



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

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Memorandum for Human Resources Directors

From: Veronica E. Hinton
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Subject: **Use of Delegated Examining Certification as a Condition of Employment, Selective Factor, and/or Quality Ranking Factor**

This memo provides guidance and describes circumstances when inclusion of Delegated Examining (DE) Certification as a condition of employment, selective factor, and/or quality ranking factor may be appropriate in a job opportunity announcement (JOA) for positions that perform Human Resources duties. Through the job analysis process, Federal agencies analyze work and apply OPM qualification standards to determine the education, training, experience and/or other requirements (e.g., licensure, certification) that an applicant must possess to be considered for a position or occupation. During this process, an agency may identify specific conditions to which applicants must agree or meet. The agency also may expand minimum qualification requirements through various methods to identify those applicants who are likely to perform successfully on the job and/or screen out those who are unlikely to do so.

Your agency may determine that DE Certification is necessary to fulfill the primary duties of an HR/staffing position and may consider using it as a condition of employment, selective factor, and/or quality ranking factor. In all applications below, the decision must be made in accordance with agency policies, supported by duties in the position description (PD) and/or job analysis, and explained in the JOA.

When deciding which option(s) to use, agencies should consider the requirements of the position itself (e.g., do the duties and organizational structure require independent performance of DE work immediately or could someone be trained over a period of time, what percentage of the position's duties require conducting DE work), the DE skills and competencies the pool of potential applicants may possess,¹ and the DE skills and competencies within your agency's current workforce. Additionally, your agency

¹ Although an applicant may have a certificate from OPM with a DE Certification expiration date that has not yet passed, that applicant may not hold current DE Certification if they left Federal service and did not return within one year (see the *Delegated Examining Operations Handbook (DEOH)*, June 2019, Chapter 1, Section D).

must be mindful about how use of each option may affect classification of positions, employee performance standards, employee performance, employment policies, and/or union agreements.

Delegated Examining Certification as a Condition of Employment

When supported by a PD and/or job analysis, agencies may consider using DE Certification as a condition of employment for positions advertised through merit promotion and those open to the public. A condition of employment² is a credential, stipulation, or requirement an individual must have or agree to prior to appointment; obtain or continue to meet within a specific time period; and/or maintain during employment to successfully perform job functions.³ If used, the JOA must state the selectee(s) must obtain and maintain DE Certification as a condition of employment at any point during employment or within a specific period of time. OPM strongly recommends that the period of time be **not less than one year**.

The DE Certification process was designed as a progression of training and work experience⁴ designed to assist an agency in complying with civil service laws and regulations, providing a fair and open competition, and making a selection on the basis of the applicants' competencies or KSAs, in accordance with applicable rules of selection. Attending DE Training alone does not fully prepare an HR Practitioner for DE work. A condition of employment of not less than one year to obtain DE Certification is recommended to allow for a reasonable period of time for someone new to Federal staffing to attend training and apply what is learned on the job.

Example illustrating the use of a condition of employment: An agency advertises, through merit promotion and delegated examining, for an HR Specialist, GS-0201-11 position, which includes duties performing staffing actions for both merit promotion and DE. Based on the job analysis, the agency determines this position will be responsible for performing DE actions. However, the agency determines it does not need someone to be DE-certified upon entry-on-duty. As such, the agency advertises the position with a condition

² Examples include traveling a certain percentage of time, working specific hours or shift work, signing a mobility agreement, undergoing drug screening, or obtaining and maintaining professional licensure or certification (generally required when there is a need to ensure a basic level of competency). Agencies requiring certification as a condition of employment must demonstrate that individuals without the certification cannot perform the job.

³ See the *DEOH*, June 2019, Chapter 2, Section C, Page 2-30 and 2-34; Chapter 3, Section C, Page 3-12; and Chapter 4, Section B, Page 4-13, 4-16, 4-21, and 4-22.

⁴ OPM recommends a minimum of six months on-the-job staffing, accountability, or policy experience; Federal basic staffing training; and DE Training; followed by 90 days of on-the-job experience to apply what is learned. Passing the DE Certification Assessment is required in order to obtain DE Certification.

of employment to obtain DE Certification within one year of hire and maintain DE Certification over the course of employment in the position.

Delegated Examining Certification as a Selective Factor

When supported by a PD and/or job analysis, agencies may require DE Certification as a selective factor or other minimum qualification for positions advertised through merit promotion. A [selective factor](#) is a knowledge, skill, or ability (KSA), competency, or special qualification without which a candidate could not perform the duties of a position in a satisfactory manner.⁵ **Agencies may not use DE Certification as a selective factor or other minimum qualification for positions advertised as open to the public.**⁶

In doing so for merit promotion announcements, the agency must demonstrate that the competency is basic to and essential for satisfactory performance of duties or tasks of the job (e.g., that individuals without DE Certification cannot perform the job or would be unable to acquire DE Certification during the normal period of orientation).

Example illustrating the use of a selective factor and a condition of employment: An agency advertises, through merit promotion, for an HR Specialist, GS-0201-13 position, which includes duties as team lead for a DE unit. Through job analysis, the agency determines that DE Certification is required for the position and in advertising, they will use DE Certification as a selective factor because as a team lead, this position requires independent performance of DE work upon entry-on-duty. The agency also advertises the position with a condition of employment to maintain DE Certification over the course of employment in the position. Applicants who are not DE-certified are ineligible for further consideration.

Delegated Examining Certification as a Quality Ranking Factor

When supported by a PD and/or job analysis, agencies may use DE Certification as a quality ranking factor and/or preferred qualification for positions advertised through merit promotion and those open to the public. A quality ranking factor is a competency/KSA that stands out from others because it is expected to significantly enhance performance in a position, but, unlike a selective factor, is not essential for satisfactory performance.⁷

⁵ See the *DEOH*, June 2019, Chapter 4, Section B, Page 4-26 to 4-27; and Page Glossary-13.

⁶ When establishing selective factors, agencies must be careful not to be too restrictive and must never use knowledge or experience that could have been gained only while employed by the Federal Government (e.g., knowledge of, or experience with, agency-specific systems, processes, or operations). While certain private sector contractors are eligible to obtain DE Certification, it is not available to the general public. Therefore, it is not an appropriate selective factor for positions open to the public.

⁷ See the *DEOH*, June 2019, Chapter 5, Section B, Pages 5-4 to 5-5; and Page Glossary-11.

Example illustrating the use of a quality ranking factor and a condition of employment: An agency advertises, through merit promotion and delegated examining, for an HR Specialist, GS-0201-11 position, which includes duties of performing staffing actions for both merit promotion and DE. At this agency, approximately thirty-five percent of current DE staff are DE-certified. The agency also knows that in the past, these types of vacancies attracted a large pool of applicants. Taking this into consideration, the agency decides to use DE Certification as a quality ranking factor to identify the most qualified candidates. During the assessment process, they give credit to applicants who possess DE Certification.

Because this position ultimately requires DE Certification for independent performance of DE work, if not DE-certified, the person selected will shadow other practitioners on the team for a period of time to learn the DE process and understand specific processes at the agency, with a team lead reviewing the work until DE Certification is obtained. Therefore, the agency also advertises the position with a condition of employment to obtain and maintain DE Certification over the course of employment in the position. Applicants who are not DE-certified are considered but may be ranked lower than applicants who are DE-certified.

Aside from specific guidance provided on usage related to DE Certification, similar considerations for potential impact to employees and the workforce should be given to all conditions of employment, selective factors, and quality ranking factors used for any position.

Points of Contact

- Employ@opm.gov for questions concerning hiring policy.
- DE.Recertification@opm.gov for questions concerning extensions of expired DE Certification.
- Register@opm.gov for questions on how to complete registration or payment for DE Training and/or the DE Certification Assessment.
- [Help desk](#) for issues that occur after DE registration or payment.

cc: Chief Human Capital Officers, Deputy Chief Human Capital Officers, Small Agency HR Council