

(7/8/08 draft)

Section 1. Short Title.

This Act may be cited as the “Federal Applicant’s Bill of Rights Act of 2008”.

Section 2. Standards for Federal Hiring.

(a) Clarity of job announcements. – Federal job announcements shall be written in plain English, with a minimum of acronyms or jargon, and shall clearly and prominently display the title, salary, location, work schedule, type and duration of appointment, responsibilities of the position and instructions for applying.

(b) User-friendly application process. – Federal agencies shall keep the amount of initial information required from an applicant to the minimum necessary to determine qualifications and eligibility. On-line receipt of a standard resume and a brief response to questions regarding citizenship and veteran status may serve as application for employment except in special circumstances as determined by the head of an agency. Submission of additional material in support of an application, such as college transcripts, proof of veteran status, and professional certifications, may be required only when necessary to complete the application process and applicants shall be given a reasonable amount of time after the closing date of the job announcement to provide such information.

(c) Timely communication and online tracking. -- [Federal agencies/OPM] shall devise and implement a means by which applicants for federal jobs (1) receive prompt acknowledgement of their application, (2) be given or have on-line access to periodic updates on the status of their application, and (3) may speak to an appropriate individual at an agency regarding the hiring process or their application for employment.

(d) Timely decision and candidate notification. – Federal agencies shall make timely hiring decisions. Within ten business days of the time that selected candidates have accepted offers of employment or job announcements have been canceled, non-selected job applicants will be notified.

Section 3. Measures of Federal Hiring Effectiveness.

(a) Pursuant to subsection (b), federal agencies shall measure and collect data on a continuous basis and report to the Office of Personnel Management on the following indicators of hiring effectiveness:

(1) Recruiting and Hiring —

(A) ability to reach and recruit well-qualified talent from diverse talent pools;

(B) use and impact of special hiring authorities and flexibilities to recruit most qualified applicants;

(C) use and impact of special hiring authorities and flexibilities to recruit diverse candidates, including veteran, minority and disabled candidates;

(D) data on the age, educational level, and source of applicants;

(E) length of time elapsed between the time a position is advertised and the time a first offer of employment is made;

(F) length of time elapsed between the time a first offer of employment is made and the time a new hire starts in that position;

(G) number of internal and external applicants for federal positions;

(2) Hiring Manager Assessment—

(A) manager satisfaction with the quality of new hires;

(B) manager satisfaction with the match between the skills of newly hired individuals and the needs of the agency;

(C) manager satisfaction with the hiring process and hiring outcomes;

(3) Applicant Assessment —

(A) applicant satisfaction with the hiring process (including clarity of job announcement, user-friendliness of the application process, communication regarding status of application and timeliness of hiring decision);

(B) mission-critical gaps closed by new hires and the connection between mission-critical gaps and annual agency performance;

(C) number of people who withdraw from consideration or accept other positions due mainly to the length or complexity of the federal hiring process;

(4) Onboarding—

(A) new hire satisfaction with the onboarding experience (including welcoming and orientation processes, becoming familiar with new work unit and job responsibilities, being provided with timely and useful new employee information and assistance, and assignment of meaningful work);

(B) new hire attrition;

(C) investment in training and development for new employees during their first year of employment;

(5) Other indicators and measures as required by the Office of Personnel Management.

(b) The measures of hiring effectiveness established under subsection (a) may be augmented or adjusted over time as the Office of Personnel Management deems necessary for improving the data available on hiring effectiveness.

(c) The Office of Personnel Management shall issue regulations within 180 days of the enactment of this Act directing the methodology, timing and reporting of the data described in subsection (a).

(d) The Office of Personnel Management shall make the data reported under subsection (a) available to the public online on a quarterly basis and in a consistent format to allow for a comparison of hiring effectiveness and experience across demographic groups and federal agencies.

(e) Before publicly releasing data as described in subsection (d), the Office of Personnel Management shall provide the data in a consistent format to OPM-certified non-profit organizations upon request for purposes of research on hiring practices and hiring effectiveness.

Section 4. Annual Federal Human Capital Survey.

(a) In General. – The Office of Personnel Management shall conduct the Federal Human Capital Survey of federal employees on an annual basis.¹

(b) Each federal agency shall reimburse the Office of Personnel Management for the cost of conducting the Federal Human Capital Survey in that agency.

(c) The Office of Personnel Management shall make the data reported under subsection (a) available to the public online in a timely manner [by a date certain] and in a consistent format to allow for a comparison of hiring effectiveness across demographic groups and federal agencies.

(d) Before publicly releasing data as described in subsection (c), the Office of Personnel Management shall provide the data in a consistent format to OPM-certified non-profit organizations upon request for purposes of research on hiring practices and hiring effectiveness.

Section 5. Authorization of Appropriations.

(a) In General. – There are authorized to be appropriated, in fiscal year 2009 and each subsequent fiscal year, such sums as may be necessary for the Office of Personnel Management to meet the requirements of this Act.

¹ OPM conducts the Federal Human Capital Survey (FHCS) on a biennial basis, though OPM is not required to do so by law. This provision would make the FHCS a statutory requirement.