

## STAFFING

- 1. REASON FOR ISSUE:** To update Department of Veterans Affairs (VA) procedures regarding staffing and recruitment.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory procedures on staffing. This revision adds the requirement that title 38 and hybrid title 38 employees be considered within the minimum (first) area of consideration at their facility for positions announced under competitive merit promotion procedures. The pages in this handbook replace the corresponding page numbers in VA Handbook 5005. Revised text is contained in [brackets]. These changes will be incorporated into the electronic version of VA Handbook 5005 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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**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 Recruitment Appointment (VRA) appointment.

b. **Concurrent Consideration of Certain Excepted Service Employees Under Competitive Merit Promotion Procedures.** Generally, employees serving under excepted appointments (except Veterans Recruitment Appointments) are precluded from competing under competitive promotion procedures with competitive service employees. [However, certain excepted service employees, e.g., title 38 and hybrid title 38 employees covered by VA/OPM Interchange Agreements (see appendix III-C), or, severely physically disabled individuals appointed under Schedule A) shall be included within the minimum area of consideration. Therefore, the same rating and ranking criteria will be used in evaluating employees in these groups and each group will be referred 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.)



b. **Use of Other Recruitment Sources.** [It is required that] 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 [and must include title 38 and hybrid title 38 employees covered by VA/OPM Interchange Agreements]. 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