




Washington, D.C. 20530

NOV 1 2001

**MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS**

**FROM:** H.B. Myers   
Assistant Director  
Procurement Policy and Review

**SUBJECT:** DOJ Procurement Guidance Document 01-4: Guidelines for Evaluating  
Candidates for GS-1102 Contract Specialist Positions

Attached are guidelines recently issued to bureau personnel officers to be used in evaluating candidates for GS-1102 contract specialist positions. The guidelines were issued at the direction of the DOJ Senior Procurement Executive and are intended to ensure uniform evaluation of the education requirements and, thereby, consistent application of the standard among DOJ components. Key elements include a broad interpretation of course work that can be applied to specific fields of study enumerated in the standard, notice that waivers will only be granted in very extraordinary circumstances, and a certification process for DOJ employees at Grades GS-13 and above in the GS-1102 series. Include with the guidelines is a copy of the GS-1102 Qualification Standard along with extensive Questions and Answers furnished by OPM.

Please make this information available to your staff members and add this document to your collection of DOJ Procurement Guidance Documents. Questions about these guidelines should be directed to Ms. Melissa Richardson, DOJ Career Management Program Manager, at (202)307-1835.

Attachments



U.S. Department of Justice  
Justice Management Division  
*Personnel Staff*

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Washington, D.C. 20530

Oct 15 2001

MEMORANDUM FOR BUREAU PERSONNEL OFFICERS

FROM: *Joanne W. Simms*  
Joanne W. Simms  
Director, Personnel Staff  
Justice Management Division

SUBJECT: Guidelines for Evaluating Candidates for  
GS-1102 Contract Specialist Positions

Attached are guidelines for evaluating candidates for GS-1102 contract specialist positions. These guidelines are issued at the direction of the Department's Senior Procurement Executive, who is responsible for the management of the Department's procurement workforce.

Questions concerning these guidelines may be referred to Jolliette Spencer, of my staff's Policy Group, on (202) 514-6778.

Attachment

cc: ~~/~~ Buck Myers  
JMD/MPS/Procurement Policy  
and Review Group

Vicky Caponiti  
Special Assistant to the  
Senior Procurement Executive

Departmental Procurement Chiefs

**U.S. Department of Justice**  
**Guidelines for Evaluating GS-1102 Candidates**

**PURPOSE:** The guidelines contained herein are implemented to ensure that Department components adhere to a uniform basis for evaluating the educational requirements of candidates for GS-1102 contract specialist positions and to ensure, thereby, Department wide consistency in the application of the standard. They are issued at the direction of the Department's Senior Procurement Executive (PE) who, by statute and regulation, is responsible for the management of the Department's procurement workforce which consists chiefly of individuals in the GS-1102 series. Those responsibilities include career development, training and education. It is critical to the effective and efficient functioning of the Department's procurement systems that candidates for GS-1102 positions be evaluated consistently.

**SCOPE:** These guidelines apply to all GS-1102 positions in the competitive service within Department components. They are not applicable to positions in the Senior Executive Service or the excepted service.

**EFFECTIVE DATE:** These guidelines are effective retroactively to July 9, 2001.

**GUIDELINES:** U.S. Office of Personnel Management (OPM), Operating Manual, Qualification Standards for General Schedule Positions: (1) Individual Occupational Requirements for GS-1102 Contract Specialist; and (2) Questions and Answers Concerning Revised 1102 Qualification Standard.  
[See Appendix A]

**POLICY REQUIREMENTS:**

**Responsibilities**

Bureau Personnel Officers have the following responsibilities, any of which may be delegated to appropriate personnel management staff employees:

- a. ensuring that the education qualifications of candidates for GS-1102 positions are evaluated in accordance with these guidelines;

- b. ensuring that all persons involved in the administration of these guidelines have the necessary technical competence and understanding of personnel techniques and regulations;
- c. advising procurement officials, DOJ employees, and job applicants on the Department's evaluation criteria for GS-1102 candidates; and
- d. informing the Director of Personnel, Justice Management Division of any matters of concern that pertain to these guidelines.

Department managers, supervisors, and selecting officials are responsible for:

- a. adhering to the provisions of these guidelines;
- b. ensuring that minorities, women, and persons with nondisqualifying disabilities are fully considered for all GS-1102 positions, and that applicable affirmative action plans are followed;
- c. assisting with the development of job-related rating and ranking criteria for GS-1102 positions under their supervision, i.e., the development of job analysis and crediting plans;
- d. ensuring that no prohibited personnel practices, as defined under 5 U.S.C. Section 2302, are involved in any promotion action; that no personal favoritism or preselection is involved in any competitive appointment or promotion action for GS-1102 employees; and that no promise or guarantee of selection or promotion is made prior to the proper referral of a promotion candidate list, selection from the best qualified list; or before administrative approval is given; and
- e. preparing and submitting to the PE, in highly unusual and compelling circumstances only, requests for waivers of the educational requirements for job applicants and DOJ employees.

Department employees are responsible for:

- a. submitting the required application material for GS-1102 job announcements in a timely manner; and
- b. submitting appropriate documentation when requesting certification for GS-1102 positions at grades GS-13 and above, e.g., college transcript, course syllabus, etc.

### Qualification Requirements

The qualification requirements for GS-1102 contract specialist positions, issued by OPM, contain education requirements that include the need for candidates to have "at least 24 semester hours in any combination of the following fields: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management." While specific fields are named, they should be considered broad and illustrative categories rather than narrow restrictive areas. OPM recognizes that the chief purpose of these requirements is simply to provide a person with a minimum amount of business knowledge.

In evaluating course work to be credited toward the 24-semester hour requirement, the PE has decided that wide latitude and interpretation must be given in analyzing applicants' qualifications. It may be necessary to look beyond the mere course title and to give consideration to course content in order to determine if a course applies. The course syllabus may need to be reviewed if it is not obvious that course content fits the field. If the course content can be construed to fit within the general subject area represented by one of the fields of study, it should qualify toward the 24-hour requirement. In addition, both the Office of Management and Budget and the PE have determined that course work in the pure and social sciences such as biology, chemistry, psychology, sociology, etc. must be credited if the course work included significant components of mathematics, statistics, or other components that arguably fit within the general subject areas represented by one of the above required fields. Examples of creditable course work include: a sociology course in statistics; a public administration course in quantitative techniques; a psychology

course in organizational behavior. The PE has also determined that credit will also be given for all computer science and mathematics courses.

#### **Required Statements for Vacancy Announcements**

Vacancy announcements for GS-1102 positions must instruct applicants to submit appropriate documentation that shows evidence of completed course work which qualifies toward the 24-semester hour requirement, e.g., college transcript, course syllabus, etc. For positions advertised at grades GS-13 and above, job announcements must indicate that no waivers of the qualification requirements will be granted, except in unusual and compelling circumstances where a position cannot otherwise be filled. Thus, a candidate who lacks the educational requirements would not be considered if other qualified candidates are available.

#### **Waiver of Qualifications for Grades GS-13 and Above**

The PE does not intend to issue waivers of the OPM GS-1102 qualification requirements, except in unusual and compelling circumstances.

#### **Certification of Educational Qualifications for DOJ Employees at Grades GS-13 and Above**

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Employees of the Department may request to have their education reviewed by their servicing personnel office to determine if they possess the educational requirements for grade GS-13 and above. The employee must provide appropriate documentation of completed education, e.g., official college transcript, statement from the institution's registrar, dean or other appropriate official, or equivalent document may be used as verification. Course syllabuses should also be submitted to support the crediting of course work that does not obviously fit within the fields of accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

The personnel office will inform the employee if he or she possesses the educational requirements. Bureau Personnel Offices will certify its determination in writing. A sample memorandum is contained in Appendix A. The certification must

include the course work credited toward the 24-semester hour requirement. The certification must be signed by the appropriate personnel/human resources specialist or as designated by the Bureau Personnel Officer. Certifications of educational requirements will be accepted by all Department components. Employees should attach a copy of the signed certification to their application or resume when applying for GS-1102-13 or above positions in the Department.

If an employee disagrees with the certification determination, he or she may submit an appeal to the Director, Personnel Staff, Justice Management Division. All appeals will be reviewed and decided upon by a three-member board consisting of procurement and personnel/human resources officials at grades GS-13 and above. Procurement officials will be representatives from the JMD's Management and Planning Staff, Procurement Policy and Review Group. Personnel/human resources officials will be randomly selected from the Bureau Personnel Offices. The board members may not be employed in the same component as the employee filing an appeal. The board will render a decision on the employee's educational qualifications based on a consensus of the board members. The board's decision is final.



Washington, D.C. 20530

**SAMPLE FORMAT**

MEMORANDUM FOR (NAME)  
(Title)  
(Organization)

FROM: (Name)  
Bureau Personnel Officer  
(Organization)

SUBJECT: Certification of Educational Qualifications for  
Contract Specialist, GS-1102 Positions

We have reviewed your request for certification of educational qualifications for contract specialist positions at grades GS-13 and above and have determined that:

- you possess all of the required educational requirements, including the 24 semester hours in business related fields. The following completed course work has been credited toward the 24-semester hour requirement:  
(list the course work which is creditable toward the 24-semester hour requirement).
- you do not possess the required educational requirements. You lack (specify the requirements that the employee lacks. Also indicate the number of semester hours the employee lacks and list those courses and semester hours, if any, for which credit has been given. Negative determinations must be specific to allow adequate review by the Board, if appealed.)

You may appeal this certification, in writing, to Joanne W. Simms, Director of Personnel, Justice Management Division.



Appendix A

Your appeal must include a copy of this certification determination, and a copy of the material you submitted with your certification request.

Questions concerning this certification may be referred to (include name, title, and telephone number of person making the certification determination).



United States Office of Personnel Management  
Operating Manual  
**Qualification Standards  
for General Schedule  
Positions**

Individual Occupational Requirements for  
**GS-1102: Contract Specialist**

[ Q&As Available ]

*The text below is extracted verbatim from Section IV-B of the Operating Manual for Qualification Standards for General Schedule Positions (p.166-167), but contains minor edits to conform to web-page requirements.*

*This is an individual qualification standard developed by the Office of Federal Procurement Policy under the authority of 41 U.S.C. 433. It does not apply to Department of Defense positions.*

**Basic Requirements for GS-5 through GS-12**

- A. A 4-year course of study leading to a bachelor's degree with a major in any field;
- OR**
- B. At least 24 semester hours in any combination of the following fields: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

Applicants who meet the criteria for Superior Academic Achievement qualify for positions at the GS-7 level.

The following table shows the amounts of education and/or experience required to qualify for positions GS-7 through GS-12 covered by this standard.

GRADE	EDUCATION	OR	SPECIALIZED EXPERIENCE
GS-7	1 full academic year of graduate education or law school or superior academic achievement		1 year equivalent to at least GS-5
GS-9	2 full academic years of progressively higher level graduate education or masters or equivalent graduate degree or LL.B. or J.D.		1 year equivalent to at least GS-7
GS-11	3 full academic years of progressively higher level graduate education or Ph.D. or equivalent doctoral degree		1 year equivalent to at least GS-9
GS-12 and above	(No educational equivalent)		1 year equivalent to at least next lower grade level
<b>Equivalent combinations of education and experience are qualifying for all grade levels for which both education and experience are acceptable.</b>			

**Graduate Education.** To qualify for GS-1102 positions on the basis of graduate education, graduate education in one or a combination of the following fields is required: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

**Note -** For positions at GS-7 through GS-12, applicants who are qualifying based on experience must possess at least one year of specialized experience at or equivalent to work at the next lower level, that provided the knowledge, skills, and abilities to perform successfully the work of the position, in addition to meeting the basic requirements in paragraph A or B, above.

- C. **Exceptions:** Employees in GS-1102 positions will be considered to have met the standard for positions they occupy on January 1, 2000. Employees who occupy GS-1102 positions at grades 5 through 12 will be considered to meet the basic requirements for other GS-1102 positions up to and including those classified at GS-12. This includes positions at other agencies and promotions up through grade 12. However, employees must meet specialized experience requirements when seeking another position.

#### **Basic Requirements for GS-13 and Above**

- A. Completion of all mandatory training prescribed by the head of the agency for progression to GS-13 or higher level contracting positions, including at least 4-years experience in contracting or related positions. At least 1 year of that experience must have been

specialized experience at or equivalent to work at the next lower level of the position, and must have provided the knowledge, skills, and abilities to perform successfully the work of the position.

**AND**

- B. A 4-year course of study leading to a bachelor's degree, that included or was supplemented by at least 24 semester hours in any combination of the following fields: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.
- C. Exceptions: Employees in GS-1102 positions will be considered to have met the standard for positions they occupy on January 1, 2000. This also applies to positions at the same grade in the same agency or other agencies if the specialized experience requirements are met. However, they will have to meet the basic requirements and specialized experience requirements in order to qualify for promotion to a higher grade, unless granted a waiver under Paragraph D.
- D. Waiver: When filling a specific vacant position, the senior procurement executive of the selecting agency, at his or her discretion, may waive any or all of the requirements of Paragraphs A and B above if the senior procurement executive certifies that the applicant possesses significant potential for advancement to levels of greater responsibility and authority, based on demonstrated analytical and decision making capabilities, job performance, and qualifying experience. With respect to each waiver granted under this Paragraph D, the senior procurement executive must document for the record the basis of the waiver. If an individual is placed in a position in an agency on the basis of a waiver, the agency may later reassign that individual to another position at the same grade within that agency without additional waiver action.

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*Updated 23 December 1999*



## Questions and Answers Concerning Revised 1102 Qualification Standard

*Please Note: These questions and answers supplement the revised qualification standard that went into effect for GS-1102 contract specialist positions in non-Defense agencies as of January 1, 2000. The standard was developed by the Office of Federal Procurement Policy under the authority of 41 U.S.C. 433. Issues that arise in implementing the standard should be addressed to the human resources specialists in your agency who will be able to seek the advice and assistance of OPM and OFPP, as necessary.*

### Q&A Sections

- General Information
- Educational Requirements
- "Grandfathering" -- The Exception Provisions
- The Waiver Provision
- Relationship Between Civilian Agency and Defense Agency Positions

## General Information



1. Why does the GS-1102 series have a separate qualification standard?

The Clinger-Cohen Act, issued in February 1996, amended the Office of Federal Procurement Policy (OFPP) Act to require that the Administrator of OFPP establish qualification requirements, including educational requirements, for positions at civilian agencies in the GS-1102 series (see 41 U.S.C. 433). Five years earlier, Congress had established requirements for 1102 positions in defense agencies through the Defense Acquisition Workforce Improvement Act (see 10 U.S.C. 1724, 1732). The Clinger-Cohen language stipulates that qualification requirements established by OFPP shall be comparable to the DAWIA requirements. In June 1997 the U.S. Office of Personnel Management (OPM) published a qualification standard imposing requirements established by OFPP pursuant to Clinger-Cohen.

2. In a nutshell, how is this standard different than its predecessor?

The predecessor to this standard introduced educational requirements that were effective January 1, 1998 for new hires and January 1, 2000 for existing employees. The

revised standard does not change the minimum educational levels defined by the former standard. However, it does make three changes. First, it expands the waiver authority related to filling GS-13 and above positions. The former standard only allowed the senior procurement executive to waive one of the two educational requirements, whereas the revised standard permits waiver of any or all requirements. Second, it removes language that permitted examinations to substitute for the 24-hour requirement since acceptable examinations have not been designated. With the exception of college course credit obtained through testing programs designed to grant credit by examination (such as the College Level Examination Program), you cannot take a test to qualify in lieu of the 24 hours. Third, it replaces the January 1, 1998 date found in the former standard with a January 1, 2000 date, meaning employees hired under the former standard have grandfathering rights as "current" employees.

3. When does this standard go into effect?

This revised qualification standard was effective January 1, 2000. It applies to all new hires and to existing employees selected to fill GS-1102 positions in civilian agencies.

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## Educational Requirements



1. Summarize the basic educational requirements of the qualification standard.

In order to qualify for positions at grades GS-5 through GS-12, you must possess either a bachelor's degree OR have completed at least 24 semester hours of coursework in certain business-related fields. In order to qualify for positions at grades GS-13 and above, you must possess a bachelor's degree AND at least 24 semester hours of coursework in certain business-related fields. The 24 hours may be included in, or in addition to, coursework taken to complete the degree program.

2. Does the phrase "a 4-year course of study leading to a bachelor's degree" mean I must have a degree, or just that I must be enrolled in a degree program?

The phrase means you must possess a bachelor's degree conferred or approved by an accredited U.S. college or university based on a 4-year course of study. Simply being enrolled and working toward a degree does not meet the qualification standard. Furthermore, "honorary" degrees or other degrees with no basis in coursework do not satisfy the standard.

3. Does "4-year course of study" mean I had to finish my degree in four years?

No. You can earn the bachelor's degree in whatever length of time is necessary and accepted by the college or university conferring the degree. The descriptive phrase relates to how the educational institutions characterize the degree program, not to how long it takes you personally to complete the program.

4. Does the degree have to be a business degree?

No. A qualifying bachelor's degree may be in any field of study and may be of any type, such as Bachelor of Arts, Bachelor of Science, and Bachelor of Business Administration. The 24 semester hours, however, must be in some combination of the eleven fields listed in the standard.

5. How do I document that I have satisfied the degree and coursework requirements?

You need to check with your local human resource office to see what procedures they use. If you already had a degree when you were hired, you probably furnished a college transcript with your application and, if so, that information is included in your personnel records. If you have completed courses since being hired, you will probably need to furnish evidence to your human resource office, such as a new transcript and a copy of your diploma, as applicable. It may be necessary also to provide descriptive information on a course (e.g., course syllabus) to convince a human resource specialist that a particular course qualifies toward the 24-hour requirement. You should periodically review your personnel records to ensure information has been recorded accurately, and work with your human resource office to update the records as needed. In the near future, your educational status will be maintained with other personnel and training data in a Government-wide acquisition career management information system.

6. When the degree AND 24-hour coursework requirements must be met for GS-13 and above positions, can I count courses taken as part of my degree program to satisfy the 24-hour requirement?

Yes, coursework could simultaneously count for the degree requirement and the 24-hour requirement. For example, if you earned a business degree, you should have completed sufficient credits in the required fields to satisfy the 24-hour requirement. However, if your degree is in another field, such as sociology, you might need to take some additional courses in the fields identified in the qualification standard to complete the 24-hour requirement.

7. The qualification standard identifies eleven fields for the 24-hour coursework requirement. Does this mean an acceptable course must have a course number identifying one of the fields (for

example, an "economics" course might be "ECN 401")?

The answer to this question first requires an understanding of the purpose of the 24-hour coursework requirement, which is to provide a person with a minimum amount of business knowledge. This is particularly important because the primary function of contract specialists is to negotiate and execute business relationships on behalf of the Government. The eleven fields listed in the standard are identical to those set forth by Congress in DAWIA, and presumably they were selected because they capture the types of knowledge and skills desired for members of the acquisition workforce to execute this function.

Colleges and universities do not use a standard convention for course numbering aligned to the eleven fields. For example, one institution identifies its accounting curriculum as "AMIS" courses, standing for "accounting and management information systems." Therefore, it is neither practical nor reasonable to restrict interpretation of the word "fields" to institutional programs using precisely the same language. Instead, it is appropriate to consider the identified fields as general subject areas. If the content of a course arguably fits within the general subject area represented by one of the fields, it should qualify toward the 24-hour requirement. A human resource specialist, or whoever in your organization credits completion of the 24 hours, may need to review the course syllabus whenever it is not obvious from the course title that content fits the field. Consider these examples: a sociology course in statistics; a public administration course in quantitative techniques; a psychology course in organizational behavior. If the content of these courses is comparable to, or perhaps is recognized by the academic institution as a substitute for, courses clearly resting in the listed fields, you should receive credit toward the 24-hour requirement. It is your responsibility to furnish supporting descriptive information if credit for a course is being questioned.

8. Can I credit procurement training courses toward the 24-hour requirement?

Not unless a college actually gives you credit under its curriculum. Education and training are separate components of agency career development programs. Training courses are designed to build job-specific knowledge and skills, complementing and supplementing the general level of knowledge and skills acquired through formal college education. The 24-hour requirement is intended to be satisfied through coursework taken at colleges and universities. A college may give credit for certain on-the-job training courses, or teach a course that has been determined "equivalent" to a prescribed training course. In such cases, you may be satisfying educational and training requirements simultaneously. However, unless a college specifically awards you course credit, your training courses do not count toward the 24-hour



requirement. This is at the discretion of the college, and you do not have an automatic entitlement to the credit.

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## "Grandfathering" -- The Exception Provisions



1. I am currently working as an 1102 in a civilian agency. Am I "grandfathered" for civilian agency positions based on having a certain number of years of experience (meaning the requirements do not apply to me)?

The 1102 qualification standard does have some grandfathering features for the existing workforce, although none of those features are tied to a prescribed number of years of experience. Every 1102, regardless of grade, is considered to meet the standard for the position and grade held as of January 1, 2000, and is qualified for positions in other civilian agencies at the same grade without having to meet the educational and training requirements. In addition, an 1102 can be promoted through grade GS-12 without meeting the qualification requirements. There is no grandfathering provision that allows experience to substitute for education in order to qualify for promotions to GS-13 and above.

2. Do existing Federal employees in other series, such as GS-1105, have to meet the educational requirements to move into the 1102 field?

Yes. The 1102 standard applies to every civilian agency 1102 position and must be met by individuals entering the series from outside the Government, or from other series within the Government. If you are a current 1105, you must meet the educational requirements to lateral or promote into the 1102 series.

3. What does this phrase mean: "Employees who occupy GS-1102 positions at grades 5 through 12 will be considered to meet the basic requirements for other GS-1102 positions up to and including those classified at GS-12"?

This statement is found in the "exceptions" paragraph for GS-5 through GS-12. Simply stated, it exempts employees hired by January 1, 2000 from the educational requirements for any position up to GS-12. If you meet neither the degree nor 24-hour requirement, you can still be promoted through GS-12. All individuals hired since January 1, 1998 should meet the educational requirements since they were hired under the former standard. However, many 1102s hired before January 1, 1998 do not have the education now required, and the exception accommodates those employees. Additionally, in the event someone was inadvertently hired into the 1102 series between January

1998 and January 2000 who did not actually meet the former standard, that employee would be covered by the exception.

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## The Waiver Provision



1. Who is the "senior procurement executive" as referred to in the standard?

For purposes of this qualification standard, the "senior procurement executive" is the highest career civil servant having responsibility for the procurement function within an agency (e.g., policy, procedures, workforce, etc.). Typically, this person is located in the agency headquarters office. This person may be different from the person designated as a "senior procurement executive" pursuant to the OFPP Act (41 U.S.C. 414(3)) and as defined in the Federal Acquisition Regulation, who is a political appointee in some agencies. OFPP established the requirements of this standard with the intention that senior career procurement officials would possess the waiver authority.

2. Can the senior procurement executive delegate the waiver authority to my contracting office so waivers can be issued locally?

No. The waiver authority is not delegable. The contracting office desiring to hire an applicant who needs a waiver would probably have to provide justification to the senior procurement executive to aid the waiver decision, but only the senior procurement executive can grant waivers.

3. Can the qualification requirements for positions in grades GS-5 through GS-12 be waived?

No. All new entrants into the GS-1102 career field at grades 5 through 12 must meet the qualification requirements. The requirements cannot be waived. However, if you are already an 1102 below grade GS-12 as of January 1, 2000, the "exception" language of the standard allows you to be promoted through GS-12 even if you do not have the education specified by the standard.

4. Do I need a waiver for any promotions up to GS-12?

No. A waiver is not necessary for promotions under grade GS-13 because all promotion candidates would either meet the standard or qualify for the "exception" at those lower grades. Waivers only exist for the requirements that apply to positions at GS-13 and above.

5. I do not meet the educational requirements for a position at GS-13 and above. Do I have to obtain a waiver to apply for a job?

No. The senior procurement executive of the hiring agency must grant a waiver only if the agency wants to select you to fill a position. If the vacancy announcement indicates that waivers may be granted, you can apply for the position. The human resource office will forward your application for review, along with the other applications, with a note that one or more applicants may need a waiver.

6. How will vacancy announcements inform potential applicants about the possibility of a waiver?

When drafting vacancy announcements, human resource offices extract information from relevant qualification standards. In the case of 1102 positions, if an agency has decided for a specific vacancy that it will consider applicants who need a waiver, the vacancy announcement will state that candidates who do not meet the qualification requirements may be considered for a waiver in accordance with the standard. At the agency's option, the waiver may be applied to any of the educational, training, or experience requirements, or combination thereof, as specified in the vacancy announcement.

7. Can I get a waiver and "carry it with me" every time I apply for a job?

No. A waiver is the prerogative of the hiring agency and would be granted based on the unique circumstances of a hiring action. "Blanket" waivers do not exist.

8. If I receive a waiver for a GS-13 position, do I need a new waiver for a GS-14 promotion, even if it is in the same agency?

Yes. Waivers are specific to a selection action, so any selection for a future promotion would require another waiver if you still did not meet the qualification requirements.

9. Do I need a waiver to lateral?

The answer depends on the circumstances. A "lateral" is a reassignment into a position at the same grade. If you meet the qualification requirements, obviously you can lateral into positions within your own agency or other agencies without a waiver. If you do not meet the qualification requirements, the rules vary by grade and circumstances as described here. There is no waiver provision applicable to grades GS-5 through GS-12, only for grades GS-13 and above. Below GS-13, the "exceptions" language of the standard permits you to lateral into a position at any agency and then to continue to be eligible for promotions through GS-12. For grades GS-13 and above, the "exceptions" language permits you to lateral into positions at your agency or other agencies at the grade you occupy as of January 1, 2000 without a waiver. These "exceptions" are "grandfathering" features afforded to the existing workforce.

Suppose you are promoted into grade GS-13 or above after December 31, 1999 on the basis of a waiver. The need for a waiver for a subsequent lateral in this circumstance depends on whether you are changing agencies. If another agency wants to lateral you into one of its GS-13 or above positions, that agency must grant a waiver in order to give you the lateral. If your own agency (the one that gave you the waiver for the position you now occupy) wants to lateral you into another position within the agency, it may do so without processing a new waiver, even if geographic relocation is involved. For example, if you were promoted to a GS-13 Contract Specialist position at NIH-Bethesda MD based on a waiver, you could be selected for a lateral into a GS-13 Procurement Analyst position at CDC-Atlanta GA without the HHS senior procurement executive granting another waiver (since both organizations are within HHS). However, you could not lateral from the NIH position into a GS-13 Contract Specialist position at EPA unless the EPA senior procurement executive granted you another waiver.

10. Have criteria been established for issuing waivers?

No. The waiver authority was created to provide flexibility to accommodate unique circumstances faced in each agency, but it is expected that waivers will be the exception rather than the rule. Waivers will be considered on a case-by-case basis within an agency and granted in those exceptional cases where the best candidate for a specific job does not meet some requirement of the standard. For example, an agency could benefit from this authority when hiring for hard-to-fill positions or duty locations where it is difficult to attract qualified candidates. Another case may be where a strong performer is on a career ladder but fails to meet the requirements for promotion. Hiring is an agency responsibility, and the decision to grant a waiver of the qualification requirements is at the discretion of the agency's senior procurement executive. Since you do not need a waiver to be considered for a position, and provided the announcement states waivers may be considered, hiring officials will review your qualifications and rate you against other applicants. If the hiring official considers you the best candidate for a position, presumably the official would seek a waiver to allow your selection.

11. Must the applicant specifically request a waiver when applying for a position where the vacancy announcement indicates waivers may be considered?

Submittal of the application implies a request for waiver when the applicant does not meet the requirements of the standard. Although the standard specifically identifies the senior procurement executive as having waiver authority and responsibility, the likely practice will be that a selecting official prepares and submits a justification document to the senior procurement executive relating the applicant's background and characteristics to the performance

requirements of the job being filled. It is the agency's responsibility to document its decision to issue a waiver.

## Relationship Between Civilian Agency and Defense Agency Positions



### 1. I am a civilian agency 1102. Can I qualify for a DoD position?

The qualification standard does not apply to defense agency positions; instead, applicable requirements are set forth in DAWIA. However, comparability exists between both sets of requirements. DoD positions through grade GS-13 require either a bachelor's degree OR 24 semester hours in identified fields, which is the same requirement the 1102 standard sets for civilian agency positions through grade GS-12. DoD has also created an "acquisition corps" to fill GS-14 and above positions, with GS-13s eligible for membership. The acquisition corps requires a bachelor's degree AND 24 semester hours, like the 1102 standard requires for GS-13 and above positions. If you meet the DAWIA educational requirements, you could qualify for DoD jobs. If you do not meet the educational requirements, but you have at least ten years of acquisition experience as of October 1991, you are grandfathered by DAWIA and could qualify for DoD jobs. If you do not meet the educational requirements or have enough experience to be grandfathered, you are not qualified for DoD jobs, even though you may be grandfathered for civilian agency positions under the qualification standard. However, DAWIA does allow DoD to waive the requirements to hire you.

### 2. I am a defense agency 1102. Can I qualify for a civilian agency position?

Like anyone else competing for a civilian agency position, generally you would have to meet the educational requirements of the standard for the position you seek in order to qualify. Suppose you do not meet the educational requirements. If you were an 1102 as of January 1, 2000, the standard allows you to obtain a lateral or a promotion into a civilian agency position at grades GS-5 through GS-12. At grades GS-13 and above, you could lateral only into a position at the same grade that you held as of January 1, 2000. For promotions into civilian agency positions at grades GS-13 and above, you are not qualified if you do not meet the educational requirements; hence, you could only receive such a promotion if the hiring agency issued you a waiver. Your "DoD grandfathering" does not extend to civilian agency positions and does not give you access to promotions outside DoD. After you are placed in a civilian agency position, you are subject to the qualification standard for future civilian agency

promotions. If you lateral into a civilian agency position below GS-12, you would be eligible for promotions through GS-12 even though you do not meet the educational requirements. For promotions to grades GS-13 and above, you would have to obtain a waiver if you do not meet the educational requirements.

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1. Individual Occupational Requirements for GS-1102: Contract Specialist
  2. Covering Memorandum for Agency Senior Procurement Execytives