

STAFFING

- 1. REASON FOR ISSUE:** To update Department of Veterans Affairs (VA) procedures regarding staffing and recruitment to comply with Veterans' Employment Opportunities Act requirements.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory procedures on staffing. The pages in this handbook replace the corresponding page numbers in VA Handbook 5005. The change to this handbook is based on the U.S. Department of Labor Director, Compliance and Investigation Memorandum No. 05-08, dated November 21, 2007, *Guidance to Field Investigators Resultant of Recent Veterans' Employment Opportunities Act (VEOA) Decisions of the Merit Systems Protection Board*, paragraph IIIB, *Walker v. Department of the Army*. The change adds the method for identifying and referring a VEOA eligible on a selection certificate under merit promotion procedures. The change will be incorporated into the electronic version of the Handbook that is maintained on the [Office of Human Resources Management Website](#).
- 3. RESPONSIBLE OFFICE:** The Recruitment and Placement Policy Service (059), Office of the Deputy Assistant Secretary for Human Resources Management.
- 4. RELATED DIRECTIVES:** VA Directive 5005, Staffing.
- 5. RESCISSIONS:** None.

CERTIFIED BY:

/s/
Roger W. Baker
Assistant Secretary for
Information and Technology

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/
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Assistant Secretary for
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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. [VEOA eligibles will be identified on the external certificate by a parenthetical (*VEOA*) after their names.] 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 non-temporary, 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