



DEPARTMENT OF VETERANS AFFAIRS
DEPUTY ASSISTANT SECRETARY FOR
HUMAN RESOURCES MANAGEMENT AND LABOR RELATIONS
WASHINGTON DC 20420
AUG 12 2005

HUMAN RESOURCES MANAGEMENT LETTER NO. 05-05-03

Interim Instructions Concerning Implementation of Section 502, "Technical Correction to Listing of Certain Hybrid Positions in Veterans Health Administration," of Public Law 108-422, "Veterans Health Programs Improvement Act of 2004," November 30, 2004

Public Law 108-422, Veterans Health Programs Improvement Act of 2004, effective November 30, 2004, converted the Blind Rehabilitation Specialist occupation, series GS-601, from the title 5 competitive service to the title 38 hybrid excepted service. The following positions are now title 38 hybrid occupations:

- Blind Rehabilitation Specialist (BRS)
- BRS (Instructor)
- BRS (Services)
- BRS (Outpatient Training)
- Visual Impairment Services Team (VIST) Coordinator

On March 17, 2004, VA issued Human Resources Management Letter (HRML) No. 05-04-02 which included interim instructions for recruiting, appointing, promoting, advancing, and taking other personnel actions regarding the 22 occupations converted to the hybrid system by Public Law 108-170, Veterans Health Care, Capital Asset, and Business Improvement Act of 2003, effective December 6, 2003. The HRML, attachments, and updated Workforce Information Systems Team (WIST) guidance are located at <http://www1.va.gov/ohrm/T38Hybrid/LatestNews.htm>. The interim guidance and WIST updates for the 22 occupations converted in December 2003, also applies to the Blind Rehabilitation Specialist positions. We have attached modified sample letters specific to the BRS occupation which you may change as appropriate for local use. Final guidance will be issued after VA has met its labor relations obligations.


Thomas J. Hogan

Attachments

**SAMPLE LETTER FOR CURRENT VA EMPLOYEES IN NEW HYBRID
OCCUPATION:**

Blind Rehabilitation Specialist GS-601

On November 30, 2004, the President signed the "Veterans Health Programs Improvement Act" (Public Law No. 108-422). It converted the Blind Rehabilitation Specialist occupations from the competitive civil service to the hybrid title 38 employment system. Certain title 38 and hybrid appointment, promotion, and weekend premium pay authorities in the Veterans Health Administration were modified with the passage of the Veterans Health Care, Capital Asset, and Business Improvement Act of 2003, Public Law 108-170. You are affected by the following changes:

Full-Time and Part-Time Employees Appointed Without Time Limitation

Pay. The change to hybrid status does not affect your current grade, step or salary rate. In addition to your basic pay, you remain entitled to title 38 premium pay at the rate of 25 percent of your basic hourly rate of pay for each hour of service on a tour of duty, any part of which is between midnight Friday and midnight Sunday.

Staffing. You are now covered by the hybrid title 38 employment system. New policies related to advancements and promotions are being developed. Until these policies are finalized, only title 38 hybrid appointment procedures will be used. During this interim period current employees in the new hybrid occupation and employees appointed using interim procedures will continue to be covered by title 5 procedures for position classification, qualification determination, promotions, and advancements.

Adverse Action Rights. You remain covered by the same applicable agency and negotiated disciplinary and adverse action procedures and grievance procedures as prior to the conversion. The only change for you is the point at which you accrue the right to appeal an adverse action to the Merit Systems Protection Board (MSPB). The MSPB considers hybrid appointments as excepted service. As such, you are entitled to appeal an adverse action to the MSPB once you have completed a minimum amount of continuous, non-temporary Federal service in the same line of work. For "veterans preference eligible" employees, the requirement is one year of service. For "other than preference eligible" employees, the requirement is two years of service. Questions regarding whether you are a veterans preference eligible should be referred to your local Human Resources Office. It should be noted, however, that non-preference eligible employees who have completed between one and two years of continuous service are entitled to VA adverse action procedures and you may grieve an adverse action through the applicable grievance procedure.

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Reduction-in-Force Rights. Full-time and part-time employees appointed without time limitation retain the same RIF rights under the hybrid title 38 system as they had under title 5, but will only compete with other employees in the hybrid system.

Intermittent Employees Appointed Without Time Limitation

All of the information described above for full-time and part-time employees appointed without time limitation applies to employees on intermittent work schedules, except that the manner in which your service is credited towards completion of your probationary period and service required to appeal an adverse action to MSPB are different. One year of service is equal to 260 intermittent, actual days worked; two years of service are equal to 520 intermittent, actual days worked.

Employees Appointed on a Time-Limited Basis

All of the information on Staffing and Pay described above for employees appointed without time limitation applies to temporary employees on the same type of work schedule, that is, full time, part time, or intermittent.

Adverse Action Rights. There is no change in adverse action rights for temporary employees. Temporary employees, whether previously appointed to a hybrid position or converted as a result of the new legislation, are not affected by the new legislation in regard to adverse action procedures or grievance or appeal rights. As a temporary employee, you are covered under agency procedures in regards to disciplinary actions and may file a grievance, unless specifically excluded. However, temporary employees may be terminated without regard to adverse action procedures and do not have the right to grieve the termination or file an appeal with the MSPB. Exceptions are temporary employees in a bargaining unit who may have contractual adverse action and grievance rights.

RIF Rights. The status of temporary employees during a reduction-in-force was not changed by this legislation. Temporary employees with appointments of one year or less do not compete in a RIF and may be separated without regard to RIF procedures and do not have the right to grieve the separation or file an appeal with the MSPB. Temporary employees with appointments of more than one year compete in RIFs and have appeal rights to MSPB.

**SAMPLE LETTER FOR EMPLOYEES ALREADY COVERED BY HYBRID STATUS
PRIOR TO NOVEMBER 30, 2004**

On November 30, 2004, the President signed the "Veterans Health Programs Improvement Act" (Public Law No. 108-422). This legislation modifies certain title 38 and hybrid appointment and promotion authorities in the Veterans Health Administration for Blind Rehabilitation Specialists. As an employee in this occupation, you may be affected by the following changes:

Full Time Employees Appointed Without Time Limitation

Staffing. There are no changes to the appointment, advancement, and promotion procedures at this time. The public law requires that VA collaborate with its unions on advancement and promotion systems for title 38 hybrid occupations, and this covers systems for both the existing hybrid occupations and the new hybrid occupation. If the collaboration process results in changes to the advancement and promotions systems for your occupation, you will receive additional information.

Pay. There is no change in pay entitlements for existing hybrids.

Adverse Action Rights. There are no changes with regard to your coverage under disciplinary and adverse action procedures or applicable grievance and appeal rights. Once you have completed your probationary period, you are entitled to VA's title 5 adverse actions procedures and you may file a grievance regarding the adverse action under the VA or negotiated grievance procedure. You attain the additional right to appeal an adverse action to the Merit Systems Protection Board once you have completed a minimum amount of continuous, non-temporary Federal service in the same line of work. For "veterans' preference eligible" employees the requirement is one year of service. For "other than preference eligible" employees the requirement is two years of service. Again, this is not a change from previous rights and entitlements. Questions regarding whether you are a preference eligible should be referred to your local human resources office.

Reduction-in-Force (RIF) Rights. There are no changes to your RIF rights as a result of this law.

Part-Time Employees Appointed Without Time Limitation

Staffing. There are no changes to the appointment, advancement, and promotion procedures at this time. The public law requires that VA collaborate with its unions on advancement and promotion systems for title 38 hybrid occupations, and this covers systems for both the existing hybrid occupations and the new hybrid occupations. If that collaboration process results in changes to the advancement and promotions systems for your occupation, you will receive additional information.

Pay. There is no change in pay entitlements for existing hybrids.

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Adverse Action Rights. As a part-time employee appointed without time limitation you are now covered under applicable title 5 provisions for disciplinary and adverse action procedures, grievance procedures and appeal rights the same as full-time permanent hybrid employees. However, just like full-time hybrid employees, you are required to serve a probationary period. Once you have completed your probationary period, you are entitled to VA's title 5 adverse actions procedures and you may file a grievance regarding the adverse action under the VA or negotiated grievance procedure. You attain the additional right to appeal an adverse action to the Merit Systems Protection Board (MSPB) once you have completed a minimum amount of qualifying Federal service. The amount of qualifying service depends on whether you are considered a "preference" eligible employee. For "preference eligible" employees the requirement is one year of non-temporary continuous service in the same line of work. For non-preference eligible employees the requirement is two years of the same kind of service. Questions regarding whether you are a preference eligible should be referred to your local human resources office.

Reduction in Force (RIF) Rights. Part-time employees appointed without time limitation are now covered by RIF procedures and their rights are the same as part-time permanent employees appointed under title 5. This includes placement on a retention register and competition with other title 38 hybrid part-time permanent employees for retention. It also includes appeal rights to MSPB.

Intermittent Employees Appointed Without Time Limitation

All of the information described above for part-time employees appointed without time limitation applies to permanent employees on intermittent work schedules, except the manner in which your service is credited towards completion of your probationary period or service required to appeal an adverse action to MSPB is different. One year of service is equal to 260 intermittent, actual days worked; two years of service are equal to 520 intermittent, actual days worked.

Employees Appointed on a Time-Limited Basis

All of the information on Staffing and Pay described above for permanent employees also applies to temporary employees on the same types of work schedules.

Adverse Action Rights. Temporary employees, whether previously appointed to a hybrid position or converted as a result of the new legislation, are not affected by the new legislation in regard to adverse action procedures or grievance or appeal rights. As a temporary employee, you are covered under VA procedures regarding disciplinary actions and may file a grievance, unless specifically excluded. However, temporary employees may be terminated without regard to adverse action procedures and do not have the right to grieve the termination or file an appeal with the MSPB. An exception is a temporary employee who is in a bargaining unit and may have contractual adverse action and grievance rights.

RIF Rights. The status of temporary employees during a reduction-in-force was not changed by this legislation. Temporary employees do not compete in a RIF and may be separated without

regard to RIF procedures and do not have the right to grieve the separation or file an appeal with the MSPB. Temporary employees with appointments of more than one year compete in RIFs and have appeal rights to MSPB.

**SAMPLE LETTER FOR EMPLOYEES APPOINTED TO NEW HYBRID
OCCUPATIONS**

Information Notice Concerning Your Appointment with VA

On November 30, 2004, the President signed the "Veterans Health Programs Improvement Act of 2004." This law converted the Blind Rehabilitation Specialist, GS-601, occupation from the competitive civil service employment system (which applies to most Federal employees) to an excepted service employment system unique to VA. VA is developing policies and procedures affecting qualification requirements, appointments, promotions, and advancement for employees in your occupation.

Your appointment, advancement, pay, and other benefits will not be adversely affected by these changes. However, until new policies are issued, interim procedures for your position have been developed and will remain in place during this transition period. These interim procedures are similar to the procedures currently being followed for existing title 38 hybrid employees.

We will do our best to keep you informed of all changes related to your appointment as they occur. In the meantime, if you have any questions about this notice or your appointment please feel free to contact a member of the Human Resources staff.

INTERIM INSTRUCTIONS: QUESTIONS AND ANSWERS

1. Staffing:

New Full-Time Permanent Appointments. These first questions and answers (a through l) apply to recruitment and selection of individuals for new full-time, permanent appointments under 38 USC 7401(3). Except where noted, references may be found in the VA Staffing Handbook 5005, Part II, Chapter 3.

a. Is there anything that should be done differently to recruit now that we will be hiring applicants without regard to civil service certificate processes?

Answer. You should continue to use recruitment sources comparable to those that you previously used. However, examining units won't be publishing your vacancies; for that reason you should post jobs in USAJobs or use other aggressive recruitment methods.

b. What if we have a certificate of eligibles from a title 5 announcement that we haven't acted on yet?

Answer. If you are currently in receipt of a certificate of eligibles from OPM or a DEU for any of the new hybrid occupations, you should return the certificate. You may copy the applications and consider them for your vacant position under the title 38 hybrid procedures, including the application of hybrid veterans' preference rules. Use the appropriate Public Law as the appointment authority.

c. What forms do we require for new applications?

Answer. Before appointment, candidates must complete an Application for Associated Health Occupations (VAF 10-2850c) and a Declaration for Federal Employment (OF 306). See Section B, Paragraph 2a.

d. Can we appoint non-citizen applicants?

Answer. Applicants must be citizens of the U.S. except when it is not possible to recruit qualified U.S. citizens. See Sec. A, Para. 3g.

e. Are there any requirements to verify credentials necessary for appointment?

Answer. Yes, relevant credentials must be verified from the primary source. Independent practitioners will also be required to request clinical privileges, as they are currently required to do under title 5. Information obtained during reference checks and the credential verification process will be documented. See Sec. B, Para. 1g, 3, 6, 7 & 16 and Para. 1f and 2b.

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f. Have approval levels for these new appointments changed?

Answer. The facility Director is the approval authority and may delegate this authority to the Chief of Staff or appropriate Associate Director. The HRM Officer remains the appointing officer. See Sec. A, Para. 2a and 2b(4).

g. How will veterans' preference be applied?

Answer. When candidates for these occupations are approximately equally qualified, preference will be given to preference eligibles. VA policy requires that selections be made in the following order (Sec. A, Para. 3a):

- disabled veterans who have a service-connected disability of 10% or more
- other preference eligibles (uncompensated disabled veterans, derived preference eligibles)
- veterans who served on active duty in wartime or during other designated service periods
- all other candidates

h. What do we do about physical requirements?

Answer. Follow current practice as explained in VA Handbook 5005, Part II, Chapter 3, Sec. A, Para. 3k and VA Handbook 5019, Parts II and III.

i. What about Professional Standards Boards?

Answer. Professional Standards Boards will not be used for the new hybrid occupations until the Secretary issues formal policy for their establishment and function.

j. What qualification standards will be applied?

Answer. Until the Secretary approves title 38 qualification standards for the new hybrid occupations, qualification determinations will be made by the HR Office in accordance with the applicable VA-specific qualification standards (if any) listed in VA Handbook 5005, Part II, Appendix II-F. Where VA-specific qualification standards do not exist, qualification determinations must be made in accordance with the appropriate OPM title 5 qualification standards.

k. How will pay be set on initial appointment?

Answer. Individuals appointed to the new hybrid occupations can be appointed at the minimum step of the grade using the appropriate salary chart. Individuals may also be appointed above the minimum step of the grade. Appointments above the minimum may be based on a candidate's existing pay, special VA needs, or conclusive evidence of superior qualifications, as determined and verified by the HR

Manager and the Service Chief/Product Line Manager. (Section E. Para. 2. and VA Handbook 5007, Part II, Chap. 3, Para. 3b.)

l. What records need to be kept regarding appointments?

Answer. Maintain sufficient records that clearly document the selection and related procedures used.

Promotions and Other Internal Actions Affecting Employees in the New Hybrid Occupations

m. What procedures do we apply for promotions and advancements for incumbents of the new hybrid occupations?

Answer. During this interim period, meaning until the Secretary issues applicable promotion and advancement procedures, incumbents of the new hybrid occupations will be promoted in accordance with the existing title 5 career ladder promotion process up to the full performance level of the position. To promote an incumbent in a new hybrid occupation beyond the full performance level of the position, use title 5 merit promotion procedures.

Temporary Full-time, Part-time and Intermittent Appointments Under 38 USC 7405(a)(1)(B)

n. Who may receive temporary appointments?

Answer. Temporary full-time appointments may be given to individuals in any of the new hybrid occupations when the work to be performed can be completed within a 3-year or shorter period, to re-employ an annuitant, to employ non-citizens when it is not possible to recruit qualified citizens, or to appoint candidates pending the processing of permanent full-time appointments. Part-time and intermittent appointments may be made to alleviate recruitment difficulties or when full-time appointments are not practical. See VA Handbook 5005, Part II, Chapter 3, Section G, Paragraphs 1a and 2a.

o. What is the duration of temporary appointments?

Answer. A temporary full-time appointment may be made for any period up to three years. Such appointments may be renewed but generally may not exceed 6 years in the aggregate. Part-time and intermittent appointments may be made with or without a time limit. (5005, Part II, Chap. 3, Sec. G, Para. 1b and 2b)

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p. How are temporary appointments processed?

Answer. Temporary full-time, part-time, and intermittent appointments will be made following the same procedures and requirements as permanent full-time appointments. See VA Handbook 5005, Part II, Chap. 3, Sec. G, Para. 1d and 2c.

Advancements. For other issues related to advancements, refer to the sections on compensation and employee relations and special advancements

2. Compensation:

a. How does the change from the title 5 system to hybrid title 38 system affect the pay of employees in the covered occupations?

Answer. This change does not affect basic pay; employees will continue at the same grade, step and salary. They will retain all current pay entitlements.

b. How does this legislation affect current special salary rates?

Answer. Any existing special salary rate previously approved in VA Central Office remains in effect for the above occupations. Effective immediately, facility Directors may establish or adjust special salary rates for these occupations locally using the procedures in VA Handbook 5007, Part VI, Chapter 6, paragraph 2.

c. Are there any additional pay flexibilities or authorities applicable to hybrids?

Answer. Yes. When necessary to maintain adequate staffing, facility Directors may authorize payment of premium pay for nights, holidays, and overtime on the same basis as registered nurses. If premium pay on the same basis as registered nurses is authorized, facility Directors may further adjust individual components of premium pay. For example, a facility Director may increase the night-time tour differential from 10 percent to 15 percent, or could adjust weekend premium pay for medical technologists from 25 to 27 percent and for occupational therapists to 28 percent, etc. Such an adjustment must be based on recruitment and retention problems that are being caused by higher rates of premium pay in the local community. Procedures for authorizing premium pay on the same basis as registered nurses are contained VA Handbook 5007, Part V, Chapter 3.

Until such time as PAID system changes related to the hybrid conversion are completed, payment of premium pay to employees in the new hybrid occupations on the same basis as registered nurses will require manual processing by the local Payroll office. Manual processing will require advance approval by the Fiscal Officer.

d. If the facility Director authorizes premium pay on the same basis as registered nurses, how will the premium pay entitlements of affected employees change?

Answer. (1) Weekend Pay: Weekend pay would remain the same.

Answer. (2) Overtime: Under title 5, employees are paid overtime at one and one-half times their hourly rate of basic pay, not to exceed the greater of one and one-half times the basic rate of GS-10 step 1 or their regular hourly rate of pay. Under title 38, employees would also be paid overtime at one and one-half times their hourly rate of basic pay but the rate would not be capped.

Answer. (3) Holiday: Under title 5, employees are paid holiday pay at double their hourly rate of basic pay for **non-overtime** hours worked on a **regularly scheduled daily tour of duty** on a holiday. Under title 38, employees would be paid holiday pay at the same rate but for all hours worked on a holiday **including overtime hours or hours not on an established tour of duty.**

Answer. (4) Night Pay Differential: Under title 5, employees receive night pay differential at the rate of 10 percent of their hourly rate of basic pay **for each hour** of regularly scheduled work performed between 6 p.m. and 6 a.m. Under title 38, employees would receive tour differential at the same rate for work on an established tour of duty, but if at least 4 hours of the tour fall between the hours 6 p.m. and 6 a.m., tour differential is paid **for the entire tour.**

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f Some occupations being converted to hybrid status are on special salary rates. Will the new hybrid occupations continue to be eligible for special salary rate adjustments?

Answer. Yes. Special salary rates may continue to be approved for the new hybrid occupations. However, the approval process is significantly streamlined. Under title 5, requests to establish or increase special salary rates required the approval of VA Central Office and the concurrence of the Office of Personnel Management. Under title 38, facility Directors may locally establish or adjust special salary rates for hybrid occupations, subject to VA Central Office review. Procedures for establishing or adjusting special salary rates for hybrid occupations are contained in VA Handbook 5007, Part VI, Chapter 6, paragraph 2.

3. Employee Relations and Special Advancements:

a. How do Public Laws 108-170 and 108-422 affect adverse action rights for hybrid employees appointed under 38 U.S.C. 7405 (a)(1)(B)?

Answer. The Public Laws give non-probationary part-time hybrid employees appointed under 38 U.S.C. 7405(a)(1)(B) the same adverse action rights as full-time hybrid employees appointed under 7401(3).

Hybrid employees are considered to be in the excepted service. Under title 5 excepted service rules, the length of service an employee must serve to become eligible to appeal an adverse action to the Merit Systems Protection Board (MSPB) depends on whether the employee is preference-eligible. Accordingly, Human Resources offices need to ascertain on an individual basis whether these employees are preference eligibles or other-than preference-eligibles, for the purpose of determining the length of service required before they become eligible for adverse action rights under 5 U.S.C., Chapter 75, and 5 CFR, Part 752.

Per 5 U.S.C. 7511, preference eligible employees in the excepted service who have completed 1 year of current continuous service in the same or similar positions have adverse action rights. Other-than-preference-eligible individuals who have completed 2 years of current continuous service in the same or similar positions (under other than a temporary appointment limited to two years or less) have adverse action rights. By contrast, VA policy provides that all hybrid employees, irrespective of preference eligibility, accrue adverse action rights after a one-year probationary period. As a result of this difference between VA policy and the title 5 MSPB jurisdictional rules, other-than- preference-eligible employees who have completed between one and two years of continuous service may not appeal adverse actions to MSPB but are covered under appropriate agency or negotiated adverse action (i.e., grievance) procedures.

Should one of these hybrid employees become the subject of a performance or

conduct-based adverse action, he or she must be notified of these rights, if applicable, in the decision letter.

b. Are employees in the affected occupations eligible for Special Advancements?

Answer. (1) Special Advancements for Achievement (SAA). VA will be collaborating with employee organizations regarding advancement and promotion procedures for the new hybrid occupations. Until the collaboration process has been completed, facilities should apply existing title 5 advancement and promotion procedures. This means that no SAAs will be granted to employees in the new hybrid occupations in the interim, since there are no provisions under title 5 to grant these increases to pay.

Answer. (2) Special Advancements for Performance (SAP). Prior to the collaboration process being completed, facilities should apply existing title 5 procedures to these new hybrid positions. This means no SAPs will be granted to individuals in these occupations until the conversion occurs. Until then, however, a one-step increase to pay may be granted to an employee when his or her overall performance is deemed exceptional as demonstrated by making significant contributions to the accomplishment of organizational goals and objectives, and exceeds the standards on all elements in his or her performance plan. This increase would be equivalent to a Quality Step Increase. Recommendations for this increase should be made as soon as possible after the end of the rating period.

4. Classification:

a. Which occupations/series are to be covered under title 5 classification procedures during the interim implementation period?

Answer. Employees in the following occupations will be converted from the competitive civil service to the hybrid title 38 employment system effective December 6, 2003 (Blind Rehabilitation Specialists will be converted effective November 30, 2004):

<u>Title</u>	<u>Series</u>
(1) Audiologist	0665
(2) Speech Pathologist;	0665
(3) Audiologist-Speech Pathologist	0665
(4) Biomedical Engineer	0858
(5) Dietitian	0630
(6) Medical Instrument Technician	0649
(7) Medical Records Administrator or Specialist	0669
(8) Medical Records Technician	0675
(9) Medical Technologist	0644
(10) Dental Technologist, which means	

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Dental Hygienist and	0682
Dental Assistant/Aide;	0681
(11) Nuclear Medicine Technologist	0601
(12) Occupational Therapy Assistant/Aide	0636
(13) Kinesiotherapist*	0635
(14) Orthotist-Prosthetist	0667
(15) Pharmacy Technician/Aide	0661
(16) Physical Therapy Assistant/Aide	0636
(17) Prosthetic Representative	0672
(18) Psychologist**	0180
(19) Diagnostic Radiologic Technician/Technologist	0647
(20) Therapeutic Radiologic Technician/Technologist	0648
(21) Social Worker	0185
(22) Blind Rehabilitation Specialist	0601

* Note: "Kinesiotherapist" is currently titled Corrective Therapist, GS-0635.

** VHA only

b. Why are positions under the new hybrid laws still being classified under title 5?

Answer. Until formal title 38 policies and procedures relating to the new hybrid occupations are approved, including advancement/promotion procedures, permanent employees in the above occupations will have their grades determined under title 5 guidelines. Except as noted below, during this transition period all title 5 classification guidelines will be followed to include maintenance of position descriptions, use of OPM classification standards and applicable VA Human Resource Management Letters (HRMLs), VA Directive and Handbook 5003, and use of Optional Form (OF) 8 to document such items as position number, Fair Labor Standards Act coverage, competitive level codes, and position sensitivity.

c. Are there any aspects of title 5 classification that will not cover the new hybrids?

Answer. Procedures covering classification appeals within VA will still be retained during the interim implementation period. However, the Office of Personnel Management (OPM) may not have jurisdiction over cases outside of title 5 and may, therefore, turn back cases being sent to it from employees in these hybrid occupations. In the meantime, classification appeals procedures will continue during the transition period and VACO (051A) will be the final appellate authority during the transition in cases involving employees in the new hybrid occupations. Classification appeals cases from employees converted to hybrid status by P.L. 108-170 and 108-422 should be sent to 051A.

d. Do I need to develop functional statements?

Answer. Not at this time. Because the grade of a position will be determined using a title 5 classified position description, you need to use existing classified position descriptions or develop new position descriptions and have them properly classified. You may want to begin developing functional statements for use when permanent policies are implemented.

e. Who on the VACO staff should I contact with classification questions?

Answer. Linda Bullock may be contacted at 202-273-9721 for questions regarding occupational coverage and titles; classification appeals from covered employees during the transition; and all other classification issues.