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# **Avoid Pitfalls in Hiring: Navigating Through the Hiring Process**

## **Participant Guide**

Technology Enhanced Learning (TEL) Interactive

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November 19, 2008



# Welcome

Welcome to this TEL (Technology Enhanced Learning) training event. We are excited that you will be joining us today for *Avoiding Pitfalls in Hiring: Navigating through the Hiring Process* and look forward to helping you get as much out of this time as possible.

Your participation is an important part of this class. If you have a question, don't hesitate to ask. There are probably several others in the class who have the same question – you might as well be the one to ask. It is our goal that you leave class today with no unanswered questions.

## How to Interact with the Instructor

We encourage you to ask questions and share your comments with the instructor(s) throughout this TELNPS course.

If you were physically in the classroom with the instructor, you would raise your hand to let her/him know you had a question or comment. Then you would wait for the instructor to recognize you and ask for your question. We are all familiar with that “protocol” for asking questions or making comments.

With TELNPS courses, there is also a “protocol” to follow to ensure you can easily

ask questions and others can participate as well. It may seem a little strange at first asking a question of a TV monitor. Remember, it is the instructor you are interacting with and not the monitor. As you ask more questions and participate in more TELNPS courses, you will soon be focusing only on the content of your question and not the equipment you are using to ask it.

As part of the TEL station equipment at your location, there are several push to talk microphones. Depending on the number of students at your location, you may have one directly in front of you or you may be sharing one with other students at your table.

**When you have a question, press and hold down the push to talk button maintaining at distance at least 12-18 inches and say,**

*“Excuse me [instructor’s first name], this is [your first name]*

*at [your location]. I have a question (or I have a comment).”*

Then release the push to talk button. This is important.

Until you release the button, you will not be able to hear the instructor.

The instructor will acknowledge you and then ask for your question or comment. Stating your name and location not only helps the instructor, but also helps other students who are participating at different locations to get to know their classmates.

## COURSE OVERVIEW

### Why a Avoiding Pitfalls in Hiring program?

For most hiring officials the process of hiring an employee can be somewhat daunting and confusing. This course is designed to help Supervisors better understand the basic rules associated with the hiring process and options that are available so that the ultimate goal of getting the best person can be realized. Supervisors will learn about the recruitment process, different ways to work a certificate, and what records they need to maintain. In addition, a number of hiring authorities will be discussed that will introduce options and flexibility into the selection process.

### Target Audience

Supervisors with seasonal hiring responsibilities. The NPS Supervision, Management and Leadership training manager has reviewed this TELNPS course and approved it as counting towards the mandated NPS annual 40 hour supervisory training requirement.

### Program Timing

This course will last two and one-half hours.

### Learning Objectives

At the completion of the course the student will be able to:

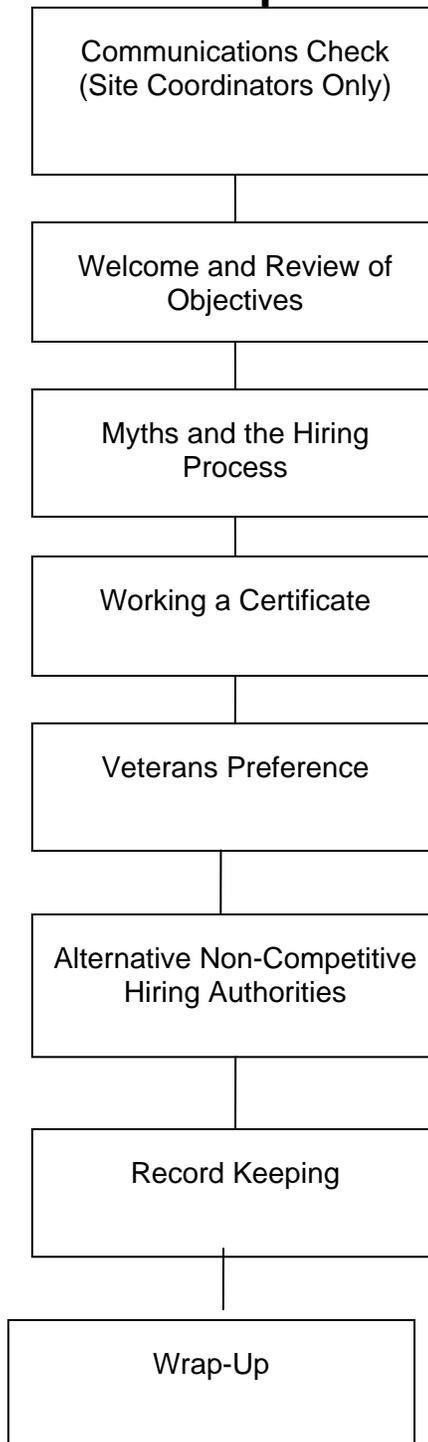
- Describe the recruitment process.
- Explain and abide by the Merit System Principles and Prohibited Personnel Practices.
- Understand the principles of Veterans Preference.
- Understand the different types of certification and how to use them.
- Understand available Alternative Hiring Authorities and appropriate uses.
- Know record keeping requirements for recruitment and selection documents.

### Site Point-of-Contact Responsibilities

The TEL Station Site Point-of-Contact must reserve the training room, notify employees that the park will be participating in this TEL training event, make sure the Participant Guide is available to students, set up the TEL Station on the day of the training, ensure students sign in on the attendance roster, and finalize the Class Attendance Roster in DOI Learn.

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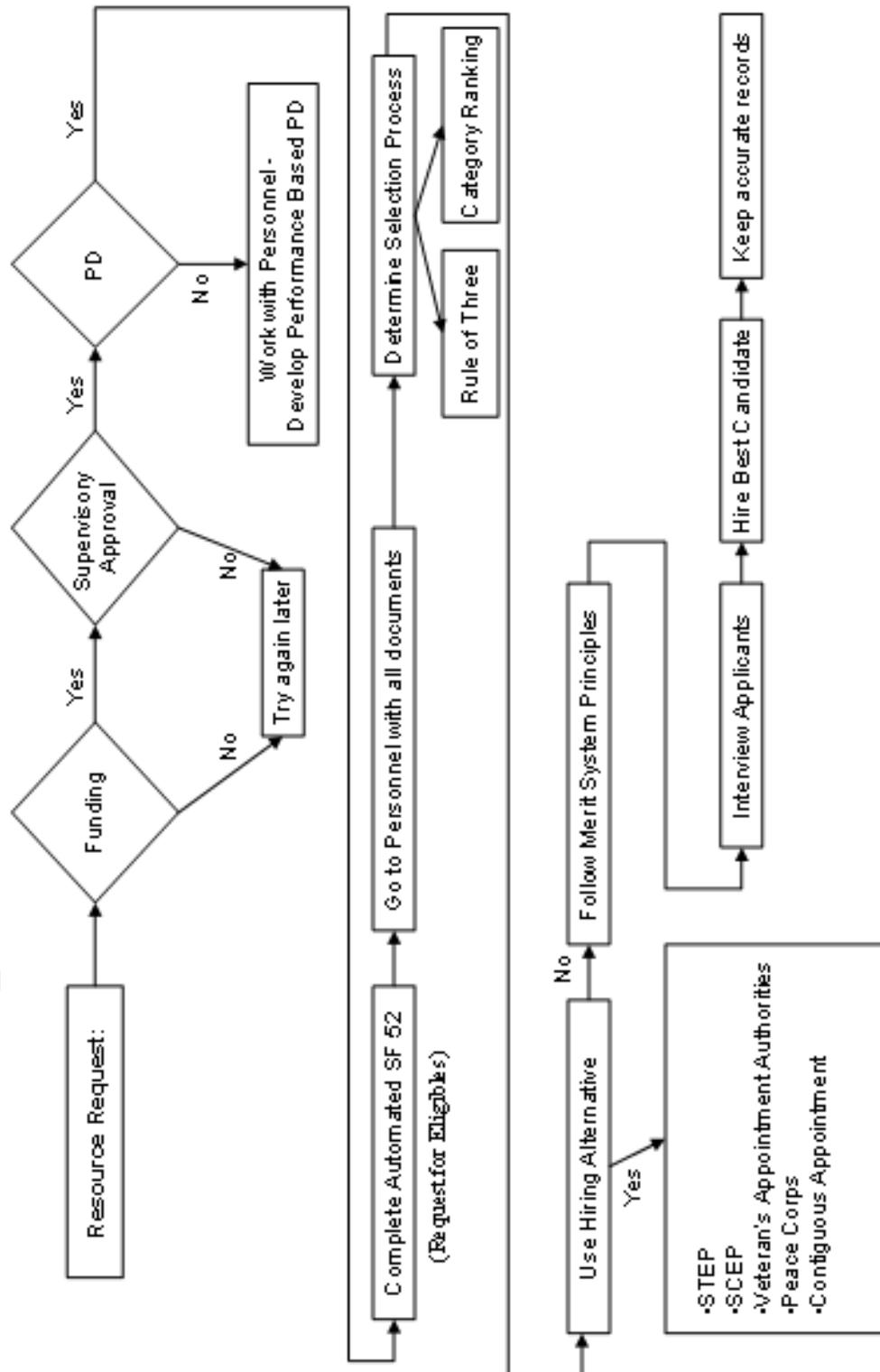
## Course Map





# HIRING PROCESS FLOWCHART

## The Hiring Process



# MERIT SYSTEM AND PROHIBITED PERSONNEL PRACTICES

## MERIT SYSTEM PRINCIPLES

The Merit Principles listed below are adapted from the statutory language that appears in section 2301 (b) of title 5, United States Code.

- Recruit qualified individuals from all segments of society and select and advance employees on the basis of merit after fair and open competition.
- Treat employees and applicants fairly and equitably, without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition.
- Provide equal pay for equal work and reward excellent performance.
- Maintain high standards of integrity, conduct, and concern for the public interest.
- Manage employees efficiently and effectively.
- Retain or separate employees on the basis of their performance.
- Educate and train employees when it will result in better organizational or individual performance.
- Protect employees from improper political influence.
- Protect employees against reprisal for the lawful disclosure of information in "whistleblower" situations (i.e., protect people who report things like illegal and/or wasteful activities).

### Capture your thoughts

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## PROHIBITED PERSONNEL PRACTICES

### Prohibited Personnel Practices

The prohibited personnel practices listed below are adapted from the statutory language that appears in section 2302 (b) of title 5, United States Code.

#### It is a prohibited personnel practice to:

- Discriminate on the basis of race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation.
- Solicit or consider employment recommendations based on factors other than personal knowledge or records of job related abilities or characteristics.
- Coerce an employee's political activity.
- Deceive or willfully obstruct a person's right to compete for employment.
- Influence any person to withdraw from competition for a position to improve or injure the employment prospects of any other person.
- Give unauthorized preference or advantage to any person to improve or injure the employment prospects of any particular employee or applicant.
- Employ or promote a relative.
- Retaliate against a whistleblower, whether an employee or an applicant.
- Retaliate against employees or applicants who exercise their appeal rights, testify or cooperate with an Inspector General or the Special Counsel, or refuse to break a law.
- Discriminate based on personal conduct which is not adverse to on-the-job performance of the employee, applicant, or others.
- Violate any law, rule, or regulation which implements or directly concerns the merit principles.

#### Enforcement

The Office of Special Counsel (OSC):

- Investigates allegations of violations and serves a prosecutor before MSPB
- If allegations proven, OSC can seek corrective action, disciplinary action, or both

<b>Certificate Exercise</b>
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**WORKING a COMPETITIVE RANKED CERTIFICATE OF ELIGIBLES USING THE "RULE OF 3"**

*Discuss as a group at your site for the following exercise. Be sure to designate a spokesperson for your site and be ready to share your list.*

You, as the selecting official, have just received a certificate of eligibles from your Human Resources specialist. The position you are filling is a Visitor Use Assistant, GS-0303-04, in the Fee Management section. Your positions are seasonal (NTE 1039 hours) and you plan to make 4 selections. Availability Inquiries have already been sent out either by you as the supervisor or HR and the deadline for their return has passed.

- Beaver declined consideration because of the location of the job
- Deer and Badger failed to reply to the inquiry

These annotations have been made on the certificate.

*The first selection you want to make is Bison. Is this a legal selection?*

<u>Action</u>	<u>Rating</u>	<u>Name</u>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
	89 CP	Moose				
DL	104 XP	Beaver				
	101 TP	Bison				
	99	Eagle				
	98 TP	Bear				
FR	98	Deer				
FR	98	Badger				
	97 TP	Elk				
	96	Coyote				
	96	Pronghorn				
	96	Wolf				
	96	Osprey				

FR = Failed to Reply

DL = Declined Location

NS = Not Selected

NC = Not Considered A = Selected



## WORKING A SELECTION CERTIFICATE

### TYPES OF CERTIFICATES

Merit Promotion	All Sources (All US Citizens May Apply)
Best Qualified ----- Non-competitive (minimally qualified)	Open Competitive Examining <ul style="list-style-type: none"><li>• Ranked (Rule of 3)</li><li>• Category Rating</li></ul>

### RULES FOR RANKED CERTS

For each vacancy consider:

- First three eligible in score order; CP vets float to the top
- Vet preference applies (add 5 or 10 points)
- Can not pass over preference eligible to select non-preference eligible

Elimination of eligibles:

- Declination or failure to reply
- Serving under same type position; same or higher grade, same location, same or better position
- Suitability (must work with HR/OPM)
- Passed over 3 times for 3 selections

### RULES FOR CATEGORY RATING

- Candidates broken into 2 or 3 categories - Best Qualified, Highly Qualified and Qualified
- Vet preference applies and vets are placed at the top of each category
- Compensable (CPS/CP) vets placed at top of highest category
- Select any candidate in each category, after vet preference applied

## STUDENT EXERCISE

1. This veteran has a disability rating of 30% and appears on your certificate with a code of \_\_\_\_\_.
2. The veteran with a Purple Heart is an XP vet and has \_\_\_\_\_ points added to his/her score.
3. You would receive what type of certificate for a permanent vacancy open to all sources? \_\_\_\_\_
  - a. Best Qualified
  - b. Ranked (Rule of 3)
  - c. Alphabetical

## GROUP EXERCISE

### Working a Competitive Ranked Certificate of Eligibles (refer back to page 8)

You, as the selecting official, have just received a certificate of eligibles from your Human Resources specialist. The position you are filling is a Visitor Use Assistant, GS-0303-04, in the Fee Management section. Your positions are seasonal (NTE 1039 hours) and you plan to make 4 selections. Availability Inquiries have already been sent out by you as the selecting official or HR, and the deadline for their return has passed.

- Beaver declined consideration because of the location of the job
- Deer and Badger failed to reply to the inquiry

These annotations have been made on the certificate.

We selected Bison as our first choice.

The selections you want to make are:

1. Bison
2. Bear
3. Elk
4. Coyote (Coyote was a name request made by you prior to receiving the cert)

We are going to work this together so follow along on the screen and make the appropriate notations on page 8.

### Capture your thoughts

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**WORKING A SELECTION CERTIFICATE (CONT.)**

**Example of the same candidates using the Category Rating Method**

**CATEGORY A - BEST QUALIFIED**

		CP	Moose	Veterans first – in preference order
	DL	XP	Beaver	
#1	A	TP	Bison	
#2	A	TP	Bear	Select any of these first
#3	A	TP	Elk	
		NV	Pronghorn	Any candidates in this group of non-vets may be selected after Vets cleared
		NV	Eagle	
		NV	Wolf	
	FR	NV	Deer	
		NV	Coyote	
	FR	NV	Badger	
		NV	Osprey	

- Veterans on top of the category in alphabetical order
- 1st selection Crabapple
- 2nd selection Fern
- 3rd selection Pine
- 4th selection of Oak (your Name Request) with this certificate could not be made - your 4th selection needs to be Ash
- NO removal from certificate allowed based on 3 considerations

**Capture your thoughts**

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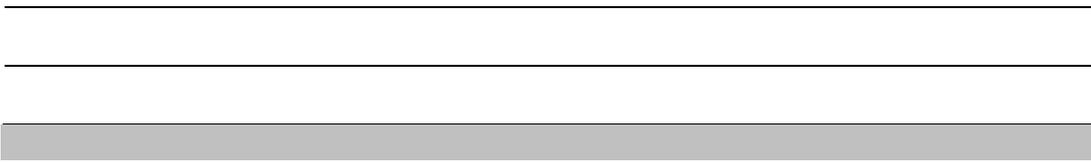
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## Alternative Non-Competitive Hiring Authorities

### Student Temporary Employment Program (STEP) Fact Sheet

Authority: 5 CFR 213.3202(a)

**Purpose:** To provide maximum flexibility to both the student and the agency. Appointments are temporary, NTE 1 year; may be extended in 1-year increments as long as incumbent meets definition of student.

**STEP Eligibility:** The student must be:

Enrolled or accepted for enrollment in an accredited school

- Meet definition (according to school) of half-time enrollment
- Degree/Diploma/Certificate seeking student

**STEP Criteria:** Work need not be related to student's educational program/career goals.

- Must meet qualification standards for position.
- Eligible *for* higher grade (promotion) based on experience.

**Conversation to SCEP:** Students may be noncompetitively converted to the Student Career Experience Program whenever they meet the requirements of that program and the agency has appropriate position available.

**Benefits:**

- Annual/sick leave
- Eligible for health benefits after completion of 1 year of service

**Suggestion:** Consider reducing the grade of your position to accommodate the qualifications of the student. For example, a GS-5 Bio Tech reduced to a GS-2 for the student you wish to hire; student does not meet qualifications at a GS-5 level.

### Capture your thoughts

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## VETERANS APPOINTING AUTHORITIES

### NON - COMPETITIVE

✓ *VRA - Veterans Recruitment Appointment (11/7/02)*

38 U.S.C. 4214; Pub. L. 107-288; 5 CFR Part 307; 5 CFR 752.401 (c)(3)

- any grade thru GS-11 or equivalent
- must meet minimum qualifications/military service requirements
- permanent/temporary/TERM appointments allowed
- Vet Preference applies when more than one applicant
- 2yr period under Excepted service; convert to Career Conditional
- must establish formal training program if appointee has less than 15 yrs of education

✓ *30% or more Disabled Veteran* 5 U.S.C. 3112; 5 CFR 316.402(b)(4); 5 CFR 315.707

- temporary appointment more than 60 days or TERM
- retired military with disability rating of 30% or more OR;
- rated by VA within preceding year as having compensable service-connected
- disability rating of 30% or more
- no grade level limitation
- must meet minimum qualifications
- eligible for non-competitive conversion to career-conditional appointment

✓ *Veterans Employment Opportunities Act of 1998 (VEOA) PERMANENT ONLY*

5 U.S.C. 3304, 3330; 5 CFR 213.3202 (n) and 335.106

- allows eligible veterans to apply for positions announced under merit promotion
- when area of consideration is outside the agency (outside DOI, i.e. Government wide)
- veteran must be preference eligible, OR
- veteran separated after 3 or more years of continuous active service under
- honorable conditions
- selectee given career-conditional appointment
- veterans preference does not apply

## PEACE CORPS

- ✓ **Peace Corps Volunteers (5 CFR 315.605 PERMANENT)  
(5 CFR 316.402 TEMPORARY)**
  - Satisfactorily completed service of at least one year.
  - Permanent or seasonal appointment to GS positions
  - Must meet OPM minimum qualifications
  - Eligible for one year after completion of service (possible extensions)
- ✓ **Peace Corps Employees (5 CFR 315.607 PERMANENT)  
(5 CFT 316.402 TEMPORARY)**
  - Permanent or seasonal appointments
  - Applies to present and former employees
  - Service requirement - 3 continuous years.
  - Must meet OPM minimum qualifications.
  - Eligible for 3 years after separation.

## SEVERELY PHYSICALLY HANDICAPPED ( CFR 213.3102(u))

- Temporary appointment to demonstrate ability to perform duties satisfactorily
- OR**
- Certification by State Voc Rehab or VA as likely to succeed in performance of duties
  - May convert to competitive status after 2 years

### Capture your thoughts

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**CONTIGUOUS APPOINTING AUTHORITY (Schedule A, 213.3112(a) (1))**

- ✓ Employees appointed under this authority must maintain a permanent and exclusive residence within, or contiguous to, a field activity or district, and be dependent for livelihood primarily upon employment available within that field activity.
- ✓ Only for technical, maintenance, and clerical positions at or below GS-7 or WG-10.
- ✓ DOCUMENT, DOCUMENT, DOCUMENT

**DO NOT use this authority without consultation with your servicing personnel office**

**REMOTE/ISOLATED AUTHORITY-- refer to Appendix B, Information Sheet on Appropriate Use of Contiguous-to-Area and Remote/Isolated Authorities and Applicant Eligibilities**

- ❑ Defined as “outside the local commuting area of a population center”
- ❑ Any position - any grade
- ❑ Limited to temporary appointment NTE 1040 hours

**Capture your thoughts**

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## RECORD KEEPING

### CFR Regulations On Privacy Act Provisions As They Pertain To Certification Of Eligible

- Safeguard your certificate and information.
- Interview notes – maintain for a reasonable period of time
- Specific documentation – maintain for a reasonable period of time; copy to HR (declinations, questions, problems, etc.)

#### CFR 293.106 (a) Safeguarding information about individuals

...As a minimum, these controls shall require that all persons whose official duties require access to and use of personnel records shall be responsible and accountable for safeguarding those records and for ensuring that the records are secured whenever they are not in use or under the direct control of **authorized persons**.

#### CFR 293.108(b) Standards of conduct

...Agency employees whose **official duties** involve personnel records shall be sensitive to individual rights to personnel privacy and shall not disclose information from any personnel record unless disclosure is part of their official duties or required by executive order, regulations, or statute (e.g., Freedom of Information Act).

#### CFR 293.108(C) Improper use of personnel information

...Any OPM or agency employee who makes a disclosure of personnel records knowing that such disclosure is unauthorized, or otherwise knowingly violates these regulations, **shall be subject to disciplinary action and may also be subject to criminal penalties** where the records are subject to the Privacy Act (5 U.S.C. 552a).

#### CFR 292.201 Personnel records subject to the Privacy Act

...When personnel records are maintained within a system or records, the records are deemed to be within the scope of both regulations in this part and OPM or agency regulations implementing the Privacy Act.

### Capture your thoughts

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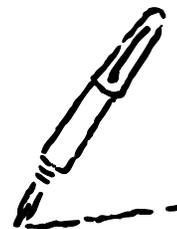
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## Student Exercise

Which special appointing authority is appropriate in these circumstances?

1. Student on summer break from school, and holds a position related to her educational field of study.

STEP                      Peace Corps                      SCEP

2. Native American temporary employee hired non-competitively whose home is located next to the park boundary.

STEP                      Contiguous                      Remote -Isolated

3. Veteran (CP) originally hired non-competitively for a temporary position; later converted non-competitively to permanent.

30% Disabled Vet                      VRA                      Severe Physical Handicap

### Capture your thoughts

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### To Receive Credit for *Avoid Pitfalls in Hiring: Navigating Through the Hiring Process*

Take the **on-line evaluation** at: [www.nps.gov/training/tel](http://www.nps.gov/training/tel)

- Click on the DOI Learn tab

Go to the link under Class Evaluations for *Avoid Pitfalls in Hiring: Navigating Through the Hiring Process*.

- Please complete the evaluation within 2 weeks of the course, by **December 3, 2008**.

Also, sign the **Class Attendance Roster**.

## APPENDIX A

### Answer Key for Rule of 3 selection exercise

<u>Action</u>	<u>Rating</u>	<u>Name</u>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
REMOVED	89 CP	Moose	c	c	c	
(4th action on cert)						
DL	104 XP	Beaver				
A (1st selected)	101 TP	Bison	c			
REMOVED	99	Eagle	c	c	c	
(4th action on cert)						
A (2nd selected)	98 TP	Bear		c		
FR	98	Deer				
FR	98	Badger				
A (3rd selected)	97 TP	Elk			c	
A (4th selected)	96	Coyote				c
NS	96	Pronghorn				c
NS	96	Wolf				c
NC	96	Osprey				

**USE THESE CODES IN THE ACTION COLUMN**

FR = Failed to Reply

DL = Declined Location

NS = Not Selected

NC = Not Considered

A = Selected

## Appendix B

### INFORMATION SHEET ON APPROPRIATE USE OF CONTIGUOUS-TO-AREA AND REMOTE/ISOLATED AUTHORITIES AND APPLICANT ELIGIBILITIES

Eligibility under the Contiguous to Area (Schedule A, 213.3112(a) (1), or the Remote/Isolated (Schedule A, 213.3102(I) (1)) appointing authorities is contingent upon meeting the following criteria listed below. In addition, all applicants MUST meet the Office of Personnel Management (OPM) qualifications, selective factors, and any ranking requirements for General Schedule (GS) or Federal Wage System (FWS) positions.

#### **PERMANENT EMPLOYMENT Contiguous-to-Area** (Schedule A, 213.3112(a) (1)):

The intent of the authority is to permit permanent (full-time, part-time, or subject-to-furlough work schedule) appointment of local residents living within or adjacent to the park characterized by:

- Isolated location
- Substantial unemployment
- Long commuting distances to the next closest real source of employment
- Dependent upon the park for livelihood
- And shortage of housing

Can be used to fill technical, maintenance, and clerical positions, only at or below grades GS-7, WG-10, or equivalent grade levels.

Applicant must meet all of the criteria of this appointing authority:

1. Individual must be certified as maintaining a permanent and exclusive residence within, or contiguous to, a field activity or district, and whose residency is expected to continue, indefinitely, without change.
2. As a minimum, the applicant must indicate their place of physical residence for the past six (6) years as being contiguous (adjacent to the boundary of the park). It does not include persons who reside in park housing or who move into park housing once employed.
3. Individual must be dependent for their livelihood primarily upon employment available within that field activity (at the park).
4. Both conditions, regarding residency and dependency, must exist and be made a matter of record on the Contiguous to Area Certification form.
5. This authority does not include persons who reside in park housing or who move into park housing once employed.

## **SEASONAL/TEMPORARY EMPLOYMENT Remote/Isolated**

(Schedule A, 213.3102(I) (1)):

The intent of this authority is to permit temporary or seasonal employment (full-time, part-time, or intermittent work schedule) for no more than 1,039 work hours (6 months) in a service year (12 month period). Temporary appointments may be extended in 1 year increments as long as the employee does not work more than 1,039 hours in a particular service year.

Any GS or FWS (WG) position and grade level for which the applicant meets qualification requirements, applicable ranking factors, and veteran's preference.

### **Applicants must meet the eligibility of the Remote/Isolated authority:**

1. Complete the Certification of Living in Remote/Isolated Location form with required information.
2. Demonstrate permanent residency in this remote/isolated location that is within a 50 mile radius of the park, and is outside the local commuting area of a population center from which an employee can reasonably be expected to travel on short notice under adverse weather and/or road conditions which are normal for the area.
3. Are dependent for one's livelihood primarily upon employment opportunities available at the park because of high unemployment in the area and long distance from employment sources.

Note: This is only an overview of the two distinct appointing authorities – for further details, please contact your personnel office. Situations should be handled on a case by case basis to determine if the applicant meets the criteria for use of these authorities.