

complaint. It is important to note that the tool is intended to be a first step and to provide general information, but it does not offer definitive advice regarding an individual's Veterans' preference entitlement. The Veterans' Preference Advisor can be accessed at the Department of Labor's website under elaws Advisors.

Q: How is "Schedule A Appointing Authority" used to hire Veterans?

A: Though not specifically for Veterans, the Schedule A authority for people with disabilities, 5 CFR 213.3102(u), is an excepted authority that agencies can use to appoint eligible Veterans who have a severe physical, psychological or intellectual disability. To be eligible, you must:

- Show proof of your disability. Documentation may be from any licensed medical professional (e.g., a physician or other medical professional certified by a State, the District of Columbia, or a U.S. Territory to practice medicine), a licensed vocational rehabilitation specialist (i.e., State or private), or any Federal or State agency or agency of the District of Columbia or a U.S. territory that issues or provides disability benefits.
- Your medical documentation should distinguish between disabilities that are temporary, or transient, and disabilities that are chronic, permanent, ongoing or unresolved with no end in sight.
- Have a certification of job readiness. Certification of job readiness (i.e., that you are likely to perform the duties of the job you wish to perform despite the presence of your disability) may be from any licensed medical professional (e.g., a physician or other medical professional certified by a State, the District of Columbia, or a U.S. Territory to practice medicine), a licensed vocational rehabilitation specialist (i.e., State or private), or any Federal or State agency or agency of the District of Columbia or a U.S. territory that issues or provides disability benefits.

The above documentation may be combined in one letter or you can provide it in separate letters.

Agencies can use this authority, at their discretion, to appoint you at any grade level and for any job (time-limited or permanent) for which you qualify. Veterans' preference applies when agencies hire individuals under this authority. After two years of satisfactory service, the agency may convert you, without competition, to the competitive service.

There is no limit to the number of times you can apply under this authority.

Hiring Authorities

Frequently Asked Questions (FAQ)



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U.S. Department
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OPM encourages job-seeking Veterans to ask for consideration under as many hiring authorities as they are eligible, in addition to claiming their preference under the competitive examining process (if applicable). The following Frequently Asked Questions (FAQs) may answer questions you have on hiring authorities.

Q: Why should I hire a Veteran?

A: Hiring Veterans through noncompetitive bids expedites the process and reduces the hiring time.

Q: What special skill sets and qualities does a Veteran bring to the organization?

A: Ready supply of needed skills: Due to the cutting-edge training and education the military offers, Veterans and transitioning service members have technical skills in areas of critical importance: acquisition, information technology, communications, security, information gathering, and medical technology. Many already hold required security clearances for some Federal positions.

Q: What is the purpose of category rating in Veterans' Preference?

A: The purpose of category rating is to increase the number of qualified applicants an agency has to choose from while preserving Veterans' preference rights.

Q: Are agencies required to use category rating?

A: No. Agencies are not required to use category rating. Agencies may choose to use the traditional rules for numerical rating, ranking and selecting candidates, including additional points for Veterans' preference and the "rule of 3." Agencies should consider the type of position, the number of positions and/or the type of assessment used to evaluate candidates when choosing whether or not to use category rating.

Q: What is the "rule of 3" and Veteran's pass over?

A: One of the major hiring reform changes is the requirement to use the category rating approach to refer candidates. In the past, applicants' résumés were scored with a numerical rating; a hiring manager could select from only among the top three highest scoring applicants and could not "pass over" a Veteran to select a non-Veteran. This was known as the "rule of 3."

Example: If the top person on a certificate is a 10-point disabled Veteran (CP or CPS), the second person is not a preference eligible, and the third person is a 5-point preference eligible, the appointing authority may choose either of the preference eligibles. The appointing authority may not pass over the 10-point disabled Veteran to select the nonpreference eligible unless an objection has been sustained.

Example: If the top person on a certificate is a 10-point disabled Veteran (CP or CPS), and the second and third persons are 5-point preference eligible, the appointing authority may choose any of the three.

Q: What is the Veterans' Employment Opportunities Act of 1998 (VEOA)?

A: When an agency advertises a vacancy and accepts applications from outside its own workforce, the

Veterans' Employment Opportunities Act of 1998 (VEOA) allows Veterans or Veterans' preference eligibles to compete for these vacancies under the agency's merit promotion procedures. Veterans who are selected are given career or career-conditional appointment. Veterans are those who have been separated under honorable conditions from the Armed Forces with three or more years of continuous active service. Veterans' preference, however, does not apply to selections made under merit promotion procedures.

Q: How do I utilize the Veterans' Employment Opportunities Act of 1998 (VEOA) to hire Veterans?

A: Agencies must allow preference eligibles and certain Veterans to apply for positions announced under merit promotion procedures when the agency is recruiting from outside its own workforce. Veterans may be hired through the competitive process using the steps summarized below.

- **Step 1:** Consider the strategic benefit in filling the position using Veterans and transitioning service members.
- **Step 2:** Determine recruiting strategy. Consider posting the announcement at Veterans Transition Centers or with Veterans organizations.
- **Step 3:** Announce the vacancy on USAJOBS.
- **Step 4:** Consider VEOA applicants with other status candidates.
- **Step 5:** Determine the most qualified candidates. Determine which applicants are qualified, rate them based on their qualifications, and issue a selection certificate in accordance with the agency merit promotion plan.
- **Step 6:** Select a candidate. If a VEOA eligible is selected, he or she is given a career-conditional or career (as appropriate) appointment.

Q: How can an employer determine eligibility for Veterans' preference?

A: The Department of Labor's Office of the Assistant Secretary for Policy (OASP) and Veterans' Employment and Training Service (VETS) developed an online, interactive system called the Veterans' Preference Advisor to help Veterans understand:

- Whether or not they are eligible to receive Veterans' preference.
- The type of preference to which they may be entitled.
- The benefits associated with the preference.
- The steps necessary to file a complaint due to the failure of a Federal Agency to provide those benefits.

The Veterans' Preference Advisor leads the inquirer through a series of questions to determine eligibility and provides specific information and instructions for filing a

Q: How do I utilize the Veterans' Recruitment Appointment (VRA) to hire Veterans?

A: To hire an eligible Veteran under VRA:

Step 1: For positions up to a GS-11 (the promotion potential of the position is not a factor), determine if the candidate is eligible under this authority. The following individuals are eligible for a VRA appointment:

- Disabled Veterans.
- Veterans who served on active duty in the Armed Forces during a war declared by Congress, or in a campaign or expedition for which a campaign badge has been authorized.
- Veterans who, while serving on active duty in the Armed Forces, participated in a military operation for which the Armed Forces Service Medal was awarded.
- Veterans separated from active duty within the past 3 years.

Note: There is no minimum service requirement, but the individual must have served on active duty, not active duty for training. (For Veterans who have less than 15 years of education, there is a training or education requirement.)

Step 2: Subject to Veterans' preference, appoint any VRA eligible who meets the qualifications requirements for the position. No announcement is required.

Applying Veterans' Preferences: If an agency has two or more VRA candidates and one or more is a preference-eligible Veteran, the agency must apply the Veterans' preference procedures in 5 CFR part 302.

Q: How do I hire 30 Percent or More Disabled Veterans?

A: To hire a 30 Percent or More Disabled Veteran:

- **Step 1:** Determine if the candidate is eligible under this authority. A VA letter or military discharge papers substantiating the service-connected disability are required.
- **Step 2:** Appoint an eligible, disabled Veteran who meets the qualifications for the position to a temporary appointment of more than 60 days or to a term appointment. You may convert the appointment, without a break in service, to career or career-conditional at any time during the temporary or term appointment. Veterans' preference does not apply and no announcement is required.



Q: May an agency apply the “three consideration” rule under category rating?

A: The “three consideration” rule that is embodied in 5 CFR 332.405 does not apply to category rating. The reference to “three considerations” in 5 U.S.C. § 3317(b) is associated with the traditional process for the discontinuance of certification of preference eligibles from a register, and only applies to category rating in that limited context.

Q: How are the quality categories defined?

A: Quality categories are defined to distinguish differences in the quality of candidates' job-related competencies or knowledge, skills, and abilities (KSAs). Each category has eligible candidates who have demonstrated through an assessment(s) similar levels of proficiency on the critical job-related competencies/KSAs. Some factors to consider when developing categories may include:

- Breadth and scope of competencies/KSAs.
- Increased levels of difficulty or complexity of competencies/KSAs.
- Successful performance on the job.
- Level of the job.



A quality category definition should not be written in broad terms solely to increase the number of eligible candidates who may be considered for selection. Instead, the quality category definition should be written to identify the best qualified individuals for the position.

More information on how to define quality categories, including examples, is located in the Delegated Examining Operations Handbook in Chapter 5, Section B, Rating Procedures (Category Rating) on the Office of Personnel Management (OPM) website.

Q: May agencies use category rating to fill any job that uses an assessment(s) that generates a numerical score?

A: Yes. Agencies may use test scores as part of the job-related criteria used to place candidates into categories, as long as the test assesses job-related KSAs/competencies. When establishing a category definition with numerical scores, agencies must be consistent with the technical standards in the Uniform Guidelines on Employee Selection Procedures (see 29 CFR part 1607), with respect to the development of any applicant assessment procedure, and comply with the laws, regulations, and policies of merit selection (see 5 U.S.C. § 2301 and 5 U.S.C. § 2302). For Administrative Careers with America (ACWA) positions, an agency should coordinate with its legal office on the implementation of its category rating system.

Q: How are candidates selected under category rating?

A: Agencies make selections from within the highest quality category regardless of the number of candidates (i.e., the rule of 3 does not apply). However, preference eligibles receive absolute preference within each category. If a preference eligible is in the category, an agency may not select a nonpreference eligible unless the agency requests to pass over the preference eligible in accordance with 5 U.S.C. § 3318, and the request is approved.

If there are fewer than three candidates in the highest quality group, agencies may combine the highest group with the next lower group and make selections from the merged group. The newly merged category would then constitute the highest quality category. Preference eligibles must be listed ahead of nonpreference eligibles in the newly merged category. Once again, as long as a preference eligible remains in the merged category, an agency may not select a nonpreference eligible unless the agency receives approval to pass over the preference eligible in accordance with 5 U.S.C. § 3318.

Agencies are reminded that preference eligibles are placed in the highest quality category based on the quality category definition agencies develop, with the exception of the preference eligible with a compensable service-connected disability of at least 10 percent who must be listed in the highest quality category (except in the case of scientific or professional positions at the GS-9 level or higher). Agencies should review the quality categories to ensure they accurately reflect the best qualified.



Q: How are preference eligibles given preference in selection under category rating?

A: Preference eligibles that meet the minimum qualification requirements, including a quality category definition, but do not have a service-connected disability of 10 percent or more are assigned to the appropriate

quality category based on the job-related

assessment. They are given preference in selection by being listed ahead of nonpreference eligibles within the appropriate quality category. An agency may not select a nonpreference eligible if there is a preference eligible in the same category unless there are grounds for a pass over and the agency has complied with the pass-over procedures at 5 U.S.C. § 3318(b).

Q: How do preference eligibles who have a compensable service-connected disability receive preference in selection?

A: Preference eligibles who meet the minimum qualification requirements and who have a compensable service-connected disability of at least 10 percent must be listed in the highest quality category (except in the case of scientific or professional positions at the GS-9 level or higher). As noted above, an agency may not select a nonpreference eligible in lieu of a preference eligible in the same category unless there are grounds for a pass over and the agency has complied with the pass-over procedures at 5 U.S.C. § 3318(b).

Q: Are the procedures used to pass over a preference eligible under category rating the same as those used in traditional numeric rating, ranking and selection?

A: Yes. The procedures used to pass over a preference eligible under category rating are the same as those used in the traditional rule of 3 process. In the traditional and category rating processes, an agency may not select a nonpreference eligible before selecting a higher ranked preference eligible or a preference eligible within the same category unless the agency receives approval to pass over the preference eligible in accordance with 5 U.S.C. § 3318.

Q: What is Veterans' Recruitment Appointment (VRA) and how does it work?

A: What it provides: VRA allows appointment of eligible Veterans up to the GS-11 or equivalent grade level. Veterans are hired under excepted appointments to positions that are otherwise in the competitive service. After the individual satisfactorily completes two years of service, the Veteran must be converted noncompetitively to a career or career-conditional appointment.

When to use it: VRA can be a good tool for filling entry-level to mid-level positions.

Who is eligible: VRA eligibility applies to the following categories:

- Disabled Veterans.
- Veterans who served on active duty in the Armed Forces during a war declared by Congress, or in a campaign or expedition for which a campaign badge has been authorized.
- Veterans who, while serving on active duty in the Armed Forces, participated in a military operation for which the Armed Forces Service Medal (AFSM) was awarded.
- Veterans separated from active duty within the past 3 years.

Benefits to the hiring manager: VRA allows a manager to fill positions quickly by appointing eligible Veterans to positions for which they are qualified, up to and including GS-11 or equivalent, without issuing a vacancy announcement.