

DEPARTMENT OF THE ARMY SUPPLEMENTAL IMPLEMENTATION GUIDANCE FOR  
THE USE OF EXPEDITED HIRING AUTHORITY FOR ACQUISITION POSITIONS

1. Purpose. This Department of Army (DA) guidance supplements the Department of Defense (DoD) implementation guidance for expedited hiring authority for acquisition positions issued by the memorandum, dated 23 December 2008. Subject: Implementation of Expedited Hiring Authority for Acquisition Positions in Accordance with Subsection 1705(h) of Title 10, United States Code (U.S.C.), as amended by Section 833 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (2009 NDAA), Public Law 110-417
  - A. Reference DA Office of the Assistant Secretary (Manpower and Reserve Affairs) memorandum, dated 24 February 2009, Subject: Delegation of Authority – Implementation of Expedited Hiring Authority for Acquisition Positions.
  - B. Reference DA Office of the Deputy Chief of Staff, G-1 memorandum, dated 24 February 2009, Subject: Instructions for Reporting Use of the Expedited Hiring Authority for Acquisition Positions.
2. Authority. Under this expedited hiring authority, Army activities may recruit and appoint highly qualified individuals to shortage category positions in the career fields as delineated in the DoD memorandum and accompanying Implementation Guidance for Expedited Hiring Authority for Acquisition Positions.
3. Authority Principles.
  - A. Comply with all relevant laws to the extent that DoD is not exempted from such laws.
  - B. Meet all applicable labor relations obligations.
  - C. Adhere to displaced employee procedures.
  - D. Adhere to merit principles (5 U.S.C.)
  - E. Continue to make employment offers to highly qualified candidates with veterans' preference whenever practicable.
  - F. In addition to this authority, other hiring tools and authorities are available to attract and recruit candidates (see hiring flexibilities, tools, and incentives at <http://www.opm.gov/> ).
4. Highly Qualified (HQ) Determination. Candidates must meet Office of Personnel Management (OPM) Qualification Standards for the pay band or equivalent levels (at GS-09 or higher, and YA-02/YA-03 and comparable levels). In addition, candidates must meet the highly qualifying criteria (HQC) determined to be critical for the position and demonstrate successful

job performance. Accordingly, the focus is on the specific technical experience and its applicability to the position requirements – work performed that clearly demonstrates the candidate possesses knowledges, skills, and abilities at a HQ level.

All processes used in making HQ level determinations must be job-related and consistent with merit system principles. Selecting officials or subject matter experts are required to provide the HQC related to the position(s) to be filled to ensure distinctive determinations of which candidates meet the HQ level. To support this determination, selecting officials or subject matter experts (SME) must conduct a job analysis to identify the major job requirements which are linked to the knowledges, skills, and abilities and HQC required to perform the duties. Identifying the major job requirements and the aligned HQC at the HQ level is critical to ensuring the HQ experienced candidates are selected based on consistent application of job-related criteria.

5. Announcement Process. Activities will comply with public notification using OPM's USAJOBS on a one-time individual basis or with an open continuous announcement (OCA) for all actions. No minimum open announcement period is required. The open period shall be based on the type of position being filled and the availability of HQ candidates in the labor market. Resumes will be submitted using the Army's automated application tools.

#### A. Vacancy Announcements.

Positions that have recurring vacancies may be filled through the use of OCAs. Individual announcements may be used for positions that have specific opening and closing dates, unique requirements, or are not covered by an OCA. Vacancy announcements must identify the use of the expedited hiring authority and will identify the HQC being used in each situation.

#### B. Referrals.

The Civilian Human Resources Agency has the responsibility for ensuring candidate eligibility under the established referral process. The selecting official has the option to request a screened or an unscreened referral list. For screened referral lists, applicants will be reviewed by the Civilian Personnel Advisory Center (CPAC) for minimum OPM qualification requirements and Defense Acquisition Workforce Improvement Act (DAWIA) requirements. For unscreened referral lists, the CPAC will provide the list of candidates to the selecting official according to CHRA Guidance Memorandum 07-08, 30 June 2008. Once a selection is made, reasons for selection will be provided on the referral list which documents how the candidate met the HQC. The referral list will then be returned to the servicing CPAC.

#### C. Reuse of Selection Certificates.

Certificates issued from an OCA may be reused for multiple vacancies that occur during the duration of the certificate (90 days). Multiple selections can be made from the same certificate and they should be made in priority order in case of a declination.

#### D. Job Fairs/Recruiting Events.

Selecting officials should work with the CPAC to implement a recruitment plan for conducting job fairs and other recruiting events. In utilizing this authority when attending job fairs or recruitment events, tentative offers may be made to potential candidates pending clearance of Priority Placement Program, Interagency Career Transition Assistance Plan, and other requirements (i.e., any associated security clearances, certifications, etc.).

6. Name Requests. Selecting officials or SMEs may identify HQ level candidates through name requests. Name request candidates must meet HQC for the position being filled. The selecting official making the HQC determination will document on the Request for Personnel Action (RPA) the reasons for the decision to ensure the candidate meets the HQC and meets or will meet the DAWIA certification requirements within the specified timeframes. Name requests will be initiated by the submission of RPAs. The RPA must include the following information: name of person being name requested, the description of the HQC, and how the candidate meets the HQC. Public notice and priority consideration requirements apply to name request actions. If the position is a National Security Personnel System, documentation of a pay setting decision should be documented in the Notes section of the RPA.

#### 7. Recordkeeping.

The CPAC will maintain the official Department of Army records of all selections associated with the HQC and candidate qualifications. The selecting official will ensure the HQC, vacancy announcement, resumes, and any other materials are provided to document the selection. For recruitment actions associated with name requests and unscreened lists, the selecting official must maintain information on the number of highly qualified candidates to facilitate future reporting requirements. These records may be destroyed after 5 years or after the program has been formally evaluated (whichever occurs first) if the time limit for grievance has lapsed and destruction would otherwise be consistent with DoD Priority Placement Program requirements. Where there is an identified third party action, records shall be maintained until all adjudication has been completed.

#### 8. Reports.

Reference DA memorandum, dated 24 February 2009, Subject: Instructions for Reporting Use of the Expedited Hiring Authority for Acquisition Positions. This guidance outlines the reporting parameters for Army acquisition positions. In so much as possible, automated human resources systems will be used to retrieve the required data. Commands may be asked to assist in this effort if available information is not sufficient to meet the DoD reporting requirements.

9. Supplemental Guidance.

Copies of the approved Command supplemental guidance must be provided to AG-1 (Civilian Personnel) and the CHRA. AG-1 (CP) and CHRA are available to assist in resolving concerns associated with the implementing guidance.

## **Criteria for Expedited Hiring Authority For Highly Qualified (HQ) Contract Specialist**

The focus for determining Highly Qualified (HQ) candidates is specific technical experience and its applicability to the position requirements.

The criteria for a highly qualified Contract Specialist may be meeting one or more of the following criteria relative to the position being filled.

- Types of Contracting Experience (Services, Construction, A/E)
- Types of Contracts (IDIQ, MAC, FFP, Cost)
- Pre and/or Post Award experience
- Source Selection experience
- Market Research experience
- Proposal Analysis Skills
- Negotiation experience

**The candidates must meet or will meet Defense Acquisition Workforce Improvement Act education, experience, and training requirements (limited exceptions are contained in 10 U.S.C. 1724).**