this vacancy has promotion potential back to the retained grade or the grade from which a retained pay employee was demoted or to an intervening grade level, the employee is entitled to first consideration for such a position. An employee is not entitled to first consideration for vacant positions which have promotion potential to a grade that is higher than an employee's retained grade or the grade from which a retained pay employee was demoted. An employee must compete under regular merit promotion procedures for these positions.

l. Once an employee accepts or declines an offer to an intervening grade, the employee is no longer entitled to first consideration for positions at the same or lower grade level (e.g., an employee demoted from GS-11 to a GS-9 position accepts or declines an offer to a GS-10 position. The employee is no longer entitled to first consideration for any position at or below the GS-10 level). However, the employee does continue to receive consideration for positions at higher grade levels for which eligible under this program. As outlined in subparagraph k above, the employee will also receive first consideration for positions with promotion potential back to the retained grade or to an intervening grade.

m. Travel, transportation and other moving expenses will be paid for all employees selected under this program in accordance with the provisions of MP-1, part II, chapter 2. In the case of employees moving to centralized positions, expenses will be paid by the receiving facility. In the case of employees moving to noncentralized positions, expenses will be paid by the losing facility.

n. When an eligible employee receives first consideration under any of the circumstances described in this paragraph and is not selected, the reasons for the nonselection must be justified and documented. Such documentation must be approved by the Secretary or administration or staff office head, as appropriate, for employees considered for centralized positions or by the field facility Director (in Central Office, the second-line supervisor) for employees considered for noncentralized positions. In the Veterans Health Administration, such documentation must be approved by the Assistant Deputy Under Secretary for Health for those positions for which the Veterans Integrated Service Network (VISN) Directors have selecting authority.

o. All eligible employees will be referred in situations where more than one eligible employee is available for consideration for a vacancy. Local employees entitled to first consideration may be considered for noncentralized positions before those from other facilities.

p. If facility directors (in Central Office, second-line supervisors) determine that placement opportunities for a noncentralized employee under their jurisdiction are nonexistent or very limited, they should authorize special training or a developmental assignment which will help the employee qualify for other positions. The Secretary or Administration or Staff Office Head, as appropriate, should make such determinations and authorizations for centralized employees.

10. TERMINATION OF ELIGIBILITY

a. An employee is no longer eligible for consideration under this Priority Placement Program when:

(1) The employee's position is reclassified at or above the retained grade or the grade from which the employee was demoted.

(2) The employee is reassigned or promoted to a position equal to or higher than the employee's retained grade or the grade from which a retained pay employee was demoted. If such a placement is in a different pay schedule, a comparison of representative rates will be made to determine if the employee has been placed in an equal or higher grade.

(3) The employee's grade and/or pay retention benefits are terminated for any reason.

(4) The employee declines a reasonable offer to a continuing position made in accordance with the provisions of the Priority Placement Program.

b. For the purpose of this program, a position offer must fulfill the following conditions in order to be considered a reasonable offer:

(1) The offer must be in writing, and must include an official position description of the offered position;

(2) The offer must inform the employee that an entitlement to grade or pay retention will be terminated if the offer is declined and that the employee may appeal the reasonableness of the offer as provided in 5 CFR 536.302;

(3) The offered position must be equal in grade to the employee's retained grade or the grade from which the employee was demoted;

(4) The offered position must be of tenure equal to or greater than that of the position creating the grade or pay retention entitlement;

(5) The offered position must be full time, unless the employee's position immediately before the change creating entitlement to grade or pay retention was less than full time, in which case the offered position must have a work schedule of no less time than that of the position held before the change. (The work schedule of the offered position for part-time employees need not exactly match the work schedule previously held by the employee.) The offered position cannot have less hours scheduled than that of the position held before the change and the offered position cannot have a full-time schedule. (See part II, chapter 2 for hour limitations on part-time schedules.);

(6) In the case of employees in centralized positions, the offered position must be a centralized position unless the employee has requested concurrent consideration for noncentralized positions in accordance with paragraph 9e and f above. Declination of a placement offer to a centralized position or a designated noncentralized position, whichever is offered first, will result in the employee losing eligibility for consideration in the Priority Placement Program;

(7) In the case of employees in noncentralized positions, the offered position (including an offer of a centralized position if the employee requests consideration for centralized positions) must be in the same commuting area as the employee's current position. If an employee declines an offer from a facility outside the commuting area of his or her current duty station to which he or she has requested referral for first consideration, the employee will be removed from consideration under this program at all facilities other than those within the commuting area of his or her own facility; and

(8) An employee who declines an offer of a position outside his or her designated position categories has not received a "reasonable offer" for purposes of the Priority Placement Program.

c. Entitlement of priority placement consideration will be established as the effective date of the action which entitles the employee to grade or pay retention benefits. (For effect of subsequent wage increases on representative rates, see 5 CFR, part 536).

11. EXCEPTIONS. The following personnel actions are excepted from the requirements of this program:

a. Actions required to comply with regulatory or statutory provisions such as those covering reemployment rights;

b. Career promotions and promotions which are exceptions to competitive promotion procedures;

c. Consideration of candidates not given proper consideration in a competitive promotion action;

d. Consideration of employees previously demoted without personal cause and not at their own request (special consideration);

e. Filling of vacancies as a result of a decision in a discrimination complaint case or of any other legal or procedural ruling; or

f. Filling of vacancies which a facility may wish to fill in order to minimize the impact of a reduction in force.

APPENDIX G. DEVELOPMENT OF RATING AND RANKING PROCEDURES

1. PURPOSE. This appendix is designed to provide assistance in developing merit promotion rating and ranking procedures which meet the criteria established by the Office of Personnel Management, the Uniform Guidelines on Employee Selection Procedures, and the courts. This appendix is not intended to provide complete information on validity studies and the development of valid selection procedures. It should be supplemented by formal training and by reading current professional human resources literature.

2. PRINCIPLES OF CONTENT VALIDITY

a. Three types of validity studies for demonstrating the job-relatedness of a selection procedure have been defined by Federal equal employment opportunity enforcement agencies, professional organizations, and the courts. They are criterion-related, content, and construct validity studies. These types of validity studies are described in the Uniform Guidelines on Employee Selection Procedures. Because the content validity approach is the most practical option currently open to most employers, all VA selection procedures must meet content validity standards.

b. Basically, the degree of content validity depends on how well and how consistently the selection procedure measures each applicant's ability to do the job. This means each applicant must be evaluated on the knowledges, skills, abilities and other characteristics (KSAOs) which are required by the important duties or responsibilities of the job being filled. The steps required in the development of a content valid selection procedure are briefly outlined here and discussed in greater detail later in this appendix.

Step 1 - Conduct a job analysis. This is the important first step in developing a content valid selection procedure. The job must be thoroughly studied and analyzed to identify its important duties and tasks and to identify the KSAOs necessary for successful performance of those duties and tasks.

Step 2 - Decide which KSAOs will be used in predicting job success. For example, the importance of each KSAO, whether it can be measured, and whether it distinguishes between superior and barely acceptable applicants must be determined.

NOTE: *A KSAO which can be learned during the first few months on the job usually should not be used as a factor in the selection procedures.*

Step 3 - Develop a crediting plan which will measure the degree to which applicants possess the KSAOs identified in step 2. The sources and types of information which will be used in evaluating applicants on the KSAOs must be determined. Quality level examples must be established which define levels of competency in each KSAO in terms of observable tasks, activities and behaviors available in the sources and types of information to be used. A point crediting system based on these quality levels must be developed.

Step 4 - Review the adequacy of the final crediting plan. Are there any additional KSAOs which should be measured? Will the best qualified applicants be identified? Are only important KSAOs being measured? Can each KSAO be measured?

Step 5 - Measure each qualified applicant's capabilities against the crediting plan.

c. Content validity can only be used when selection procedures measure directly observable KSAOs. When KSAOs are stated in terms of unobservable characteristics or personality traits, such as dependability or leadership ability, the selection procedure cannot be validated by means of a content validity study. Characteristics and personality traits, however, may often be broken down into directly observable behaviors which may be measured using a content valid selection procedure. For example, dependability might be demonstrated by the ability to complete work assignments within a specified timeframe, or leadership ability might be shown by the ability to delegate work assignments to subordinates. Content validity can then be used to demonstrate the job-relatedness of the selection procedures.

d. OPM requires that promotion procedures meet formal validation requirements. In the past, typically, separate point credit has been given for each of the various sources of information about applicants, such as experience (based on the application, personnel folder, etc.), supervisory evaluation, training, education, and awards. To have valid merit promotion selection procedures, rating and ranking methods which combine the information gathered from these various sources must be used to rate applicants on each KSAO which a job analysis has shown to be important to the job. Figure 1 provides a graphic comparison of past rating and ranking procedures and those procedures which should be used to meet requirements for validity and merit selection.

e. The following paragraphs of this appendix discuss in detail the steps which must be followed for devising proper content valid merit promotion crediting plans. These procedures will require training of human resources staff, supervisors, subject matter experts and selecting officials. (See Figure 1)

3. DEFINITIONS

a. **KSAO.** An acronym standing for the words, "knowledge, skill, ability and other characteristic."

(1) **Knowledge.** A body of learned information used directly on the job.

(2) **Skill.** A present competence to perform a learned psychomotor act. A skill, unlike an ability, typically involves observable, quantifiable, and measurable performance parameters, (e.g., typing, pipefitting, etc.)

(3) **Ability.** The competence to perform an activity at the present time.

NOTE: *Ability should not be confused with aptitude, which implies a likelihood of being able to learn to perform an activity.*

(4) **Other Characteristics.** Other competencies required of individuals doing the job. Remember that for content validity purposes, personality traits or aptitudes must be directly observable and measurable. This may require further definition of the trait in terms of its directly observable manifestations (see paragraph 2c).

NOTE: *While knowledges, skills, abilities and other characteristics are separately defined, they often overlap and can be combined into one evaluation factor. Many of these factors may contain elements of all four.*

FIGURE 1. RATING AND RANKING SYSTEM

		EVALUATION FACTORS					Points Assigned (Old Method) _____a _____a _____a _____a _____a
		KSAO 1	KSAO 2	KSAO 3	KSAO 4	KSAO 5	
SOURCES OF INFORMATION ON APPLICANTS	Experience (Application)						
	Supervisory Evaluation						
	Education						
	Training						
	□ □						
	Other						
Points Assigned (New Method)	_____b _____b _____b _____b _____b						

Under the old method, each source of information was considered individually, and points – the lines labeled "a" -- were assigned. For example, in this type of system, 30 points may have been assigned to the supervisory evaluation, 25 points to experience, etc. In theory, the points assigned to each source of information were awarded based on an applicant's capabilities to do the job (i.e., the KSAOs) as indicated by that source. Unfortunately, the theory was not always true in practice. Often irrelevant KSAOs were considered, a single KSAO strength would be credited several times, or an important job requirement not

evaluated. Under the new method the evaluation is based on the applicant's capabilities on each KSAO required in the job. All available sources of information, in combination, are used to arrive at a score – the lines labeled "b" – on each KSAO, not by awarding points for each separate source and then totaling those points. The individual KSAO scores are then added to arrive at an estimation of an applicant's capability to do the whole job.

b. **Rating Factors.** The KSAOs or groups of KSAOs identified in the job analysis and selected for use in the crediting plan (see paragraph 4e, this appendix).

c. **Quality Levels.** Examples of elements in the background of individuals which demonstrate the level of possession of a particular KSAO or rating factor. Many crediting plans show three quality levels for each rating factor.

d. **Selection Procedure.** Any measure or combination of measures used as a basis for an employment decision (e.g., hiring, promotion, demotion, selection for training if the training leads to an employment decision, etc.). Selection procedures include the full range of assessment methods such as written tests, qualification standards, scored and unscored application forms, crediting plans, and formal and informal interviews.

e. **Selective Factors.** A KSAO or group of KSAOs identified in the job analysis as being critical to the job. Selective factors are used in addition to the appropriate qualification standard requirements to determine the basic qualifications of applicants. The minimum level of proficiency required to do the job must be described for each selective factor and applied in basic qualification determinations. The use of a KSAO as a selective factor does not preclude its use as a rating factor when it meets the criteria in paragraph 4e, this appendix.

f. **Subject Matter Experts (SMEs).** Person with direct knowledge of what is done in the job and what knowledges, skills, abilities and other characteristics (KSAOs) are required to do the job successfully. Included may be recent incumbents who supervise others doing the job. For job analysis/crediting plan development panels, one SME must be at least equal in grade to the job to be filled. Since the selecting official often has the most knowledge about the job, that person should ordinarily be included on the SME job analysis/crediting plan development panel.

4. JOB ANALYSIS

a. **General.** The first step in developing a content valid selection procedure is the job analysis. The purpose of a job analysis for selection procedure development is to find out what is required of the person who does the job. The duties of the job and the capabilities an individual must have in order to do it are both objectives. In job analysis terminology, identify the tasks performed in the job and the KSAOs (knowledges, skills, abilities and other characteristics) a person must possess to do those tasks.

b. **Approaches to Job Analysis.** There are several approaches to analyzing jobs for the purpose of developing selection procedures: an entire class of positions which are common to a number of VA installations and which do not vary much from location to location can be analyzed; the analysis can focus on a group; or the analysis can zero in on a single job. In the group or class study, emphasis is on

gathering a broad base of job information from which KSAOs required in all the jobs in the group or class are derived. In the single job study, emphasis is on determining the KSAOs required in the specific position with less effort devoted to obtaining background information.

(1) **Class Analysis.** A class of positions, such as Veterans Benefits Counselor or Social Worker, which is common to a large number of VA installations can be centrally analyzed on a grade-by-grade basis and the results shared among VA users. Such class analyses will be done only under the direction of the Deputy Assistant Secretary for Human Resources Management (051). Since no two jobs are exactly alike, there is a need to identify many more tasks and many more KSAOs than are likely to appear in any one position. As part of the class analysis, quality level examples are prepared for each KSAO. When an individual position is to be filled, responsible officials will decide which of the KSAOs identified in the class study are applicable to that particular job and whether there are any unidentified KSAOs unique to it. Using the predefined KSAOs and their corresponding quality levels (plus locally defined quality levels for KSAOs unique to that particular job, if any), a local rating and ranking procedure may be developed.

NOTE: *The local job must be closely surveyed and the KSAOs carefully selected to ensure job relatedness. If an important KSAO required in the local job has not been identified in the class study, it must be defined, documented and developed locally, including quality level descriptions, inclusion in supplemental experience statements, specialized appraisals, etc.*

(2) **Local Analysis of a Group of Jobs.** Often several jobs at an installation are enough alike in tasks performed and level of responsibility and difficulty to be grouped and analyzed together. Usually, those jobs will have the same grade and title. For example, there are a number of tasks which are performed by all GS-4 Nursing Assistants in a medical center even though they may be assigned to medical, surgical or psychiatric units. By using appropriate sources of information and input from a panel of SMEs representing each of the areas where GS-4 Nursing Assistants work, a list of tasks, KSAOs and quality level examples for the whole job group can be developed. When an individual job is being filled, the KSAOs required in that job are selected from the pool of GS-4 Nursing Assistant KSAOs and used to rate and rank applicants.

NOTE: *Care must be taken to ensure that all the KSAOs which are needed to identify the best qualified applicants for the individual job have been included in the rating and ranking procedure.*

(3) **Single Job Analysis.** Many jobs may not lend themselves to a group or class job analysis, or such an analysis may not yet be available. These jobs may be few-of-a-kind jobs or those which, even though they share a common title and grade, have duties and responsibilities which require different KSAOs. The procedures followed in a single position study are similar but not identical to those followed in a group or class study. In the single job study the sources of job analysis data do not have to be as wide and varied as those used in a larger study; however, the input from the SMEs must be more specific, and the KSAOs must relate directly to the individual job.

c. **Common Elements in Any Job Analysis.** While the job analysis approaches discussed above vary in their focus and scope, there are a number of elements which must be included in any job analysis.

(1) The review of job information material may include position descriptions, position evaluation reports, classification and qualification standards, organization manuals, organization charts, functional

statements, previous job analyses, professional literature and any other relevant source of information about the job. The judgments and conclusions influenced by these materials directly affect all other aspects of a selection procedure. It is, therefore, of prime importance that their accuracy, currency, appropriateness, etc., be verified at the outset.

(2) Direct input from SMEs.

(3) Determination of the functions, duties and tasks of the position(s).

(4) Identification of the KSAOs an individual needs to do the tasks.

(5) Determination of which KSAOs to measure.

(6) Definition of the various quality levels of individual capabilities on a KSAO that describe superior, above average, average, etc., possession. These quality level definitions must be based on observable behaviors and are dealt with in paragraph 5c, this appendix.

d. **Who Conducts the Job Analysis.** The HRM Officer or a designated HRM specialist performing at least at the first full performance level (usually GS-9) is responsible for conducting the job analysis. The assistance of a position classification specialist in determining major functions and duties of properly described and classified positions is usually beneficial. The HRM representative should first review available sources of information on the job such as those mentioned in subparagraph c(1) above. After becoming more familiar with the job, the HRM representative should convene a panel of SMEs (See paragraph 3f, this appendix) who will give direct input on the tasks and KSAOs involved in the job. The size of the SME panel may vary depending on the scope of the analysis. The panel should be large enough to ensure that input is received on all important aspects of the job or class of jobs and small enough to allow for free and easy discussion. If a single position is being analyzed, three or four SMEs should be sufficient.

e. **Steps in a Job Analysis.** The steps in the job analysis must be carefully documented. This documentation must be retained as part of the validity evidence required by the Uniform Guidelines (See paragraph 9, chapter 3 of this part).

Step 1 - Identify the major functions or tasks performed on the job. HRM Officers or Specialists conducting a job analysis may find the following questions useful in obtaining information from SMEs. What duties or tasks does an incumbent of the position perform? What duties or tasks take most of a worker's time? What do the *best* workers do? What do the *just acceptable* workers do? What is the most important/critical duty of the job?

Step 2 - Identify the KSAOs needed to do the tasks identified in Step 1. Questions which might be asked of SMEs to obtain a list of KSAOs are: What KSAOs should a good employee possess? What KSAOs does the *superior* worker have that the average worker doesn't? Think of the best employees - what makes them the best? Some people didn't work out in the job - why didn't they?

Step 3 - Relate each KSAO to a task or duty.

Step 4 - Study each KSAO and decide if it is critical to successful performance of the job. If an applicant is not competent in this KSAO, can that person do the job? If not, the KSAO is critical and is used as a selective factor when making minimum qualification determinations. The minimum level of proficiency required to do the job must be described for each selective factor.

Step 5 - Decide which KSAOs will distinguish superior applicants from the acceptable. Is there a difference in individual levels of competency in the KSAO? Will someone with a higher level of competency do a better job? KSAOs that differentiate between applicants may be used as rating factors.

Step 6 - Decide which KSAOs are measurable. Can information be collected on each applicant which will make it possible to determine the individual's level of competency on the KSAO? If the information can be collected, what is the most practical and cost effective way to do so? Sources of information on applicants are discussed in detail in paragraph 6 below.

Step 7 - Decide which KSAOs will be used in rating and ranking applicants. Five is generally considered the ideal number of rating and ranking KSAOs. This number will usually obtain meaningful distinctions among applicants and will allow for rating and ranking within a reasonable period of time. If there are more than five KSAOs which differentiate among applicants and can be measured, it may be possible to combine two or more of them. To be combined, KSAOs need not be identical; but the sources of information used to determine the appropriate quality level on each of the combined KSAOs should be the same or similar. Also an applicant's level of ability on each of the combined KSAOs should be about the same.

Step 8 - Describe the quality levels for each KSAO to be used. This step is defined in more detail in the following paragraph on crediting plans.

5. CREDITING PLAN

a. **General.** When the job analysis has been completed, a crediting plan must be developed which can be used to rate and rank applicants for the position. To provide continuity, the crediting plan should be developed, under the general direction of the responsible HRM Specialist, by the same SMEs who analyzed the job. If this is not possible, it may be developed by another group of SMEs or by the HRM Specialist. Just as the job analysis may be conducted on an individual job or on a class of jobs, the crediting plan can be developed for a single job or a group or class of jobs. In all cases, before a crediting plan is used to rate applicants for a particular job, it should be reviewed by the selecting official. If the plan is developed by the HRM Specialist, it should also be reviewed by the job analysis SMEs, or at least one SME, to ensure that the job analysis information has been correctly translated into the crediting plan. Before the crediting plan can be used, it should be approved and signed by the HRM Officer or other appropriate official who is responsible for its application.

b. **Rating Factors.** The final crediting plan should consist of four to eight KSAOs or rating factors which satisfy the criteria in paragraph 4e above. Remember that rating factors may be combinations of KSAOs.

c. **Quality Levels**

(1) Each rating factor must be defined in terms of observable behaviors, past experiences, quality of performance, pertinent education and training, etc., which describe several levels of proficiency for the factor. These descriptive quality levels further define the rating factor by giving concrete examples of performance at various proficiency levels.

(2) For critical KSAOs used as selective factors in basic qualification determinations, the minimum level of acceptable competency must be defined as discussed in paragraphs 3e and 4e, above. Quality levels above the minimum level are also developed for a critical KSAO when it is also used for rating and ranking.

(3) Three quality levels should be described for each rating factor, whether critical or important, which is used to distinguish superior applicants. Three is not an absolute requirement but is generally the easiest number to work with. It is important to distinguish between levels of ability that are required as soon as a person begins working in the job (these may be used in the crediting plan) and those which can be acquired after a reasonable time on the job (these generally should not be used).

(4) Developing quality level descriptions becomes easier as persons become more familiar with it. Valuable information on quality level improvement can be obtained from the promotion panel members who have used the crediting plan. Their observations and suggestions may also help in developing quality levels for similar positions.

d. **Point Assignment.** There are a number of ways in which points can be assigned to rating factors and quality levels. One simple method is to give each rating factor a maximum value of five points. Assuming that three quality levels have been defined, assign values of 1, 3 and 5 points to the quality levels. Applicants whose background is judged to equate to the top quality level would receive 5 points, those rated in the middle would get 3 points, and those rated at the lowest quality level would get 1 point. The 1-3-5 pattern allows raters to assign 2 or 4 points to applicants whose background is judged to fall between two quality levels. There are also other acceptable methods and procedures.

e. **Review of Crediting Plan.** The final crediting plan should be reviewed by the SMEs and HRM specialist along with information gathered in the job analysis to ensure that all the critical and important KSAOs are covered by the rating factors. Quality levels should be reviewed to make sure they are as definitive as possible and describe elements of employee background and performance which are reflected in available sources of information on applicants.

f. **Approval of Crediting Plan.** The completed crediting plan should be signed by each member of the crediting plan development panel and by the HRM Specialist before being forwarded for final approval. If the selecting official was not a member of the crediting panel, he or she should also review the plan.

6. SOURCES OF INFORMATION

a. **General.** Applicants are evaluated by comparing the total information on each applicant's capabilities against the quality levels for each rating factor or KSAO in the crediting plan. This

information can be obtained from a number of sources, discussed in detail in the following paragraphs. The best way to obtain information on the applicants must be determined for each vacancy. The consideration of what sources of information are available and will be used is important at each stage in the development of the selection procedure. In the job analysis stage, it is important in determining which KSAOs can be measured and will become rating factors. In the development of crediting plan, it is important in determining how the quality level examples are defined. In the evaluation process, the sources of information are the tools used by the promotion panel to arrive at scores for applicants.

NOTE: *Annual performance appraisals and awards must be considered to the extent they are related to the job to be filled. (See paragraph 3d, chapter 3 of this part.)*

b. **Supervisory Appraisals.** This can be a very valuable source of information since it allows someone with firsthand experience in supervising the applicant to give an assessment of the person's capabilities. However, remember that for rating and ranking purposes, the supervisory appraisal is only valuable to the extent that it gives information related to the applicant's capabilities on the KSAOs needed in the job being filled. There are several different styles and forms of supervisory appraisals. They may be designed for a specific job, or they may be more general in nature and used in evaluating applicants for a variety of jobs. They may simply require a supervisor to check a statement which most nearly defines an employee's capabilities. Several styles and forms can be combined in a variety of ways depending on how the appraisal is to be used.

(1) **Forms of Appraisals**

(a) **Standard Appraisal.** If other sources of information will yield enough information on applicants to enable raters to arrive at an appropriate rating, a general or standard appraisal which can be used for a number of jobs may be sufficient. In this case, only the items on the standard form which relate directly to the rating factors (KSAOs) of the job in question (rating pattern) would be used. If the standard appraisal does not give direct information on a particular rating factor, then it cannot be used in evaluating an applicant on that factor. Major advantages of the standard appraisal are that it does not have to be individually developed by the HRM Specialist, and it requires little time for the supervisor to complete. The major disadvantage is that it gives little specific information on an applicant's capabilities relative to the requirements of the job being filled; consequently, its value as an evaluation tool is diminished.

(b) **Specialized Appraisal.** A specialized appraisal is developed specifically to evaluate applicants for a particular job or group of jobs. It is keyed to the KSAOs or rating factors established in the job analysis and used in the crediting plan. This form allows the supervisor to address each of the rating factors (KSAOs) directly and increases the value of the information that the supervisor provides the promotion panel. Its principal disadvantages are the time required for its development and the additional time required for the supervisor to complete a separate appraisal for each job for which an employee applies.

(2) **Appraisal Styles**

(a) **Category Rating.** This style consists of a description of the KSAO to be appraised (e.g., ability to present ideas orally), followed by either adjective descriptions (outstanding, average, etc.) or descriptions of performance levels, and provides for relatively easy comparison of appraisals for several applicants. The supervisor simply selects the category which best describes the employee's capabilities. The pitfall is

that supervisors may have varying ideas about what constitutes a high rating, a low rating, etc. An applicant's rating is dependent on the supervisor's individual concepts.

(b) **Narrative Rating.** This style of rating requires supervisors to write about the applicant's capabilities and, therefore, depends to some degree on the supervisor's writing skills. The narrative often discourages supervisors from rating very high or very low because they must explain their rating in terms of what the employee has actually done. It may, however, be used beneficially with the category rating by requiring supervisors to support their choice of category by citing specific examples of employee performance. Because of its weaknesses, this style may not be appropriate for some jobs, particularly when used alone.

(3) **VA Forms 4667 and 4668.** VA Form 4667, Appraisal of Employee for Promotion to Non-supervisory or First Level Supervisory Position, and VA Form 4668, Appraisal of Employee for Promotion to Supervisory Position Above First Level, are examples of standard appraisals in the category style. These forms may continue to be used for merit promotion purposes. Their use, however, is no longer required.

NOTE: *Any form or combination of forms of supervisory appraisals may be used (see paragraph 6c, this appendix, and paragraph 2b, chapter 3 of this part). It is recommended that merit promotion plans not be restrictive as to the type appraisal which will be used. This should vary depending on the job being filled.*

c. **Annual Performance Appraisal.** Annual performance appraisals, which must be considered to the extent they are relevant to the position to be filled (see paragraph 3b, chapter 3 of this part) are based on performance in the current position. This appraisal is useful in rating and ranking to the extent that elements evaluated in it correspond to the requirements of the job being filled. The annual performance appraisal can be a useful tool for promotion panels, particularly when it is combined with a specially developed supervisory appraisal for promotion. This would allow the panel to get the greatest amount of relevant information from the supervisor. Because the supervisor only has to complete the performance appraisal once a year and it is not necessarily involved with selection and placement at that time, it may be more reliable than a supervisory appraisal required in a particular selection action. The annual performance appraisal, however, very often does not contain the information needed to evaluate an individual's anticipated performance in a new position; and there is the possibility that the employee's performance has changed during the time between the date of the annual performance appraisal and the date of the promotion opportunity.

d. **Federal Employment Application.** A Federal employment application may be used as the primary source of information about an individual's education, experience, training, etc. For some types of information, e.g., outside activities, a Federal employment application may not be a good tool. Use of a Federal employment application is not required in merit promotion actions if it is possible to get the same or better information from other sources.

e. **Supplemental Qualifications Statement.** This form is specially designed for use in filling a particular job. It solicits the same type of information as a Federal employment application but requires applicants to give more detailed information on education, experience, training, awards, etc., as they relate to the KSAOs or rating factors being used.

f. **Education.** Educational attainments often provide very useful information about capabilities. Education may be used as one element in combination with others to make determinations of applicants' capabilities. When considering education, the specific courses taken, as opposed to an academic degree, should be evaluated. For example, if someone has a degree in a particular field of study but did not work very long in that field, the degree may be less relevant than several courses taken in a field in which the person has stayed active.

g. **Awards.** Awards, which must be given consideration (see paragraph 3d, chapter 3 of this part) should only be used as indicators of an individual's capabilities to the extent that they indicate high interest, incentive, or performance in one or more of the rating factors (KSAOs) being evaluated.

h. **Training.** While training is frequently distinguished from education on formal vs. informal grounds, relevant training should be evaluated just as any other educational experience.

i. **Outside Activities.** Unpaid experience may be just as relevant as any other experience and should be evaluated in the same manner as paid experience.

j. **Other Tools.** There are many other ways to collect information concerning an applicant's capabilities. Some of these are:

(1) a performance-based interview, either by a rating panel or the selecting official (both must deal only with job-related information);

(2) an assessment center in which a model of the job activities is used;

(3) written test or demonstration;

(4) work samples;

(5) reference checks;

(6) background investigations; etc.

7. EVALUATION OF APPLICANTS

a. **General.** Once the crediting plan is developed, it must be applied equally to all applicants. Using the sources of information available, candidates must be evaluated against the crediting plan and a list of the best qualified applicants developed. Generally, the same sources of information should be used for all applicants. If there is information available on some applicants that is impossible to obtain on others, that information should be used in evaluating the applicants for whom it is available.

b. **Evaluation of Qualified Applicants**

(1) When there is no rating and ranking of applicants (see chapter 3, paragraph 11a(5) of this part), the selecting official is the key element in the entire process. All applicants must be screened to determine

which applicants are to be distinguished as best qualified. This does not mean that best qualified determinations need to be made prior to issuance of the certificate. The selecting official should decide by whom and when the best qualified determinations should be made.

(2) Applicants are usually evaluated by promotion panels which are discussed in chapter 3, paragraph 10, of this part. Promotion panel members should note any problems arising from the use of the crediting plan and report them, with recommendations for correction, to the HRM Officer. This information can be extremely beneficial in crediting plan or procedure refinement and in development of crediting plans for other positions. The HRM Officer should coordinate with crediting plan development panel SMEs and the selecting official when a re-analysis is appropriate.

(3) Using an evaluation worksheet for each applicant, promotion panel members should first rate each applicant without consulting one another. They should review all of the sources of information (Federal employment application, supervisory appraisals, awards, etc.) on an applicant and determine for each rating factor (KSAO) the quality level which best matches the applicant's total background for that factor. Panel members should be cautioned that the quality level descriptions are only examples of background patterns which can be credited at each level. There may be information from sources not explicitly described in the quality level, or other configurations of an individual's experience, training, etc., which indicate the level of performance anticipated in the quality level. (See paragraph 5d, this appendix, concerning suggested point credit.)

(4) After each panel member has rated all the applicants and ranked them to determine a best qualified group (see subparagraph c below), the panel should meet to compare ratings. When their ratings differ to the point that an applicant appears to be in the best qualified group according to one rater but not another, the panel should discuss the relevant information available on the applicant and come to a consensus. The raters who change their ratings should document the reasons for the change on the evaluation worksheet for that applicant. If no consensus can be reached, this should also be documented. When no consensus can be reached, as an alternative, final total scores can be obtained by adding together the scores awarded to each applicant by each panel member. These aggregate scores would then be used to determine which applicants to refer to the selecting official.

NOTE: *The evaluation worksheets of the panel must be signed and kept as part of the promotion file.*

c. **Cut-Scores**

(1) After a score for each applicant has been determined, a "cut-score" must be established to determine which applicants to refer to the selecting official for final consideration. Like all other components of the selection process, the cut-score must be based on valid concerns and be justifiable. Cut-scores, in many instances, will reflect a natural break between assigned points. Cut-scores will not be set arbitrarily at a particular point score or at a particular percentage of the total possible points. Applicant scores are placed in numerical order and the point determined at which a meaningful distinction can be made between those applicants who will probably perform the job with substantially equal success and those likely to perform with a lesser degree of success.

(2) The following questions should be considered in establishing the cut-score:

(a) Is there a natural gap?

(b) Is the lowest ranking individual who will receive further consideration clearly superior to the highest ranking person receiving no further consideration?

(c) Is it possible for the lowest ranking person receiving further consideration to be equally successful as all others in the group referred?

(3) The following examples illustrate where cut-scores might be set:

EXAMPLE A

	Score	Number of applicants at this score
In this case the	20	3
natural break is	19	2
19 and those scoring	18	0
19 and above would be	17	0
referred.	16	5

EXAMPLE B

Even though there were	20	5
five applicants who	19	2
received 20 points, the	18	0
two who received 19 are	17	0
so close that not	16	2
referring them would be		
difficult to justify.		
The cut-score would be 19.		

(4) In some cases there will not be a natural break or other readily justifiable point at which to set the cut-score. If possible, additional information should be collected on applicants which will further distinguish among them and allow a meaningful distinction to be made. Unfortunately, this may not always be possible or practical and other procedures for setting cut-scores will have to be used. Each merit promotion plan should describe what procedure will be used if it is not possible to set a meaningful cut-score. When there are several applicants who have the same score and additional information which would allow for a meaningful distinction is not available, it may be necessary to use a tie-breaking procedure such as that described in Appendix III-I.

APPENDIX H. JOB-ELEMENT APPROACH FOR WAGE GRADE JOBS

1. GENERAL. The job-element qualification system and evaluation and ranking procedures for in-service placement for trades and labor occupations are mandatory for use in VA. An in-depth discussion of this procedure is located in Office of Personnel Management Handbook X-118C. In addition, the information in Appendix III-G of this Handbook should be carefully reviewed since it provides valuable information concerning job analyses, crediting plans, sources of information, etc., which should be considered in the job-element approach.

2. PURPOSE. This appendix is intended to provide an overview of the system and focus attention on certain procedures in Handbook X-118C which are critical to successful implementation.

3. BACKGROUND

a. **Job Elements.** Job elements in Handbook X-118C were developed through an analysis of wage grade job families which yielded job elements (abilities) directly related to successful performance. The approved job elements for specific wage grade job families are located in appendix A of Handbook X-118C. Under certain circumstances, explained in the Handbook, additional job elements may be developed for a specific position, some of the predetermined job elements may be combined, or some may be deleted. The screenout element, however, may not be deleted.

b **Crediting Plans.** The job-element procedure requires development of a crediting plan which is used to determine the relevancy of applicants' background to the job being filled. These crediting plans must be developed and used, both for basic qualification determinations and for rating and ranking purposes. A discussion of crediting plan development is contained in chapter III (Developing the Rating Schedule) of the Handbook X-118C and chapter V of the Internal Qualification Guide for Trades and Labor Jobs issued with it (also, see paragraph 5, appendix III-G of this handbook). Sample crediting plans for certain jobs common to VA were issued to field facilities in 1970 and 1971. The sample crediting plans were not to be applied to local positions until a review of the local job has occurred and the crediting plan altered to conform to the requirements of that specific position, if necessary. A thorough review of chapter V, appendixes A, B and C, found in the Internal Qualification Guide for Trades and Labor Jobs issued with the Handbook X-118C, and paragraph 5, appendix III-G of this handbook, may prove beneficial in the development of crediting plan quality level statements for job elements.

NOTE: *Chapter V of the Handbook X-118C stipulates that crediting plans are not made available to employees since the guides contain information that might give them unfair advantage in applying for the job. They may, however, be reviewed and/or released for grievance and EEO complaint purposes as discussed in paragraph 9e, chapter 3 of this part.*

c. **Supplemental Experience Statements.** VA Form 4676, Supplemental Experience Statement for Inservice Placement, and the continuation sheet, VA Form 4676a, are available for securing information from applicants concerning their qualifications for each job element. Statements used on the VA Form 4676 to generate employee responses are extremely important and must be carefully constructed to ensure they are clear, request relevant information and provide for determining the level of experience the employee possesses. Development and use of supplemental experience statements are discussed in the

OPM Handbook of Wage Grade Supplemental Forms, February 1971. It should be closely observed when developing the VA Form 4676 for employee responses.

d. **Other Sources of Information.** Paragraph 6 of appendix III-G, this part, Sources of Information, should be reviewed. Its provisions are applicable concerning supervisory appraisals and options for their use. This includes the option, no longer a requirement, to use current, standardized VA supervisory appraisal forms with a proper rating pattern for the position to be filled. Other information, geared to the KSAO approach for General Schedule positions, is equally valuable for filling wage grade jobs.

e. **Rating Sheet.** VA Form 4677, Job Element Rating Sheet for Inservice Placement, is available for documenting basic qualification determinations and rating and ranking point credit determinations for applicants for trades and labor occupations. A crediting plan must be used in conjunction with this form.

4. RATING AND RANKING CANDIDATES FOR PROMOTION

a. **Supervisor's Appraisal of Performance for Promotion.** To rate and rank basically eligible candidates for promotion, a supervisory appraisal of performance for promotion based on the requirements of the specific job being filled may be useful in addition to those factors in paragraph 3 above. Various supervisory appraisals like those described in appendix III-G, paragraph 6, for the KSAO approach are, however, acceptable.

b. **Annual Performance Evaluation.** Each candidate's annual performance evaluation must also be taken into consideration in the rating and ranking process. (See paragraph 3d, chapter 3 of this part.)

c. **Awards, Training, Self-Development and Outside Activities.** Information concerning these items, which may be secured from the employee responses on VA Form 4676 and/or from the employee's personnel folder, Federal employment application, or other appropriate source, must also be available for consideration in the point crediting process.

d. **Basis for Awarding Points for Promotion.** When rating and ranking for promotion, the panel, which must include a subject matter expert for the job, reviews each piece of relevant information required by the applicable promotion plan (i.e., the employee's supplemental experience statement, the annual performance evaluation, the supervisor's appraisal of performance for promotion and information related to awards, training, self-development and outside activities). Judgment is used to determine how closely the candidate's total background (as indicated by the combination of all the sources of information required by the applicable plan) matches a quality level for each job element. This process is repeated for each separate job element and points awarded accordingly. The result will not only provide for a basic qualification determination but will also yield the relative rank of candidates for promotion.

e. **Documentation**

(1) **Promotion File.** It is essential that thorough documentation of the panel's decisions include the evidence and rationale used to place the candidate in a certain quality level for each job element. The documentation must be such that a reviewer may easily determine the rationale and judgment used in point credit determinations from the information in the promotion file (see paragraph 18 of chapter 3, this part).

(2) **Selection Procedure.** The documentation requirements of the Uniform Guidelines on Employee Selection Procedures apply to procedures developed for wage grade jobs. Those documentation requirements of paragraph 19, chapter 3, this part, which are applicable to wage grade selection procedure development, must be observed.

5. DETERMINING BASIC QUALIFICATION FOR REASSIGNMENT, DEMOTION, ETC. Rating and ranking to determine a best qualified group are not necessary for certain actions such as reassignment or demotion to positions with no higher potential, or reinstatement to positions at the same grade with no greater promotion potential than previously held. When only basic qualification determination is necessary, use of the appropriate job elements, a crediting plan, a supplemental experience statement and VA Form 4677 is sufficient. Additional guidance concerning basic qualification determinations and point credit may be found in Handbook X-118C, chapter IV, and in the instructions on VA Form 4677.

APPENDIX I. PROCEDURES FOR BREAKING TIES

1. GENERAL. When ties occur, it is preferable to collect additional information on each of the tied candidates for further evaluation to determine whether a distinction among them can be made. Unfortunately, in some cases further differentiation is not possible. Facilities may elect to use Service Computation Dates (SCD), however, the following method may be preferable, since certain factors influencing the SCD may result in adverse impact against certain groups of employees.

2. PROCEDURE. This is a random procedure which does not contain factors which provide advantage or disadvantage to any particular group. The following example is based on vacancy announcements numbered in sequence during each calendar year such as: Announcement 01-1, Announcement 01-2, etc. This system may have to be altered to conform to local announcement numbering procedures.

		LAST DIGIT IN SOCIAL SECURITY NUMBER									
		1	2	3	4	5	6	7	8	9	0
LAST DIGIT IN VACANCY ANNOUNCE-MENT NUMBER	1	6	0	2	9	5	1	4	8	3	7
	2	8	3	9	7	6	0	2	4	5	1
	3	0	2	8	5	4	9	3	7	1	6
	4	5	8	1	6	2	4	0	3	7	9
	5	9	4	5	8	3	7	1	6	2	0
	6	2	1	3	0	7	8	6	9	4	5
	7	1	7	6	2	9	3	5	0	8	4
	8	3	5	7	4	0	6	8	1	9	2
	9	4	9	0	1	8	2	7	5	6	3
	0	7	6	4	3	1	5	9	2	0	8

a. The last digit of the vacancy announcement determines the row to use (e.g., for Announcement 01-47, use row 7 of the chart).

b. The last digit of each tied candidate's SSN (social security number) determines the column to use.

c. The number in the block at the intersection of the row and column is the tie-breaking order digit.

d. The tie-breaking digit "1" is certified first, "2" second and "0" last.

EXAMPLE: Vacancy Announcement 01-47

Candidate	SSN	Tie-Breaking Digit
A	123-45-6789	8
B	123-45-9876	3
C	123-45-8945	9

Candidate B would be certified before A or C.

e. If ties still exist after the first round, break secondary ties by repeating the steps using the next-to-last digit of the social security number.

APPENDIX J. DOCUMENTATION OF ADVANCEMENTS ON SF 50-B, NOTIFICATION OF PERSONNEL ACTION

Category of Employee	Appointment Authority	Nature of Action	Legal Authority	VA Required Remarks
Physicians, Dentists, Podiatrists, Optometrists, Registered nurses, Physician Assistants, Expanded-Function dental Auxiliaries and nurse anesthetists	38 U.S.C. 7401(1)	"Promotion" "Administrative Pay Increase" Promotion" or "Change to Lower Grade," as appropriate "Change to Lower Grade" "Administrative Pay Increase"	38 U.S.C. 7403	 "Special Advancement for Performance" "Grade Adjustment. For consistency with (promotion requirements)." Will be shown for promotion grade adjustments. "Grade Adjustment. For consistency with (duty assignment)." Will be shown when employee changed from level of assignment where grade is based on both nature of assignment and personal qualifications. "Special Advancement for Achievement"
Physicians, dentists, podiatrists, optometrists, registered nurses, physician assistants expanded-function dental auxiliaries and nurse anesthetists	38 U.S.C. 7405(a)(1)	"Promotion" "Administrative Pay Increase" "Promotion" or "Change to Lower Grade," as appropriate "Change to Lower Grade" "Administrative Pay Increase"	38 U. S. C. 7405(b)	 "Special Advancement for Performance" "Grade Adjustment. For consistency with (promotion requirements)." Will be shown for promotion grade adjustments. "Grade Adjustment. For consistency with (duty assignment)." Will be shown when employee changed from level of assignment where grade is based on both nature of assignment and personal qualifications. "Special Advancement for Achievement"
Medical and dental residents	38 U.S.C. 7406	"Promotion"	38 U.S.C. 7406	
Career Residents	38 U.S.C. 7406	"Promotion" "Administrative Pay Increase"	38 U. S. C. 7406	 "Special Advancement for Performance" or "Special Advancement for Achievement"

DOCUMENTATION OF ADVANCEMENTS ON SF 50-B, NOTIFICATION OF PERSONNEL ACTION (CONTINUED)

Category of Employee	Appointment Authority	Nature of Action	Legal Authority	VA Required Remarks
Pharmacists, occupational and physical therapists, registered respiratory therapists, certified respiratory therapists, and licensed practical or vocational nurses	38 U.S.C. 7401(3)	"Promotion" "Administrative Pay Increase" "Promotion" or "Change to Lower Grade," as appropriate "Change to Lower Grade" "Administrative Pay Increase"	38 U.S.C. 7403	 "Special Advancement for Performance" "Grade Adjustment. For consistency with (promotion requirements)." Will be shown for promotion grade adjustments. "Grade Adjustment. For consistency with (duty assignment)." Will be shown when employee changed from level of assignment where grade is based on both nature of assignment and personal qualifications. "Special Advancement for Achievement"
Pharmacists, occupational and physical therapists, registered respiratory therapists, certified respiratory therapists, and licensed practical or vocational nurses	38 U.S.C. 7405(a)(1)	"Promotion" "Administrative Pay Increase" "Promotion" or "Change to Lower Grade," as appropriate "Change to Lower Grade" "Administrative Pay Increase"	38 U. S. C. 7405(b)(2)	 "Special Advancement for Performance" "Grade Adjustment. For consistency with (promotion requirements)." Will be shown for promotion grade adjustments. "Grade Adjustment. For consistency with (duty assignment)." Will be shown when employee changed from level of assignment where grade is based on both nature of assignment and personal qualifications. "Special Advancement for Achievement"

APPENDIX K. ADVANCEMENTS APPROVED BY THE UNDER SECRETARY FOR HEALTH OR A DESIGNEE, NETWORK DIRECTORS AND FACILITY DIRECTORS

(Unless otherwise noted below, appointing officials may approve promotions)

Under Secretary for Health

- Quality increases for physicians and dentists in Executive grade.

Under Secretary for Health or designee

- Annual rate reviews for facility directors

NOTE: *All actions affecting Directors of medical and regional office centers requiring approval of the Under Secretary for Health, or designee, will also require the concurrence of the Under Secretary for Benefits.*

- Advancement of Chiefs of Pharmacy Service to GS-15

- Promotion reconsideration requests from registered nurses and VHA Central Office employees.

Network Directors

- Annual rate reviews for Chiefs of Staff

- Annual step rate reviews for nurse executives when facility Director is immediate supervisor.

- Advancement of VISN employees.

- Promotion reconsideration requests from employees at field facilities within the respective VISNs. This applies to all occupations except that of registered nurse.

- Temporary promotions to Chief of Staff or comparable positions in Executive grade for renewable periods not to exceed 1 year.

Facility Directors

- Annual step rate reviews for nurse executives when facility Director is not immediate supervisor.

- Advancement of Chief of Pharmacy Service at GS-14 and below.

- Advancements of Pharmacists including annual rate reviews for Chiefs, Pharmacy Service. Facility directors may also delegate to the Chief of Pharmacy Service the advancement of pharmacists in noncentralized assignments below GS-13 and Assistant Chiefs of Pharmacy Service at GS-13.

- Advancements of Occupational Therapists. Facility directors may also delegate to Chiefs of Staff the advancements of occupational therapists in noncentralized assignments below GS-13.
- Advancements of Optometrists.
- Advancements of Podiatrists.
- Advancements of Dentists (staff dentists, service chiefs and positions comparable to service chief) and Expanded-Function Dental Auxiliaries.
- Advancements of Physician Assistants.
- Advancements of Registered Respiratory Therapists. Facility directors may also delegate to Chiefs of Staff the advancements of registered respiratory therapists.
- Advancements of Certified Respiratory Therapists. Facility directors may also delegate to Chiefs of Staff the advancements of certified respiratory therapists.
- Advancements of Licensed Practical or Vocational Nurses. Facility directors may also delegate to Nurse Executives the advancements of licensed practical or vocational nurses.
- Advancements of Physical Therapists. Facility directors may also delegate to Chiefs of Staff the advancements of physical therapists.
- Advancements of Physicians.
- Advancements of Registered Nurses and Nurse Anesthetists.

APPENDIX L. TIME-IN-GRADE TITLE 38

NOTE: Time-in-grade requirements are in years except where indicated:

Grade:	Junior	Assoc.	Full	Intermed.	Senior
Physicians	--	1	1	3	4
Dentists	--	1	1	3	4
Podiatrists	--	2*	2*	3	4
Optometrists	--	2*	2*	3	4
Physician Assistants	--	2*	2	2	--
Expanded-Function Dental Auxiliaries	2*	2	--	--	--

Grade:	Nurse I			Nurse II	Nurse III	Nurse IV	Nurse V
Level:	Level 1	Level 2	Level 3	n/a	n/a	n/a	n/a
Registered Nurse	1**	1**	1**	1**	None	None	None
Nurse Anesthetist	1**	1**	--	2**	2**	None	None

Grade: GS-	3	4	5	6	7	8	9	10	11	12	13	14
Pharmacists	--	--	--	--	--	--	1*	--	1	1	1	1
Physical Therapists	--	--	--	--	1*	--	1*	1*	1	1	1	--
Occupational Therapists	--	--	--	--	1*	--	1*	1*	1	1	1	--
Certified Respiratory Therapists	--	--	1*	1*						--	--	--
Registered Respiratory Therapists	--	--			1*	1*	1*	1*		--	--	--
Licensed Practical/ Vocational Nurses	6 mo.	1 yr.	1 yr.	--	--	--	--	--	--	--	--	--

*The time-in-grade requirement will be 1 year for physician assistants in Associate grade and 1 year for expanded-function dental auxiliaries in Junior grade, who meet the requirements set forth in VA Qualification Standards. The time-in-grade requirement will be 1 year for podiatrists and optometrists in Associate grade and in Full grade if they meet the requirements set forth in the VA Qualification Standards. Pharmacists, physical therapists, occupational therapists, and registered respiratory therapists may be advanced 1 or 2 grades to GS-11 and below. Both time-in-grade and the one-grade promotion

requirements are waived for promotion consideration of certified respiratory therapists and registered respiratory therapists whenever they become registered.

**The time-in-grade requirement for registered nurses will be as follows: one year for each level in Nurse I before advancement to the next higher level (total of three years before advancement to Nurse II) and one year in Nurse II before advancement to Nurse III. The time in grade requirement for nurse anesthetists is two years for advancement to Nurse II, Nurse III and Nurse IV.

NOTE: *In exceptional circumstances, the appointing official may waive the time-in-grade requirements for advancement of an employee to the next higher grade.*

APPENDIX M. PROCESSING TITLE 38 PROMOTIONS AND ADVANCEMENTS

HOW TO PROCESS A PROMOTION FOR PHYSICIANS, DENTISTS, PODIATRISTS, OPTOMETRISTS, NURSE ANESTHETISTS, PHYSICIAN ASSISTANTS, EXPANDED-FUNCTION DENTAL AUXILIARIES, PHARMACISTS, OCCUPATIONAL AND PHYSICAL THERAPISTS, CERTIFIED RESPIRATORY THERAPISTS, REGISTERED RESPIRATORY THERAPISTS, AND LICENSED PRACTICAL OR VOCATIONAL NURSES		
	A	B
STEPS	If full-time, part-time or intermittent employee meets the time-in-grade requirements specified in Appendix III-L, and is a	then take these steps
1	physician, dentist, podiatrist, optometrist, nurse anesthetist, pharmacist, occupational or physical therapist, registered respiratory therapist, certified respiratory therapist or licensed practical/vocational nurse	Upon receipt of VA Form 5-97, Notice of Pending Personnel Action, the HRM Office will forward the original copy to the employee's service chief through the Chief of Staff, as appropriate. The duplicate copy will be retained in the HRM office as a suspense copy.
2		The service will make appropriate recommendation to the Professional Standards Board or Standards Board (through the health care facility Director and Chief of Staff, when appropriate, such as for physicians and dentists), including a concise evaluation based on the criteria in paragraphs 5 and 6 of chapter 4, this part (as appropriate). The Chief of Staff will make recommendations similarly for service chiefs. Significant changes in recent proficiency/performance ratings or unusually high or low elements will be evaluated in terms of promotion consideration. Each of these officials will indicate concurrence or non-concurrence, including specific reasons for such recommendation.
3		The Professional Standards Board or Standards Board will examine the personnel folder, supervisory evaluations, and all other information furnished. Additional information may be obtained at the direction of the board. Boards will report their findings and recommendations on VA Form 10-2543, Board Action. All members will sign the form. The board action and all related papers will then be forwarded to the appropriate promotion approving authority listed in Appendix III-K. Action by the approving authority is required even though promotion is not recommended.
4		When the health care facility Director is the approving authority, this official will note the final decision on the Board's recommendation, sign VA Form 10-2543 and take appropriate action.

HOW TO PROCESS A PROMOTION FOR PHYSICIANS, DENTISTS, PODIATRISTS, OPTOMETRISTS, NURSE ANESTHETISTS, PHYSICIAN ASSISTANTS, EXPANDED-FUNCTION DENTAL AUXILIARIES, PHARMACISTS, OCCUPATIONAL AND PHYSICAL THERAPISTS, CERTIFIED RESPIRATORY THERAPISTS, REGISTERED RESPIRATORY THERAPISTS, AND LICENSED PRACTICAL/VOCATIONAL NURSES (Continued)		
A		B
5		When the Under Secretary for Health, or a designee, is the approving authority, the official will review the findings and recommendations of the board, and may require a professional examination even though one was not recommended by the board. The promotion may be approved or disapproved without a professional examination even though one was recommended by the board. If no professional examination is to be required, the approving authority will notify the health care facility concerned of the approval or disapproval of the promotion. If a professional examination is authorized, the approving authority will not take action on the promotion until notified of the results of the examination.
6		The health care facility Director or a designee will notify the employee of the results of promotion consideration. If the employee is not promoted, the appropriate official will discuss with the employee the reasons for non-promotion and what the employee should do to meet the promotion requirements. If an employee who has acquired permanent status or an employee serving on a probationary appointment believes that the action taken to deny a promotion not requiring a waiver by the Under Secretary for Health or a designee was improper, the provisions of chapter 4, paragraph 7, this part, will apply.
7	physician assistant or expanded-function dental auxiliary	See step 1 (above).
8		The service chief should make an appropriate recommendation to the Professional Standards Board through the Chief of Staff and the health care facility Director, including a concise evaluation which will clearly indicate specific professional or administrative strengths and weaknesses and will cite substantiating examples of accomplishments or lack thereof. Significant changes in recent proficiency ratings or unusually high or low elements will be evaluated in terms of promotion consideration. Each official will indicate concurrence or non-concurrence, including specific reasons for such recommendation.
9		See steps 3 through 6 (above).

HOW TO PROCESS A PROMOTION FOR REGISTERED NURSES		
	A	B
STEPS	If full-time, part-time or intermittent employee meets the time-in-grade requirements specified in Appendix III-L, and is a Registered Nurse (not a nurse anesthetist)	then take these steps
1		Upon receipt of VA Form 5-97, Notice of Pending Personnel Action the HRM Office will retain the duplicate copy of the form as a suspense copy and forward the original to the Chairperson, Nurse Professional Standards Board, through the Nurse Executive.
2		The Nurse Professional Standards Board will obtain the candidate's personnel folder, including VA Form 10-2623, Proficiency Report, rendered during the period under consideration, and official transcripts or other documentation of advanced educational credits.
3		If the most recent proficiency report on file was prepared more than 6 months before the date of promotion consideration, narrative performance evaluations will be obtained from at least two professional nurses or appropriate others who have supervised the candidate during the period under consideration. Ordinarily, one of these evaluations will be prepared by the immediate supervisor. Evaluations may be in the form of a supplement to the latest proficiency report. This information specified in step 4, below, should be included in the evaluations for consideration by the board.
4		Evaluations of a registered nurse will clearly indicate specific professional or administrative strengths and weaknesses and will cite substantiating examples of accomplishments or lack thereof. Examples of areas to be emphasized are skill in human relationships; application of knowledge and experience in recognizing nursing needs of patients; technical skills; leadership ability in planning, directing and supervising the actions of others; contributions to the profession and community; acceptance of organizational and personal responsibility. Attention should be given to the requirements specified in the "Nurse VA Qualification Standard" and in chapter 4, paragraph 6 of this part.
5		If a supervisor evaluation reflects information concerning performance which has been previously discussed with the employee, an informal conference will be conducted to discuss the evaluation.
6		The Professional Standards Board will analyze the registered nurse's qualifications based on the above data. Additional information may be obtained at the discretion of the board. Boards may recommend that a professional examination be conducted if, after review of the record, such an examination is indicated.

HOW TO PROCESS A PROMOTION FOR REGISTERED NURSES (Continued)		
A		B
7		The board will report its findings and recommendations on VA Form 10-2543, Board Action. If the registered nurse does not fully meet the experience or education requirements, the board will state that the registered nurse is ineligible for promotion consideration and specify the reasons for this finding. If the registered nurse is eligible for promotion consideration, the board will make a recommendation that the registered nurse either be promoted or not promoted and specify reasons for its recommendation. All board members will sign the board action which will then be authority for action. Action by the approving authority is required even if promotion is not recommended.
8		When the facility Director is the approving authority, this official will note the final decision on the Board's recommendation, sign VA Form 10-2543 and take appropriate action.
9		When the Under Secretary for Health or designee is the approving authority, the findings and recommendations of the board will be reviewed. The approving authority may require a professional examination even though one was not recommended by the board. The approving authority may approve or disapprove the promotion without a professional examination even though one was recommended by the board. If no professional examination is to be required, the approving authority will notify the health care facility concerned of the approval of the promotion. If a professional examination is authorized, the approving authority will not take action on the promotion until notified of the results of the examination.
10		The Nurse Executive or designee, will notify the registered nurse of the results of promotion consideration. If the employee is not promoted, the appropriate official will discuss with the employee the reasons for non-promotion and what the employee should do to meet the requirements. If an employee who has acquired permanent status or an employee serving on a probationary appointment, believes that the action taken to deny a promotion not requiring a waiver by the Under Secretary for Health or a designee was improper, the provisions of chapter 4, paragraph 7, this part, will apply.

APPENDIX N. UTILIZATION OF TITLE 38 EMPLOYEES (APPOINTMENT/ASSIGNMENT TO NON-CLINICAL DUTIES)

1. SCOPE. This appendix contains VHA policy on the assignment of non-patient care duties to title 38 employees and when placement of title 38 employees in competitive civil service positions is required; it establishes procedures for ongoing review of these assignments; and it provides information on the conversion of title 38 employees to appointments under title 5 United States Code (U.S.C.). This appendix sets forth VHA policy that title 38 employees are to be appropriately utilized.

2. POLICY. It is VHA policy that responsible officials assign title 38 employees duties requiring clinical skills; that the utilization of title 38 employees in competitive civil service positions is prohibited; and that positions which do not require clinical skills be placed in the competitive civil service.

3. ACTION

a. Network directors, facility directors, and officials in VA Central Office are responsible for:

(1) Ensuring that positions that require clinical knowledge, skills, and abilities of an occupation covered by title 38 are not placed under title 5.

(2) Ensuring that positions that do not require the knowledge, skills and abilities of a health care professional are not removed from the competitive civil service by placing a title 38 employee in the position. **NOTE:** *Such actions are contrary to title 5 U.S.C.§ 3302 and title 5 Code of Federal Regulations (CFR), Part 1 (Civil Service Rule 1), and, in certain instances, are considered a prohibited personnel practice as defined by title 5 U.S.C. § 2302(b)(6).*

(3) Controlling the degree to which title 38 employees are assigned duties that do not require clinical skills. However, when such action is necessary, these officials must ensure that:

(a) Staffing is sufficient to provide patient care, continuous quality improvement, health care education, research, etc.

(b) The assignment of the non-clinical duties is consistent with good position management principles. The provision of administrative support services needs to be evaluated in a comprehensive manner at the organization and position levels. For example, would putting employees performing related non-clinical duties under the control of clinical managers result in improved services? Positions can also be reengineered so non-clinical responsibilities can be assigned to competitive service employees, making more clinical staff available for patient care services. Positions that involve a mixture of clinical and non-clinical duties are to be evaluated to determine if title 38 employees might be used on a part-time, consultative, collateral or rotational basis. Also, non-clinical duties assigned to title 38 employees are to be reduced to a minimum and assigned to title 5 employees.

(c) Staffing patterns are established so that title 38 employees are not routinely required to perform administrative or support functions that do not require the services of a health care professional. This includes title 38 employees assigned to evening, night, weekend, and holiday tours of duty.

(4) Working with the Chief of Staff, Nurse Executive, Chief of Human Resources, and other appropriate officials to apply the policies in this appendix consistently throughout the organization. This includes reviewing and bringing into conformance appointments or assignments inconsistent with this appendix.

(5) Converting positions that do not require clinical skills to the competitive civil service, and either reassigning the incumbent title 38 employee or offering the employee the opportunity to voluntarily convert to the competitive civil service using the Interchange Agreement in appendix III-C. However, such conversion actions must be based upon a Professional Standards Board finding that the position does not require the services of a health care professional. Employees requesting conversion must be advised, in writing, of the implications of the decision on their pay and benefits (e.g., differences in leave accrual rates and, since conversion is voluntary, these employees would not be eligible for pay retention). In addition, new, current, or converting title 5 employees who are licensed in a title 38 occupation (e.g., M.D., R.N.) are to be advised in writing that they are prohibited from engaging in professional practice in their VA position. Copies of these statements are to be placed on the left-hand side of the employee's Merged Records Personnel Folder. When employees are reassigned to patient care positions, management must ensure that the employee's competencies and credentials (e.g., license) are current. Reasonable measures must also be taken to reduce or eliminate potential adverse effects on employees being reassigned. There may be labor relations responsibilities to fulfill when an employee is involuntarily reassigned from one bargaining unit position to another. Managers are to consult with their labor relations advisor to determine whether an obligation exists. **NOTE:** *If the Professional Standards Board finds the position requires a title 38 employee, responsible officials are to evaluate the position to ensure it is consistent with the criteria in preceding subparagraphs a(1) and a(2).*

b. Network directors, facility directors, and officials in VHA Central Office **can not**:

(1) Assign title 5 employees, or former title 38 employees who have converted to title 5 positions, any clinical responsibilities associated with a title 38 occupation. Such responsibilities can only be assigned to employees appointed under title 38.

(2) Convert title 38 employees to title 5 positions to avoid pay limitations, required waivers of qualification standards, competitive civil service procedures, credentialing requirements, or to circumvent provider-patient ratios.

(3) Establish title 5 positions in the occupations listed in 38 U.S.C. 7401(1) or (3).

4. FOLLOW-UP RESPONSIBILITY. The Director, Management Support Office (10A2), is responsible for the contents of this appendix.

STAFFING

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PART IV. REDUCTIONS IN STAFF

CHAPTER 1. GENERAL

1. SCOPE. This part covers activities and actions at facilities associated with effecting employment reductions and changes based on such factors as change in mission, reorganization of work, changes in workload, a lack of funds and other matters that are unrelated to individual employee conduct and performance issues. Included in this part are furlough, title 5 reduction in force (RIF), career transition assistance, and title 38 staff adjustment requirements.

2. RESPONSIBILITY. Managers will ensure requirements associated with this part are met, and will otherwise attempt to minimize the adverse impact of necessary changes within their organizations by assisting employees to understand the reasons for changes, assisting employees to make career transitions, and treating employees in a fair and equitable manner.

3. REPORTING STAFF REDUCTIONS TO THE OFFICE OF MANAGEMENT AND BUDGET. VA will provide the Office of Management and Budget with information concerning planned reductions in staff and furloughs. See the OHRM website for the requirements for submitting information to VA Central Office prior to conducting RIFs, staff adjustments or furloughs.

CHAPTER 2. TITLE 5 RIF AND TRANSITION ASSISTANCE

SECTION A. GENERAL

(TO BE USED WITH 5 CFR 351)

1. SCOPE. This chapter contains Department of Veterans Affairs (VA) policies and procedures for reductions in force, transfers of function, furloughs and career transition assistance. They apply to all competing title 5 employees not serving in the Senior Executive Service or appointed under 38 U.S.C. 7306, 7401(1), or 7405 authorities. Hybrid title 38 employees, such as Licensed Physical Therapists and Licensed Practical/Vocational Nurses, appointed under 38 U.S.C. 7401(3) are covered by this chapter, except for placement priorities specified in 5 CFR 330 and this chapter. Since this chapter supplements 5 CFR 351, the two issuances must be used together when planning and effecting covered actions. Prior to making a determination to initiate a reduction-in-force action, labor organizations should be notified in order to obtain their pre-decisional involvement. If a decision is made to initiate a reduction in force, labor organizations will be notified before any affected bargaining unit employees are notified. Applicable master or local negotiated agreement provisions also must be used in administering actions affecting bargaining unit employees.

2. FILLING VACANCIES

a. **Reduction-in-Force Planning**

(1) Although management is not obligated to fill vacancies prior to or during a reduction in force, to the extent possible, necessary and continuing vacancies will be used to provide placement opportunities for employees who will be adversely impacted by reduction in force. When management chooses to offer vacancies using RIF procedures, qualifications may be waived in accordance with 5 CFR 351.703.

(2) After a reorganization is announced in writing and prior to a RIF, eligible employees may be allowed to volunteer to accept lower-graded positions. Employees taking such positions will be granted grade and pay retention if eligible. (See Pay Administration Directive and Handbook 5007 and 5 CFR 536 for guidance on grade and pay retention eligibility.)

(3) Promotions or other placements into vacant positions prior to a RIF which have greater promotion potential than employees' current positions must be made under competitive merit promotion procedures.

b. **Offering Vacancies to Employees**

(1) During a reduction in force, to the extent possible, vacancies may be used to satisfy employees' assignment rights in accordance with 5 CFR 351.201.

(2) Employees without assignment rights who have received specific reduction-in-force separation notices may be offered vacant, lower-grade positions without regard to the three-grade level limit which applies to bump and retreat. These offers may be made so long as the position would not constitute a

better RIF offer to other competing employees. Eligible employees who voluntarily accept lower-graded positions will be entitled to grade and pay retention benefits.

3. DELEGATIONS OF AUTHORITY

a. The Secretary, or designee(s), will approve reduction-in-force actions involving positions centralized to the Secretary and all furloughs.

b. Administration Heads, Assistant Secretaries, General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman, Board of Contract Appeals, or their designee(s), with the advice and assistance of the Office of Human Resources Management, will approve all other actions within Central Office elements under their jurisdiction, and within field facilities under the jurisdiction requiring Central Office approval.

c. Field facility directors will approve all reduction-in-force actions within their respective jurisdictions unless the action involves a centralized position or separating an employee without an assignment offer.

4. REQUESTS TO TAKE ACTION

a. **Reduction in Force.** Field facility directors will submit a request, through channels and the Office of Human Resources Management (051), to the appropriate official listed in VA Directive 5005 before proceeding with reductions in force that involve a centralized position or separating an employee without an assignment offer. This authority may be redelegated by officials listed in paragraph 3 above. The Under Secretary for Health has delegated reduction in force authority as specified in appendix IV-B. Information regarding submitting proposed RIFs is provided on the OHRM website. The request will include the following information.

(1) The reasons(s), among those in 5 CFR 351.201(a)(2), for the action;

(2) The titles, series, grades, and numbers of all involved positions;

(3) If the reduction in force occurs in a research project, the name of the project and principal investigator.

b. **Transfer of Function.** Field facility directors will submit a request, through channels and the Office of Human Resources Management (051), to the appropriate official listed in VA Directive 5005 before they separate or include in a concurrent reduction in force employees who decline to transfer with their functions. The request will include the information in subparagraph 4a(2) above.

c. **Furlough.** Administration Heads, Assistant Secretaries, General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman, Board of Contract Appeals and field facility directors will submit a request, through channels and the Office of Human Resources Management (051), to the Secretary before proceeding with a furlough, whether under adverse action or reduction-in-force procedures. The request will include a description of the temporary conditions warranting a furlough, the information in paragraph 4a above, the proposed length of the furlough, including the beginning and ending dates, and any alternatives to furloughs that were considered. Requests for adverse action furloughs also will identify the method used to select employees for furlough.

d. **Voluntary Early Retirement Authority (VERA).** The Deputy Assistant Secretary for Human Resources Management is authorized to request VERA from the Office of Personnel Management (OPM). The request must meet the criteria and include the information required by OPM. Administration Heads, Assistant Secretaries, General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman and Board of Contract Appeals will submit conforming plans, through channels, to the Office of Human Resources Management (051). Each facility authorized and utilizing VERA will establish and maintain a local VERA plan consistent with VA plans and OPM requirements.

SECTION B. COMPETITIVE AREAS

1. STANDARD COMPETITIVE AREAS

a. **Field Positions**

(1) Normally, each VA facility under separate managerial authority, e.g., medical center, independent outpatient clinic, regional office, cemetery, and data processing center and its satellite positions and activities within the commuting area, constitutes a competitive area.

(2) Satellite positions and activities outside the commuting area of their parent facilities, e.g., Veteran Representatives on campus, satellite outpatient clinics, "vet centers," also constitute separate competitive areas for each commuting area.

(3) When two or more installations in the same administration or staff office in a local commuting area have a single organizational unit which provides "common service" functions, such as Human Resources, finance, or supply, the servicing office is included in the competitive area of the installation that has administrative authority over the servicing office.

(4) A field element of an administration or staff office which is located at and serviced by a VA facility, but under separate managerial and appointing authority, constitutes a separate competitive area. Examples include Regional Counsel offices at regional offices and medical centers and Veterans Benefits Administration activities at data processing centers.

(5) Positions in the field for which employment matters are centralized to Central Office, such as associate directors and division chiefs, are included in the competitive area of the local facility.

(6) Different funding sources alone is no basis for establishing separate competitive areas.

b. **Central Office Positions**

(1) The Office of the Secretary, each office of an Administration Head, Assistant Secretary, and the General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman, Board of Contract Appeals constitute separate competitive areas.

(2) Central Office employees with a duty station outside of the Washington, DC, metropolitan area, such as information specialists in the Office of Public Affairs and resident engineers in the Office of Facilities, are in separate competitive areas for each administration or staff office and each commuting area. They are not included in the Washington, DC, competitive areas or in any other competitive areas in their commuting areas.

(3) Positions in the Office of Inspector General (OIG) may not be placed in the same competitive area as positions outside the OIG.

2. AUTHORITY TO REDEFINE COMPETITIVE AREAS. Administration Heads, Assistant Secretaries, General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman, Board of Contract Appeals with the advice and assistance of the Office of Human Resources Management (051), may redefine competitive areas for organizations under their jurisdictions, provided such redefinition's are in accordance with 5 CFR 351, fully justified and documented to ensure that such action is clearly in the best interest of VA. The Under Secretary for Health has delegated authority to redefine competitive areas as specified in appendix IV-C.

SECTION C. COMPETITIVE LEVELS AND RETENTION STANDING

1. ESTABLISHMENT OF COMPETITIVE LEVELS. Human Resources Management Officers (HRMOs) are responsible for assigning competitive levels and maintaining the required records. Records will be maintained for at least two years after the completion of the reduction-in-force action(s).

2. CREDIT FOR PERFORMANCE

a. Guidance on processing annual performance ratings of record used for reduction-in-force purposes is contained in VA Directive and Handbook 5013, Performance Management Systems. Annual performance rating crediting procedures to be used for retention service credit are contained in 5 CFR 351.504 and paragraph (b) to (i) below.

b. Organizations continuing under the April to March appraisal cycle, received a first rating of record under the current pass/fail system for the period which ended March 31, 1998. Organizations which have an appraisal cycle on a fiscal year basis, received a first rating of record under the current pass/fail system for the period which ended September 30, 1998. All ratings of record with annual cycles ending prior to October 1, 1997, must be credited by applying the previous Government-wide 12 to 20 year formula for additional retention service credit.

c. VA is required to treat all employees within a RIF competitive area in a uniform and consistent manner. Any competing employee receiving a satisfactory performance evaluation under the current two-level (pass/fail) performance plan will receive 12 years of additional service credit. This 12-year service credit will be extended to anyone covered by a rating of record assigned under a two-level system, no matter what agency or organization actually issued the rating.

d. Since VA has gone from a 5-tier rating system to the current pass/fail system, VA will have a mix of patterns through the year 2001. This mix of patterns will continue in effect past the year 2001 for those employees who transfer into VA from other agencies with different rating patterns.

e. In crediting performance for RIF purposes, the "look-back" period of 4 years applies. The latest 3 ratings will be used to determine performance credit. These latest 3 ratings of record will be added together by the years of service credit assigned to these ratings and divided by 3 to determine additional service credit.

f. Under provisions of 351.504(c)(2), an employee who has received at least one but fewer than three previous ratings during the 4-year period shall receive credit for performance on the basis of the service credit of the *actual* rating(s) of record divided by the number of ratings received. For example, when only 2 ratings of record are available to be credited, these 2 ratings will be added together by the years of credit assigned to each rating and divided by 2 (and rounded in the case of a fraction to the next higher whole number) to determine additional service credit. If there is only 1 rating of record available, use the value assigned to that rating for service crediting purposes.

NOTE: *There is no provision for assigning an assumed fully successful rating.*

g. In the event of a RIF, all employees who receive a rating of record after October 1, 1997, which is at the fully successful (pass) level, will receive 12 years of service credit. All ratings effective prior to October 1, 1997, will be credited based on the Government-wide 12 to 20-year formula for additional retention service credit. Individuals from other agencies who have been rated on performance plans dated after October 1, 1997, (and received at least a fully successful rating) will also receive 12 years of service credit regardless of their rating. For example, an employee who has joined VA from another agency which has a 5-tier performance rating pattern and received an outstanding rating (for a cycle ending after October 1, 1997) will receive the same 12-year service credit as a VA employee under our present pass/fail system.

h. OPM has determined that an employee who has no rating of record during the 4-year period will receive the "modal" rating, i.e., the rating pattern most often received by VA employees. Since VA's current policy provides for 12 years of service for fully successful (a rating of Pass), and is the "modal" rating for VA**,** any employee who has no rating of record will receive a rating of fully successful and 12 years of service credit. However, in most instances, every employee in the competitive area would have at least one rating of record during the last 4 years. If at least one rating exists, a "modal" rating will not be required.

i. Some agencies and organizations within the Federal government are not covered by the performance appraisal provisions in the law and regulations. Employees who have received ratings from such Federal organizations will be granted additional retention service credit in a RIF only when it is determined that those performance ratings are equivalent ratings of record under the provisions of 5 CFR 430.201(c). The human resource office responsible for conducting the RIF will make the final determination on applicability. If the performance evaluation qualifies as an equivalent rating of record the employee will be granted the appropriate service credit for each applicable rating of record. For example, an equivalent rating of this type received prior to October 1, 1997, would be credited under the previous system. Such ratings received after this date would be credited under the new system.

j. The cutoff date for performance ratings of record will be the date of the specific reduction-in-force notice.

3. ORDER OF RELEASE FROM COMPETITIVE LEVELS. No competing employee will be released from a competitive level while retaining in that level an employee with a specifically limited temporary appointment, a specifically limited temporary or term promotion, or a written decision of a performance-based removal or demotion from the competitive level. Once such employees have been released, competing employees will be released in inverse order of retention standing except as provided in this section, paragraphs 4 and 5 below.

4. TIES. As permitted by 5 CFR 351.601(b), the operating official who would normally make the selection for the position being filled will determine, on the basis of qualifications for the specific position, which employee(s) will be retained when two or more employees on a retention register are tied. Employees who will not be retained will be notified in writing of the tie and the decision that they will not be retained.

5. EXCEPTIONS TO RETENTION ORDER

a. Holders of the Congressional Medal of Honor employed as Contact Representatives (Veterans Benefits Counselors) under authority of Executive Order 9628 are exempted from reduction in force.

b. An employee who is being assigned to a position which will not be vacated until after the end of the 60-day notice period may be retained in his/her current position until the position becomes available but not to exceed 60 additional calendar days.

c. As permitted in 5 CFR 351.608, employees who have been reached for reduction in force (separation) will be retained as a temporary exception to the retention order under the following conditions:

(1) An employee whose disability retirement has been approved by OPM will be separated when the person's earned sick leave is exhausted or on the date OPM approval is received, whichever is later.

(2) An employee who applies for disability retirement (or for whom VA has made such application) will be granted sick leave provided the responsible VA official agrees, on the basis of acceptable medical evidence, that the employee is incapacitated for duty in his/her present position. If OPM disapproves the request for disability retirement, the employee will be separated on the day VA is notified of the disapproval or on the scheduled effective date of the reduction in force, whichever is later. If OPM has not approved or disapproved the application for disability retirement by the time the employee's earned sick leave has been exhausted, the employee will be separated at that time or on the scheduled effective date of the reduction in force, whichever is later.

d. Field facility directors may approve temporary exceptions in the normal retention order for employees under their jurisdiction in other cases involving sickness, disability, or other issues covered by 5 CFR 351.608, such as near-term retirement eligibility. The Secretary, Administration Heads, Assistant Secretaries, General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman, Board of Contract Appeals, or their designee(s), may approve such exceptions for Central Office employees and for employees located at field facilities who are not under the managerial authority of a field facility director.

e. These officials are also authorized to approve temporary exceptions in the normal retention order for 90 days or less to continue an activity without undue interruption as described in 5 CFR 351.203. "Undue interruption" does not mean mere inconvenience. Serious inconvenience and even severe interruption of the work program are often the unavoidable results of reduction in force. A work program probably would not be unduly interrupted if an employee needed more than 90 days after the reduction in force to successfully perform the critical elements of a position. Lower priority programs might tolerate a longer interruption.

f. If an exception is approved in one case in a particular reduction in force, it must be applied to all other employees reached for separation in that reduction in force who meet the same criteria.

SECTION D. ASSIGNMENT RIGHTS

1. QUALIFICATIONS DETERMINATIONS. Human Resources Management Officers determine whether employees are qualified for specific positions to which they can be assigned in reduction in force. Qualification requirements may be waived to the extent permitted by 5 CFR 351.703, when filling a vacant position during a reduction in force. Such waivers are not permitted for reduction-in-force displacements.

2. ADMINISTRATIVE ASSIGNMENTS. The following administrative assignment rights are granted to affected VA employees consistent with 5 CFR 351.705:

a. **Other Competitive Areas.** Group III employees in other competitive areas in the local commuting area will be displaced to provide assignment opportunities for VA employees who (1) are in Group I or Group II; (2) have received a notice of impending reduction-in-force separation or who have declined an offer to transfer with their current competitive area; and (3) meet the qualification standards and are available for positions held by Group III employees at grade levels not higher than the grade levels held at the time of receipt of reduction-in-force notices.

b. **Attorneys.** Attorneys appointed under Schedule A, Section 213.3102(d) who are reached for release from their competitive area which are encumbered by Schedule A, Section 213.3102(d) appointees whom they can displace by "bump" or "retreat" as defined by 5 CFR 351.701.

c. **Employees Appointed under 38 U.S.C. 7401(3).** Employees appointed under 38 U.S.C. 7401(3) who are reached for release from their competitive levels are entitled to other positions in the same competitive area which are encumbered by 38 U.S.C. 7401(3) appointees whom they can displace by "bump" or "retreat."

d. **Veterans Canteen Service Employees.** Employees of the Veterans Canteen Service appointed under 38 U.S.C. 7802 who are reached for release from their competitive levels are entitled to other positions in the same competitive area which are encumbered by 38 U.S.C. 7802 appointees whom they can displace by "bump" or "retreat."

SECTION E. EMPLOYEE NOTICES

1. GENERAL. Employees will be given advance official information concerning decisions which may result in their being affected by reduction in force. This information will be written and will include the reasons for the required adjustments, such as lack of work or funds, reorganization, or a realignment of functions, the competitive area, where the employee may inspect the pertinent regulations, and who to contact about assistance available for affected employees.

2. SPECIFIC NOTICES. Whether or not other notices are used, each affected employee must be given a specific notice of the proposed action. Notice periods and contents are described in CFR part 351.

SECTION F. FURLOUGHS

1. GENERAL. Furloughs are appropriate to address temporary conditions when it is intended to recall employees to duty. The determination as to which employees are furloughed will be based on an assessment of which assignments are critical to the continuing operation of the organization during the furlough. When feasible, furloughs will be spread out among employees in affected competitive levels to minimize the impact on each employee and the disruption of VA activities. All employees shall be accorded fair and equitable treatment consistent with this policy.

2. USE OF ADVERSE ACTION PROCEDURES. Furloughs of 30 days (22 workdays) or less are adverse actions and should be processed in accordance with VA Directive and Handbook 5021, Employee Management Relations. The guidance in this chapter on requests for furlough authority, appropriate uses of furlough, and identification of employees for furloughs will apply to these actions.

3. USE OF RIF PROCEDURES. Reduction-in-force procedures must be followed to furlough an employee for more than 30 consecutive days (or more than 22 workdays if done on a discontinuous basis).

4. WRITTEN NOTICE TO EMPLOYEES. Ordinarily, employees will be given 30 or 60 calendar days advance written notice of a furlough depending on the length of furlough (whether the furlough is an adverse action or a RIF-based action). However, employees may be furloughed during emergencies without the usual advance notice and opportunity to reply. Emergency situations are restricted to very narrow circumstances such as furloughs to avoid violating the Anti-deficiency Act, which prohibits using funds when appropriations have not been enacted. The written notice shall advise the employee of:

a. The reason(s) for the furlough;

b. The effective date(s) and expected duration of the furlough;

c. The process used - either adverse action or RIF (see requirements for RIF notices as well)

d. If applicable, the circumstances which warrant waiver of the notice period;

e. When only some of the employees in an organizational unit are to be furloughed, the basis for identifying the employees to be furloughed;

f. The place where the employee may inspect the applicable regulations and records;

g. The employee's right to reply in writing and time allowed for reply;

h. The employee's right to grieve or appeal, as appropriate; and

i. Any effects of the furlough on the employee's entitlement to retirement, life and health insurance, and other benefits.

5. EMPLOYEE PREFERENCES. For furloughs of 30 days or less, management will consider employee preference, e.g., to work a shorter prorated week or to be furloughed for a certain number of consecutive days, in scheduling the furlough.

6. FURLOUGH DURATION LIMITATIONS. Competing employees may not be furloughed for more than one year. If employees must be released for more than one year, reduction-in-force procedures must be used.

SECTION G. TRANSFER OF FUNCTION

1 GENERAL. A transfer of function occurs when the function wholly leaves one competitive area and moves to another competitive area that does not already perform that same function. When the number of employees who are willing to transfer and who are in a competitive level within a transferring function exceeds the needs of the gaining competitive area and reduction-in-force procedures are used to relieve the surplus, these procedures will normally be applied at the gaining location. Any use of reduction-in-force procedures in the losing competitive area (except for actions unrelated to the transfer of function) will require the prior authorization of the appropriate Administration Heads, Assistant Secretaries, General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman, Board of Contract Appeals.

NOTE: *For a more complete explanation of procedures and employee rights in transfer of function, see 5 CFR 351, subpart C and OPM Restructuring Information Handbook, Module 4.*

2. PROCEDURES

a. For planning purposes, employees occupying positions in a transferring function will be asked in writing if they are interested in transferring, and will be given a reasonable period of time to respond.

b. If a reduction in force is necessary at the gaining facility as a result of the transfer of function, employees occupying positions in the transferring function will be considered to be employees of the receiving organization and will be placed in appropriate consolidated competitive levels. They will not be physically moved to the new commuting area until a specific assignment is determined.

c. Normally, appropriate notices will be issued by the losing facility and will include information on specific assignments, pay and grade retention, and payment for travel and transportation costs. If there is a reduction in force involved in the transfer of function, the gaining facility will issue the notices. Separation actions that may result will be processed by the losing facility.

d. Career or career-conditional employees who are separated are eligible for placement assistance under the programs described in 5 CFR 330 and this handbook. Also, those meeting the requirements will be entered on the reemployment priority lists in the commuting area of the office that issued the notice resulting in the separation.

SECTION H. APPEALS AND GRIEVANCES

1. NOTIFICATION TO EMPLOYEES. Affected employees will be advised in writing of their grievance and appeal rights at the time specific actions are communicated, consistent with regulatory requirements.

2. PETITIONS FOR REVIEW BY THE MERIT SYSTEMS PROTECTION BOARD. An employee, the Department, or the Director of OPM may file a petition for review of a MSPB Regional Office decision with the MSPB. Department petitions for review will be coordinated and submitted by the Deputy Assistant Secretary for Human Resources Management (051). Field facilities will expedite transmission of MSPB Regional Office decisions to that office to assure that Department petitions, if appropriate, are submitted on a timely basis.

SECTION I. PLACEMENT ASSISTANCE AND CAREER TRANSITION

1. EMPLOYMENT RESTRICTIONS. The Federal government has established a regulatory framework in 5 CFR 330, parts G and H, regarding both placement assistance and reemployment consideration of employees subject to RIFs and related activities. This section addresses Federal and VA policies on placement assistance and career transition.

a. Administration Heads, Assistant Secretaries, General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman, Board of Contract Appeals will determine, with the advice and assistance of the Deputy Assistant Secretary for Human Resources Management, whether additional employment restrictions beyond those described herein should be imposed on other facilities or areas to provide placement opportunities for employees likely to be affected adversely by reduction in force, transfer of function, or other reorganizations. If it is determined that employment restrictions across organizational lines are needed to provide sufficient placement assistance opportunities, the Administration Heads, Assistant Secretaries, General Counsel, Inspector General, Chairman, Board of Veterans' Appeals, Chairman, Board of Contract Appeals of the potentially affected facility or organization or the Secretary will approve the extension of employment restrictions.

b. Efforts should be made to identify the specific grades and series of positions for which affected employees qualify, and to apply employment restrictions only to those specific vacancies.

2. OPERATIONAL REQUIREMENTS FOR CAREER TRANSITION ASSISTANCE

a. The **facility Director** shall:

(1) Establish and implement local **Career Transition Assistance Plans (CTAP)**, in partnership with local labor organizations, and;

(2) Ensure that their affected employees receive required and other appropriate and timely notification of the availability of local career transition assistance (see this directive and handbook as well as 5 CFR, parts 330 and 351).

b. The **Human Resources Management Officer** shall:

(1) Ensure that all displaced and surplus employees in the local commuting area have the opportunity to apply for vacancies lasting 121 days or more;

(2) Where there is more than one Human Resources Management Officer (HRMO) in the local commuting area, these HRMOs will establish local procedures for exchange of pertinent information, including the existence of any VA displaced and surplus employees;

(3) Determine, in consultation with subject matter experts as appropriate, whether displaced and surplus applicants/employees are "well-qualified" for vacancies to which they have applied, and provide documented "qualification reviews" to these persons when an otherwise "eligible" is determined to be "not well-qualified;"

(4) Ensure that eligible "well-qualified" VA displaced and surplus applicants/employees receive appropriate special selection priority when they are referred to selecting officials;

(5) Operate the Reemployment Priority List (RPL) for eligible separated VA employees;

(6) Maintain records of VA CTAP and Interagency Career Transition Assistance Plan (ICTAP) activities and prepare and submit local annual reports; and

(7) Ensure that each impacted employee receives a copy of The VA Employee's Guide to Career Transition.

3. DEFINITIONS FOR CTAP

a. **Agency.** An Executive department, a Government corporation, and an Independent establishment as cited in 5 U.S.C. Sections. 101, 103 and 104.

b. **Bargaining Unit.** A group of employees recognized by the employer and designated by the Federal Labor Relations Authority as appropriate to be represented by a labor organization for purposes of collective bargaining.

c. **Certification of Expected Separation (CES).** A memorandum which identifies an employee as being in an excess organization or occupation and therefore subject to possible separation. An employee in receipt of such a memorandum is considered a surplus employee. A CES would most appropriately be used in cases when entire units are expected to be abolished and can be issued up to 6 months prior to separation. This makes such employees eligible for the full range of VA CTAP services and assistance under this directive and handbook.

d. **Displaced Employee**

(1) **Under CTAP.** A current agency employee serving under an appointment in the competitive service, in tenure group I or II, who has received a specific reduction in force (RIF) separation notice.

(2) **Under the Interagency Career Transition Assistance Plan (ICTAP)**

(a) A current or former career or career-conditional competitive service employee, in tenure group I or II who has received a specific RIF separation notice;

(b) A former career or career-conditional employee who was separated because of a compensable injury, as provided under the provisions of subchapter I of chapter 81 of title 5, U.S.Code, whose compensation has been terminated and whose former agency is unable to place the individual as required by 5 CFR, part 353;

(c) A former career or career-conditional competitive service employee, in tenure group I or II, who retired with a disability under sections 8337 or 8451 of title 5, U.S.Code, whose disability annuity has been or is being terminated;

(d) A former career or career-conditional competitive service employee in tenure group I or II, in receipt of a RIF separation notice who retired on the effective date of the reduction in force or under the discontinued service retirement option;

(e) A former career or career-conditional competitive service employee, in tenure group I or II, who is separated because he/she declined a transfer of function or directed reassignment to another commuting area; and,

(f) A former Military Reserve Technician or National Guard Technician who is receiving a special disability retirement annuity from OPM under section 8337(h) or 8456 of title 5, U.S.Code, as described in 5 CFR, part 330, subpart H.

e. **Eligible Employee.** To be eligible for special selection priority under these procedures, an individual must meet all of the following conditions:

(1) Is a surplus or displaced employee as defined in 5 CFR 330.604(c) or 5 CFR 330.703 (b);

(2) Has a current performance rating of record of at least fully successful or equivalent;

(3) Applies for a vacancy that is at or below the grade level from which the employee may or is being separated, that does not have a greater promotion potential than the position from which the employee may or is being separated;

(4) Occupies a position in the same local commuting area of the vacancy;

(5) Files an application for a specific vacancy within the established timeframe;

(6) Is determined by the agency to be well-qualified for the specific vacancy.

f. **Facility.** A single medical center, regional office, automation center, other department field establishment under the direction of local management officials or VA Central Office. The facility includes any operation (e.g., a satellite) or complex of organizations that is under the control of the same facility director.

g. **Interagency Career Transition Assistance Plan (ICTAP).** The Office of Personnel Management program which provides special selection priority to other displaced Federal employees when filling vacancies from outside of VA.

h. **Labor Union.** An organization composed, in whole or in part, of employees in which these employees participate and pay dues, and which has as a purpose the dealing with an agency concerning grievances and conditions of employment.

i. **Local Commuting Area.** The geographic area that usually constitutes one area for employment purposes. It includes any population center (or two or more neighboring ones) and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment.

j. **Qualification Review.** The documented analysis by the responsible Human Resources Management Officer of the rationale for a determination of "not well-qualified" for an otherwise eligible applicant.

k. **Selecting Official.** That individual with the authority to choose from among candidates for a vacancy.

l. **Special Selection Priority.** The precedence over any other candidates that eligible employees have for being chosen for vacancies for which they apply. **Exception** - No VA CTAP special selection priority can be made which would cause another VA employee to be separated by reduction in force. See Appendix IV-A of this handbook for those staffing actions not covered by the VA Career Transition Assistance Plan.

m. **Surplus Employee.** A current employee serving under an appointment in the competitive service as well as excepted employees in schedules A and B, in tenure group I or II, who has received a Certification of Expected Separation (CES) or other certification issued by the agency which identifies the employee as being in an excess organization or occupation.

n. **Vacancy.** A competitive service position lasting 121 days or more including extensions, which is being filled, regardless of whether a specific vacancy announcement is issued.

o. **Vacancy Announcement.** The notice of a vacancy which ensures that eligible displaced and surplus employees in the local commuting area have the opportunity to apply and which conveys what is required to be determined as "well-qualified".

p. **Well-Qualified Employee.** An eligible applicant who:

(1) Meets the qualification standard and eligibility requirements for the position, including any medical qualifications and minimum educational and experience requirements;

(2) Meets all selective factors, where applicable, and appropriate quality ranking factor levels. Selective and quality ranking factors cannot be so restrictive that they run counter to the goal of placing displaced employees. In the absence of selective and quality ranking factors, Human Resources Management Officers, with appropriate consultation, will document the job-related reason(s) the eligible employee is or is not considered to be well-qualified;

(3) Is physically qualified, with reasonable accommodation where necessary, to perform the essential duties of the position;

(4) Meets any special qualifying condition(s) that OPM has approved for the position, and;

(5) Is able to satisfactorily perform the duties of the vacancy upon entry.

4. CAREER TRANSITION ASSISTANCE SERVICES. Are to be provided to VA employees who either have been or are likely to be separated from Federal service due to downsizing. The goal of such services is to assist VA employees in taking charge of their own careers by providing them with the

support they need to find other job opportunities, either with government or in the private sector. In VA, under these procedures, transition assistance services will be available to impacted permanent competitive and excepted service employees as well as similarly tenured title 38 hybrid employees (see chapter 3 for title 38 employees). Special selection priority, when filling competitive service vacancies, will be available to displaced and surplus competitive service employees. A key feature of the CTAP is that employees must exercise individual initiative in pursuing other employment, both within and outside of the Federal government. Therefore, managers and supervisors, in their administration of the VA CTAP should be sensitive to the needs of impacted employees and should approve requests for reasonable excused absence to use career transition services.

5. SPECIFIC VA CAREER TRANSITION SERVICES. Such services will be offered by facilities to all permanent competitive and non-time limited excepted service and Senior Executive Service employees affected by downsizing. These resources will assist employees in pursuing employment both within or outside the Federal Government and in managing the change process.

a. **Required Services.** The following must be offered to impacted employees:

(1) Resume writing;

(2) Interviewing skills/techniques;

(3) Training in preparing applications that address vacancy announcement rating factors;

(4) Skills assessment/counseling;

(5) Retirement counseling/training;

(6) Employee benefits counseling/training;

(7) Financial planning/training;

(8) Job search skills;

(9) Stress management;

(10) Basic library of job search materials;

(11) Access to the Office of Personnel Management's USAJOBS;

(12) Training in the use of career transition services for employees, managers, supervisors and union representatives; and

(13) Basic computer training beyond that needed to facilitate use of transition services.

b. **Other Requirements**

(1) Employees will be allowed reasonable excused absence to use transition services and facilities.

(2) Separated employees will be allowed reasonable access and time to use transition services and facilities.

(3) Access to services will be provided to employees in field offices and remote sites and those with disabilities.

(4) Facilities will make full use of Employee Assistance Programs.

(5) Facilities will provide employees with resource information on other forms of Federal, state, and local assistance which are available to support career transition for employees with disabilities.

c. **Highly Desirable Services.** In addition to services which must be offered to affected employees are services which, although not required, may be highly desirable in some instances.

(1) "Survivor training", and/or counseling, for those who will remain in the new organization to help them adjust to changes brought about by downsizing;

(2) Team building;

(3) Counseling for families of impacted employees;

(4) Training in the new organizational structure, and;

(5) Job retraining where time and resources permit. This is appropriate in restructuring reductions where numbers in some occupations will be increasing.

d. **Methods of Providing Services.** Career transition assistance services may be delivered in a variety of ways. Facilities may, for example, wish to pool resources for particular services. Facilities should contact organizations, both government and private sector, to learn what techniques and options are effective in the local area.

6. SPECIAL SELECTION PRIORITY FOR VA EMPLOYEES

a. Special selection priority means that an eligible “well-qualified” applicant (one who applies and meets criteria under the career transition assistance program) must be selected. Since our displaced and surplus employees must apply for specific vacancies, it is therefore necessary that vacancy announcements be distributed so that they have an opportunity to apply. The VA Career Transition Assistance Plan is designed to maximize employment opportunities for displaced and surplus VA employees who, through no fault of their own, are adversely affected by VA restructuring and downsizing.

b. Surplus and displaced VA employees who apply for VA vacancies in their local commuting area at their current grade or a lower grade with no higher promotion potential than their current grade, and who are determined to be well-qualified for such position, must be selected. These employees are the first selection priority for VA vacancies. (See Order of Selection and Consideration in appendix IV-A.)

(1) **Announcement of Vacancies.** The Plan depends on the announcement of vacancies in order that VA CTAP eligibles have the opportunity to apply. Vacancy announcements should be forwarded for appropriate distribution by HRMOs at other VA facilities in the local commuting area. In those instances where vacancies are not announced, e.g., in anticipation of a reassignment within the facility, if well-qualified eligibles apply in a timely manner they must receive special selection priority. See Appendix IV-A.

(2) **Determining Well-Qualified.** The responsible Human Resources Management Officer, in consultation with subject matter experts, as required, will approve the determination of "well-qualified" for each eligible applicant under this program, using the criteria defined in paragraph 3. This official will also notify eligibles of a determination of "not well-qualified," and maintain documentation of the basis for this determination.

(3) **Notification Procedures.** Employees will receive notification of their eligibility for special selection priority under this program with their specific notice of RIF separation, or in their Certification of Expected Separation (CES) or other certification issued by the agency which identifies the employee as being in an excess organization or occupation.

7. REEMPLOYMENT PRIORITY CONSIDERATION FOR SEPARATED VA EMPLOYEES. VA employees who receive a specific RIF notice of separation will be notified that they may register for the **Reemployment Priority List (RPL).** Registrants receive reemployment priority consideration for positions in the local commuting area at the same grade or lower than the position held at the time of separation. Registrants do not have to re-apply for specific vacancies as in the case with current surplus and displaced employees. Neither must they meet the test of "well-qualified." Where there is more than one Human Resources Management office in the commuting area, the HRM officers will establish local procedures for exchange of information and the maintenance of a consolidated RPL. All facilities in the commuting area are, consistent with 5 CFR, part 330, responsible for assuring RPL registrants receive reemployment priority consideration for all appropriate vacancies. If the selecting official tentatively nonselects appropriately referred RPL registrants, that official must obtain approval of the next higher level supervisor before considering candidates from outside the facility. Registrants who were formerly career-conditional tenured have one year of eligibility under the RPL program, those who were formerly career tenured have two years of eligibility.

8. SPECIAL SELECTION PRIORITY FOR DISPLACED CURRENT OR FORMER EMPLOYEES FROM OTHER FEDERAL AGENCIES. Displaced current or former employees from other Federal agencies are entitled to have special selection priority under the **Interagency Career Transition Assistance Plan (ICTAP**) when they apply through the OPM USAJOBS for VA vacancies at their current or former grade level or with no higher potential, and is within the local commuting area. VA facilities must place vacancies lasting 121 days or more on the OPM USAJOBS whenever they decide to recruit outside VA. These employees or former employees who are determined to be well-qualified must be selected prior to the selection of reinstatement eligibles, transfer eligibles, from a civil

service register of eligibles or from other competitive sources. Such employees or former employees have eligibility for one year following separation under reduction-in-force procedures. They will be informed of the procedures of ICTAP and their eligibility for it when they receive their specific notices of separation.

9. ANNUAL REPORTS. Human Resources Management Officers are responsible for timely submission of an annual report, RCS 05-0910 VA CTAP/ICTAP Fiscal Year Activity Report, as required by OPM, covering each fiscal year's activity to reach the Deputy Assistant Secretary for Human Resources Management (051) by no later than December 1. The report format is provided on the OHRM web site.

10. LABOR RELATIONS RESPONSIBILITY. Career transition procedures have been developed in partnership with VA unions. These policies and procedures are not intended to affect existing collective bargaining agreements until such time as they are up for renegotiation. The parties to such agreements, however, are free to negotiate those provisions that may be affected. Local management shall meet its labor-management obligations at the local level prior to implementation of local Career Transition Assistance Plans.

11. EMPLOYEE RELATIONS RESPONSIBILITIES AND RIGHTS. Employees must exercise individual initiative in pursuing other employment both within or outside the Federal government. In order to exercise special selection priority, eligible individuals must apply for specific vacancies in which they are interested with proof of their eligibility. A determination of "not well-qualified" is subject to a qualification review by the responsible Human Resources Management Officer. Further dispute regarding such determination may be considered under appropriate procedures.

CHAPTER 3. TITLE 38 ASSIGNMENTS, STAFF ADJUSTMENTS, AND FURLOUGHS

SECTION A. GENERAL

1. SCOPE. Except as provided in subparagraph c below, this handbook establishes procedures on:

a. Assignments, reassignments, staff adjustments, and furloughs of employees appointed under title 38, United States Code (U.S.C.) 7306, 7401(1), 7405, and 7406; and

b. Assignments of hybrid title 38 employees appointed under 38 U.S.C. 7401(3).

c. This handbook does not apply to:

(1) Transfers for performance or conduct under 38 U.S.C. 7461 (see VA Directive and Handbook 5021).

(2) Separation of employees who fail to accept a properly directed transfer or reassignment based on disciplinary or performance reasons (see VA Directive and Handbook 5021).

(3) Furlough and reduction-in-force (including incident reassignments) of employees appointed under 38 U.S.C. 7401(3) (see chapter 2, this handbook).

(4) Intermittent and fee basis employees appointed under 38 U.S.C. 7405.

(5) Approving officials may exclude full- and part time employees appointed under 38 U.S.C. 7405 and 7406 from the procedures in this handbook.

2. REFERENCES

a. Title 38 U.S.C., Chapters 73 and 74.

b. VA Directive 5005.

c. "PAID Personnel Operating Instructions," VA Manual MP-6, Part V, Supplement 1.5.

d. VA Partnership Guide to Collective Bargaining and Joint Resolution of 38 U.S.C. 7422 Issues.

3. DEFINITIONS

a. **Assignment.** An assignment is a specified set of duties and responsibilities.

b. **Detail.** A detail is the temporary assignment of an employee to a different set of duties for a specified period of time. There is no formal position change; officially, employees continue to hold the position from which they were detailed and keep the same status and pay.

c. **Employee.** Unless otherwise specified, the term refers to employees covered by this handbook.

d. **Furlough.** Placement of an employee in a temporary status without duties or pay because of a lack of work, funds, or other nondisciplinary reasons. Furloughs may be consecutive or non consecutive days.

e. **Reassignment.** Reassignment is the temporary or permanent change:

(1) From one assignment to another under the same facility management involving an official personnel action (the reassignment need not be in the same commuting area); or

(2) From one assignment to another for reasons other than performance or conduct and involving different facilities.

f. **Staff Adjustment.** A staff adjustment is a formal procedure used to modify organizations through changes in staff patterns or levels.

g. **Transfer.** The movement of an employee from one facility to another for performance or conduct reasons pursuant to 38 U.S.C. 7461.

4. POLICY

a. The authorities covered by this handbook are management tools which are to be used to assist in the provision of quality health care services in a cost efficient manner.

b. Efforts will be made to mitigate the adverse effects of authorities covered by this handbook. However, primary consideration will be given to the efficient and effective accomplishment of the VA mission.

c. Approving officials will make maximum use of an employees' skills and capabilities; provide employees with opportunities for growth and development; and consider any personal problems of affected employees.

d. Employees will only be assigned duties and responsibilities for which they have appropriate credentials and there is a reasonable expectation that they will be able to perform satisfactorily.

e. Reassignments or changes of assignments requested by employees for their own convenience will normally be given favorable consideration when consistent with the needs of VHA.

f. Local policies and procedures related to this handbook shall not be developed or implemented without predecisional involvement of Labor-Management Partnerships.

g. Management officials are responsible for meeting the requirements of subparagraph f above and their labor relations obligations related to this handbook. This includes, but is not limited to, planning and implementing staff adjustments and furloughs, reduction of the advance notice period for staff adjustments, as well as the numbers and types of employees to be affected.

h. In connection with meeting labor relations obligations or appeals under negotiated grievance procedures, issues will be resolved in accordance with VA Partnership Council's Guide to Collective Bargaining and Joint Resolution of 38 U.S.C. 7422 Issues.

SECTION B. ASSIGNMENTS, REASSIGNMENTS AND DETAILS

1. CHANGES OF ASSIGNMENTS OTHER THAN REASSIGNMENTS. Bargaining unit employees dissatisfied with changes in assignments may grieve the assignment under the negotiated grievance procedure. Other employees may grieve using the following procedures:

a. The employee may discuss the dissatisfaction with the official who approved the change.

b. If the employee feels that the explanation given is not satisfactory, the employee may discuss the change of duty assignment with the next level supervisor, or their designee.

c. After giving full consideration to the employee's reasons for dissatisfaction, the second level supervisor will advise the employee of the final decision.

2. REASSIGNMENTS

a. **Approval.** Officials are authorized to effect the reassignment of employees in positions over which they have personnel management approval authority. Reassignments are to be processed in accordance with VA Manual MP-6, Part V, Supplement No. 1.5.

b. **Reassignments for Reasons Other than Staff Adjustments**

(1) **Reassignments within a Facility (and the same commuting area).** Employees dissatisfied with reassignments within a facility (and the same commuting area), may express their dissatisfaction using the procedures in paragraph 1 above. If multiple labor agreements are involved, employees are to grieve under the procedures covering the position from which the employee is being reassigned.

(2) **Involuntary Reassignments Outside the Commuting Area or to Another VA Facility.** Employees shall be given a minimum of 30 days advance written notice. The notice should include:

(a) The reason for the reassignment.

(b) Information about the specific assignment, location and proposed effective date.

(c) A statement that employees may express their dissatisfaction through their negotiated grievance procedures or the grievance procedures in VA Directive and Handbook 5021.

NOTE: *If a grievance is filed, the approving official may delay the reassignment until the grievance is resolved.*

(d) Notice that employees have an opportunity to accept or decline the reassignment. This includes advising employees when and where their decision is to be submitted.

(e) Notice that a declination or failure to make an election may result in separation.

(3) **Declination of Reassignment or Failure to Make Election.** Separations for declination of reassignment or failure to make an election will be effected in accordance with the notice procedures in VA Directive and Handbook 5021.

NOTE: *The specific advance notice in this chapter meets the 30 day notice requirement in VA Directive and Handbook 5021. Employees are not entitled to another 30 days notice prior to separation.*

c. **Reassignments Based on Staff Adjustments.** See section C, paragraph 4a, this chapter.

3. DETAILS

a. Details will be limited to the shortest amount of time possible.

b. Employees may be detailed to other assignments at their facility and to other VA facilities.

c. If a temporary reassignment rather than detail could benefit an employee (e.g., recomputation of basic or special pay), consideration should be given to temporarily reassigning an employee to the position.

NOTE: *For instructions concerning interagency details and interagency loans and for temporary assignments under the Intergovernmental Personnel Act of 1970, see part III of this handbook.*

d. Any detail in excess of 30 days will be documented in accordance with the provisions of OPM's Processing Personnel Actions Handbook and MP-6, Part V, Supplement 1.5, subparagraph 300.08.

e. Employees dissatisfied with a detail may express their dissatisfaction using the procedures outlined in paragraph 1 of this section.

SECTION C. ACCOMPLISHING STAFF ADJUSTMENTS

1. PLAN. If a staff adjustment is required, a written plan will be developed. The plan should:

a. Include the basis for the staff adjustment and a revised organization chart for affected activities.

b. Specify the criteria for considering individuals for assignment, such as requirements for general and special skills, experience, training, scope of practice, performance and potential for retraining.

c. Address efforts to lessen the impact of any changes on employees (e.g., consideration of the time frame over which changes will occur given current employment trends, turnover rates, hiring activities, outplacement efforts, or retraining initiatives).

2. GENERAL ADVANCE NOTICE. Except as provided in paragraph 5 below, affected employees will be given at least 60 days advance notice of a staff adjustment. The notice should include the reasons for the staff adjustment, anticipated scope of impact and time frames, as well as information concerning the availability of placement and other types of assistance.

3. PLACEMENT

a. Identification of employees to accompany or remain with an activity, to be internally reassigned, or separated will be based on locally developed criteria. Examples include: general and special skills, experience, training, scope of practice, performance, and potential for retraining. If the qualifications of individuals under consideration are otherwise generally equal, preference will be given to veterans, and within each group (i.e., veterans with a service-connected disability, veterans and non-veterans) a ranking will be developed on the basis of length of creditable Federal service.

NOTE: *Full-time employees may be offered less than full-time employment; however, they may not be directed to such positions. Declination of such an offer does not constitute a basis for separation; nor does such an offer affect the time frames of the advance general and specific notices.*

b. Every effort will be made to reduce the negative affects of staff adjustments and place employees in appropriate positions. For example, management officials should take into account voluntary requests for assignment changes or reduction of work hours (such as from full- to part-time) to the extent possible and to the extent they reduce the need to effect involuntary changes or separations.

c. Employees may be considered for, but are not entitled to assignments outside the area affected by a staff adjustment.

d. Facilities will engage in such career transition activities as practicable to assist title 38 employees, consistent with local support services provided to title 5 employees. (See chapter 2, section I, paragraph 5, this part.)

4. SPECIFIC ADVANCE NOTICE. Employees are entitled to a minimum of 30 days advance notice if they are to be reassigned to another facility, reassigned to another commuting area, or separated as a result of a staff adjustment. These actions may not, however, be effected less than 60 days after the date of the general advance notice unless an exception is approved under paragraph 5 below.

NOTE: *Actions other than separation or reassignment to other facilities or commuting areas (e.g., internal reassignments, voluntary changes from full- to part-time or changes in assignments) may be taken without Specific Advance Notice to affected employees.*

a. **Reassignments To Another Facility or Commuting Area.** The notice should include:

(1) The reason(s) for the reassignment.

(2) Information about the new assignment, its location, and the effective date.

(3) A statement that employees covered by negotiated grievance procedures may express their dissatisfaction through those procedures. Other employees may grieve using the procedures in VA Directive and Handbook 5021.

NOTE: *If a grievance is filed, approving officials may delay the reassignment until the grievance is resolved.*

(4) An opportunity to accept or decline the reassignment.

(5) Notice that the employee may be separated in accordance with the provisions of VA Directive and Handbook 5021 for failure to accept the reassignment.

NOTE: *The specific advance notice in this handbook meets the 30 day notice requirement in VA Handbook 5021. Employees are not entitled to another 30 days notice prior to separation if they fail to accept the reassignment.*

b. **Separations.** The notice should include:

(1) The reasons for the staff adjustment.

(2) Notification that the employee has been determined to be in excess of local needs.

(3) Notice that an assignment is not available and the employee will be separated not less than 60 days from the date of the advance general notice (unless an exception has been approved under paragraph 5 below).

(4) Information regarding outplacement activities.

(5) Notice that the separation may be canceled if an assignment becomes available prior to the effective date of separation.

NOTE: *If reassignment outside the commuting area of the current assignment or to another facility is offered prior to separation, approving officials may extend the specific notice period to allow the employee an opportunity to consider the assignment. As in subparagraph 4a above, an employee may grieve the reassignment, but an employee who fails to accept the reassignment may be separated under the provisions of VA Directive and Handbook 5021. The advance notice in this handbook meets the 30 day notice requirement in VA Directive and Handbook 5021. Employees are not entitled to another 30 days notice prior to separation.*

(6) A statement that a copy of the plan developed under paragraph 1 above will be provided at the request of the employee.

(7) A statement that employees covered by negotiated grievance procedures may express their dissatisfaction through those procedures. Other employees may grieve using the procedures in VA Directive and Handbook 5021, except that employees appointed under 38 U.S.C. 7401(1) may request a hearing and the scope of the grievance shall be limited to application of the procedures in this section.

NOTE: *Where employees are represented, a copy of the notice is to be sent to the union.*

5. REDUCTION OR WAIVER OF THE GENERAL ADVANCE NOTICE PERIOD. The Assistant Deputy Under Secretary for Health may approve requests to reduce or waive the general advance notice period when a staff adjustment is caused by unforeseeable circumstances. Any reduction or waiver may not reduce the specific advance notice period to less than 30 days.

a. Requests shall specify:

(1) The staff adjustment to which the request pertains;

(2) The number of days the advance notice period would be reduced; and

(3) The reasons why the request should be approved.

b. Where employees are represented, management officials will comply with the requirements in section A, paragraph 4 of this chapter. This includes providing a copy of any request to the union.

SECTION D. TITLE 38 FURLOUGHS

1. FURLOUGHS OF 30 DAYS OR LESS. Employees may be furloughed for 30 calendar days or less based on an assessment of which assignments will be most critical to the continuing operations of the organization during the period of furlough.

2. FURLOUGHS OF MORE THAN 30 DAYS. Employees shall be identified for furloughs for more than 30 calendar days in accordance with the procedures for identifying employees for staff adjustment. (See section F, paragraph 3of this part.)

3. LENGTH OF NOTICE PERIOD

a. Whenever possible, employees will be given 30 calendar days advance written notice.

b. This notice period may be shortened or waived only in the event of circumstances not controllable by Department officials, such as sudden emergencies requiring immediate curtailment of activities.

4. CONTENTS OF NOTICE. The written notice shall advise the employee of:

a. The reason(s) for the furlough.

b. The effective date(s) and expected duration of the furlough.

c. The basis for identifying the employees to be furloughed when only some of the employees in an organizational unit are to be furloughed.

d. The circumstances which warrant waiver of the 30 day notice requirement, if applicable.

e. The place where the employee may inspect the applicable regulations and records.

f. The employee's right to appeal (see paragraph 5 below).

g. Any effects of the furlough on the employee's entitlement to retirement, life and health insurance, or any other benefits.

5. APPEALS

a. **Furlough Approved by the Under Secretary for Health.** Bargaining unit employees whose furloughs are approved by the Under Secretary for Health may express their dissatisfaction through applicable negotiated grievance procedures. Employees not represented by a union may express their dissatisfaction using the procedures for similar employees in section C, paragraph 4 of this chapter.

b. **Other Furloughs.** Employees covered by negotiated grievance procedures may express their dissatisfaction through those procedures. Other employees may express their dissatisfaction through the following procedures:

(1) Employees who have been furloughed may appeal to the next official in the line above the official approving the furlough.

(2) An appeal must be submitted within 15 calendar days from the day of receipt of the notice of furlough.

(3) If an employee appeals, the complete record of the case, along with any statement or other evidence the employee submits, will be forwarded to the appeal decision official.

(4) The decision official will render a final decision, not subject to further review or appeal.

6. RECORDS OF FURLOUGH ACTIONS. All records of furlough actions shall be retained at least 2 years from the effective date or until any appeal has been resolved, whichever is later.

APPENDIX A.
TITLE 5 SELECTION REQUIREMENTS IMPOSED BY THE REEMPLOYMENT PRIORITY LIST, VA CAREER TRANSITION ASSISTANCE PLAN AND INTERAGENCY CAREER TRANSITION ASSISTANCE PLAN

1. ORDER OF SELECTION AND CONSIDERATION. The following is to be used when filling a competitive service vacancy under the VA Career Transition Assistance Plan (VA CTAP), the Reemployment Priority List (RPL), 5 CFR 330, subpart B, and the Interagency Career Transition Assistance Plan (ICTAP), 5 CFR 330, subpart G.

a. Selection of a displaced or surplus VA employee in the local commuting area, who applies within the prescribed timeframe for a vacancy at the same or lower grade with the same promotion potential and is determined to be well-qualified, then;

b. Consideration of a qualified employee from within the facility under the Priority Placement Program For Employees in Retained Grade or Pay Status (PPP) (see appendix III-F of this handbook) and any facility-wide special placement programs, then;

c. Consideration of qualified RPL registrants in the local commuting area, then;

d. Selection of any qualified current VA employee from within or outside of the facility, **then;**

e. Selection of a current or former well-qualified displaced Federal employee from another agency in the local commuting area who applies within the prescribed timeframe under the ICTAP, then;

f. Selection of any other candidate from outside of the agency, including selection from a Federal certificate of eligibles, a reinstatement eligible, a transfer from another agency, a noncompetitive appointment, such as under the Outstanding Scholar Provision of the Luevano Consent Decree, or any other routine competitive staffing action.

2. SELECTION ACTIONS OF VA EMPLOYEES NOT RESTRICTED BY 5 CFR, PART 330, SUBPART F

a. Placement of an agency employee through reassignment, change to lower grade, or promotion when no employees eligible under this subpart apply;

b. Reemployment of a former agency employee exercising regulatory or statutory reemployment rights;

c. Position changes resulting from reclassification actions or for disciplinary reasons;

d. Temporary appointments of under 121 days (including extensions);

e. Exchange of positions between or among agency employees, when the actions involve no increase in grade or promotion potential;

f. Conversion of an employee on an excepted appointment which confers eligibility for noncompetitive conversion into the competitive service;

g. Placement activities under 5 CFR, part 351;

h. Placement of an employee into a new position as a result of a reorganization, when the former position ceases to exist, and no actual vacancy results;

i. Placements made under the Intergovernmental Personnel Act (IPA) as provided in 5 CFR, part 334 where they are for critical situations where the failure to make the assignment would substantially harm Federal interests, such as providing training for State takeover of a Federal program;

j. The filling of a position through an excepted appointment;

k. Details;

l. Time-limited promotions of under 90 days;

m. Noncompetitive movement of surplus of displaced employees;

n. Movement of excepted service employees within an agency;

o. A placement under 5 U.S.C. 8337 or 8451 to allow continued employment of an employee who has become unable to provide useful and efficient service in his or her current position because of a medical condition;

p. A placement that is a "reasonable offer" as defined in 5 U.S.C. 8336(d) and 8414(b);

q. Career-ladder promotions; and

r. Recall of seasonal employees from nonpay status.

3. SELECTION ACTIONS OF NON-VA APPLICANTS NOT RESTRICTED BY 5 CFR, PART 330, SUBPART G

a. Selections from VA's CTAP or RPL as described in 5 CFR, part 330, subparts F and B or any other internal movement of current VA employees;

b. Appointments of 30% or more compensably disabled veterans;

c. Reemployment of former VA employees who have regulatory or statutory reemployment rights;

d. Temporary appointments of under 90 days;

e. An action taken under 5 CFR, part 351;

f. The filling of a position by an excepted appointment;

g. Conversions of employees on excepted appointments that confer eligibility for noncompetitive conversion into the competitive service;

h. Noncompetitive movement of displaced employees between agencies or employees moved as a result of reorganization or transfer of function; and

i. Placement of injured workers receiving workers compensation benefits.

APPENDIX B.
VHA REDUCTION-IN-FORCE DELEGATION OF AUTHORITY (RCN 10-96-1)

1. BACKGROUND. The Veterans Health Administration (VHA) is committed to maintaining a stable workforce through such measures as forecasting workload accurately, estimating turnover and attrition rates, and analyzing local labor markets. It remains VHA's goal to manage the size and composition of its workforce pro-actively, utilizing RIF procedures where alternative approaches do not reasonably appear to be able to achieve management goals or ensure effective use of scarce resources.

2. DELEGATION. In order to enable local management to utilize their human and financial resources most effectively, and to take advantage of opportunities to re-engineer and streamline work processes and organizational structures, the Under Secretary for Health has delegated to network directors and to facility directors the authority to conduct reduction-in-force (RIF) procedures and effect reassignment, change-to-lower grade, and separation actions for title 5 employees in non-centralized positions. Network and facility directors will exercise this delegation consistent with the procedures set forth in 5 U.S.C., part 351, and part IV of this handbook. RIF actions demoting, separating, or adversely affecting employees in centralized positions will be approved in VHA Central Office.

3. RESPONSIBILITIES

a. **Labor-Management.** Directors should work with their Partnership Councils in planning and executing RIF procedures.

b. **Procedures.** Facilities wishing to conduct a RIF should identify the universe of positions to be eliminated by position title, occupational series and grade level, together with a brief explanation of the basis for the action. This could include such bases as elimination of services, consolidation of services or functions between two or more facilities, re-allocation of workload, review of staffing or staffing mixes, etc. This listing should be forwarded to the Assistant Deputy Under Secretary for Health, through the Network Director as early as possible, but not less than 14 days before specific notices are given to individual employees.

c. **Career Transition Assistance.** Facilities planning to effect downsizing or streamlining through the use of RIF procedures must establish career transition assistance services consistent with VA and Federal government policies, as soon as possible. An outline of the plans for such services should be forwarded to the Assistant Deputy Under Secretary for Health as they are developed.

d. **Title 38 Personnel.** The RIF procedures defined in this appendix do not apply to the title 38 personnel. If facility directors wish to implement staffing efficiencies involving title 38 employees, they may do so using the staffing adjustment procedures outlined in chapter 3 of part IV, this handbook.

4. REPORT. The Office of Management and Budget (OMB) has required that VHA track several specific items related to the RIF process both in the current fiscal year and for future budget submissions. Facility directors must ensure that they develop systems which will identify, track, and report the information required on a one-time basis, within 90 days following completion of RIF procedures. This information should be submitted through the Network office. It will be aggregated in

VHA Central Office, and reported to OMB. Reports Control Number (RCN) 10-96-1 is assigned to this report. The categories required are:

(1) Full cost of implementation of the RIF including cost of:

(a) Grade and pay retention;

(b) Severance pay;

(c) Lump-sum terminal annual leave;

(d) Unemployment compensation;

(e) Out-placement services;

(f) Personnel processing; and

(g) Grievances and appeals.

(2) Projected costs associated with the changes to the mix of occupations and personnel, and actual costs based on average salary once RIFs have been fully implemented.

(3) Projected long-term savings associated with the final structure of the organizations affected by the RIF, including measures for efficiencies realized under the new structure.

APPENDIX C. VHA DELEGATION OF AUTHORITY TO REDEFINE COMPETITIVE AREAS

1. DELEGATION. The Under Secretary for Health has delegated the authority to redefine competitive areas for organizations under their jurisdiction to network directors, with the advice and assistance of the office of the Deputy Assistant Secretary for Human Resources Management (051). Such redefinitions must be fully justified and documented to ensure that such action is clearly in the best interest of VA.

2. RESTRICTIONS. When management establishes or changes competitive areas:

a. Descriptions of the areas must be readily available for review by employees and the Office of Personnel Management (OPM).

b. Such actions must be taken at least 90 days prior to a reduction in force.

c. If such actions are contemplated within 90 days of a reduction in force, OPM must approve.

NOTE: *Guidance concerning establishment of new competitive areas may be found on the OHRM web page.*

3. REDELEGATION. This authority may not be redelegated.