

**Merit Hiring**  
**Rule of Many**  
**Part 3: Q&A Clinic**  
**January 2026**

**The Merit Hiring Plan (MHP) Learning Series**

Hiring Experience (HX) Group

Workforce Policy and Innovation

U.S. Office of Personnel Management

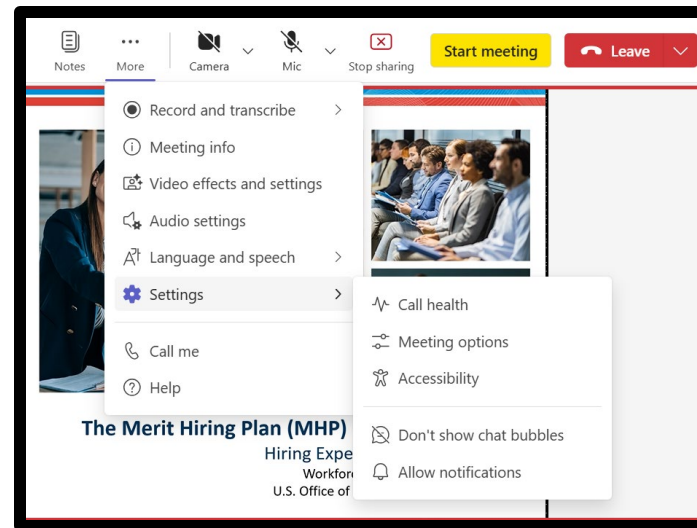
# Enabling Live Captions (Closed Captioning)

A recording of this session with ASL interpreters will be posted at <https://www.opm.gov/policy-data-oversight/hiring-information/merit-hiring-plan-resources/#url=Training-Learning-Series>.

**During a meeting:** Go to your meeting controls (at the top of the screen) and:

1. Select "**More**"
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# Housekeeping Items

- A copy of this slide presentation is/will be posted on [OPM's Merit Hiring Plan Resources](#) page.
- Ask questions in the Q&A, but please wait until a topic is covered so you're not posting a question that's already been answered.
- We'll respond to as many questions as we can; however, we cannot answer agency-specific or individual-specific questions.
- A recording of this webinar may be found on [OPM's Merit Hiring Plan Resources](#) page.

# Agenda

- Overview
- USA Staffing and Rule of Many
- Curated Q&A
- Open Forum Q&A
- Wrap-up: Resources

# Overview

# Rule of Many

## Ranking

- Applicants are ranked in numeric score order (with veterans' preference points added)
- CP/CPS veterans move to the top of the certificate (except for professional/scientific positions GS-9+).

## Selection

- The selecting official considers all referred candidates
- A non-preference eligible cannot be chosen over a equal or higher-ranking preference eligible without an approved pass-over.

## Three Considerations

- An eligible who has received three bona fide considerations can be removed from consideration.

# Resources

- [OPM's Merit Hiring Plan Resources](#) hub for training, FAQs, and updates.
  - [Rule of Many Overview \(December 4, 2025\)](#)
  - [Rule of Many and Three Considerations \(December 11, 2025\)](#)
- [Creating a Rule of Many Certificate in USA Staffing](#)

# USA Staffing and Rule of Many



# USA Staffing offers a ‘Rule of Many’ certificate type

The Rule of Many certificate type has been available in USA Staffing since November 7, 2025.

This certificate type allows you to refer applicants by **number of names** or **numeric cut score** and define the CTAP/ICTAP ‘Well Qualified’ score.

You may also filter applicants by:

- Eligibilities
- Veterans’ Preference
- Responses to the Announcement or Assessment questionnaires
- Toggles
- Rating/Status
- Application Date

The screenshot displays the USA Staffing web application interface. The top navigation bar includes links for Staffing, Classification, Recruit, Admin, Reports, and Advanced Search. The main header shows the VACANCY 12783296 and the Applicant List: Rule Of Many Demo. The left sidebar contains filters for Certificate Type (Rule Of Many), Certificate Grade (12), Rank By (Rating), Priority Order (None), Refer Method (Cutpoint), Order (Rating), and Tie Breaker (Random Number). The main content area shows a list of 30 applicants with columns for Name, Rating, Vet Pref, RSC, Documents, Eligibility, and Notes. The bottom of the interface shows the number of applicants per page (25) and the application date.

Name	Rating	Vet Pref	RSC	Documents	Eligibility	Notes
Apex, Steven	98	CPS	AC	7	30% DV	2
Williams, Rory	98	CP	AC	0	30% DV	0
Marin, Silas	98	TP	AC	0		0
Vang, Marianna	98	TP	AC	0		0
Saud, Marcus	98	TP	AC	0		0
McLean, Marlee	97	TP	AC	0		0
Hendrix, Lara	97	NV	AC	0		0
Brown, Andrea	97	NV	AC	7		0
Rangel, Marisol	96	TP	AC	0		0
Martinez, Baylee	96	TP	AC	0		0
Hendrix, Colt	96	TP	AC	0		0
Mars, Keith	96	TP	AC	0		0
Raa, Marius	96	TP	AC	0		0
Fluffery, Kitten	96	NV	AC	7		1
Swift, Jessica, Jr	96	NV	AC	9		2

Rule of Many certificate

# Hiring Managers review resumes & make selections

Hiring Managers review the certificate with applicants presented in the correct order.

They may review resumes, make notes, collaborate with other managers, and document selection decisions.

HR should provide instructions for how to document considerations that align with their agency's policy.

The screenshot shows the USA Staffing® Applicant List interface. The top navigation bar includes links for Dashboard, Request to Fill Position, Candidate Inventory, Help, Alerts (with a red notification badge), and a user profile for Jennifer Reaves. The main header displays the Assignment Name 'Budget Analyst (Rule of Many Demo)', Request Number(s) '20250813-97462-MERCOR-DEMO-JR', Due date '01/28/2026', and HR Contact 'Jennifer Reaves'. Below this, the 'Applicant Lists' section shows a list of applicants with columns for Applicant Name, Category, Rating, Vet Preference, Selection Decision, Immediate Onboarding, Documents, Notes, Request Number, Date Certified, and Toggles. The table lists three applicants: Apex, Steven (Selected), Williams, Rory (Declined Location), and Marin, Silas (No Decision). Each row has a 'Documents' column with a count in a circle and a 'Notes' column with a count in a circle. A modal window titled 'Assignment Instructions' is overlaid on the bottom left of the screenshot, providing detailed instructions for reviewing resumes and documenting decisions.

Applicant Name	Category	Rating	Vet Preference	Selection Decision	Immediate Onboarding	Documents	Notes	Request Number	Date Certified	Toggles
Apex, Steven	Best Qualified BQ	98	CPS - 10-point preference bas...	Selected	Yes	2	1		1/7/2026	🔍 ⬆ ⬆
Williams, Rory	Best Qualified BQ	98	CP -10-point preference base...	Declined Location	No	0	2		1/7/2026	🔍 ⬆ ⬆
Marin, Silas	Best Qualified BQ	98	TP - 5-point preference based ...	No Decision	-	0	1		1/7/2026	🔍 ⬆ ⬆

Rule of Many certificate & instructions from the Hiring Manager perspective

# Multiple options exist for documenting considerations

Managers can upload interview documentation to the review for HR to add to the case file.

They may also make notes directly in the applicant record. These notes are visible to HR but not to the applicant.

The screenshot shows the USA Staffing application interface. At the top, there's a navigation bar with links: Dashboard, Request to Fill Position, Candidate Inventory, Help, Alerts (with a red notification badge), and a user profile for Jennifer Reaves. The main content area is titled 'Applicant List: Budget Analyst (Rule of Many Demo) > View Lists'. It includes fields for Assignment Name, Request Number(s), Due date, Returned status, and HR Contact. Below this, there's a section for 'Applicant Lists' with a filter dropdown set to 'Certificate 20260107-CABL-001'. A table lists applicants: Apex, Steven and Williams, Rory, with their categories, ratings, and vet preferences. A modal window is open on the right, titled 'Filter by Document Name', showing a success message 'Document upload completed successfully.' and a table of uploaded documents with columns for Document Name, Submitted By, and Submission Date. Two documents are listed: 'Interview Notes' and 'Interview Ratings', both submitted by Jennifer Reaves on 1/8/2026.

This screenshot shows the same USA Staffing interface but with a different set of filters and a more detailed applicant list. The 'Applicant Lists' section now shows 'Applicants' with a filter set to 'List Name: Rule Of Many Demo'. The table includes additional columns: Selection Decision, Immediate Onboarding, Documents, Notes, Request Number, Date Certified, and Toggles. The applicants listed are Apex, Steven; Williams, Rory; Marin, Silas; and Vang, Marianna. A modal window titled 'Notes' is open, showing a note from Jennifer Reaves dated 1/8/2026 14:49 EST, stating 'Human Resources User and Hiring Manager User interviewed Mr. Williams 1/7/26.' with a 'Reply' button.

# Curated Topics & Questions

# Assessments & Rule of Many vs Category Rating

# What types of assessments are compatible with Rule of Many?

- Rule of Many works best with validated assessments that produce numerical scores.
- Assessments must be job-related, reliable, and capable of differentiating candidates.
- Examples: structured interviews, simulations, SME resume reviews, and USA Hire assessments aligned with job competencies.

## **Question:**

What's the difference between a self-assessment and a technical or alternative assessment?

## **Answer:**

A self-assessment is subjective and relies on the applicant's own rating of their training and experience.

A technical or alternative assessment is objective, standardized, and validated. It measures actual job-related skills, abilities, knowledge, and competencies rather than simply reporting them.

## **Question:**

If an agency uses a business-necessity cut score, what must be validated for its use?

## **Answer:**

The agency should ensure the cut score is job-related and consistent with business necessity.

This can be validated per UGESP; should avoid disparate impact; and the agency should never use different cut-offs by demographic group.



# Questions

# Policy, Compliance & Applicability

## **Question:**

Does Rule of Many apply in the excepted service?

## **Answer:**

Yes, when numerical rating procedures are used under 5 CFR part 302, apply the same Rule of Many methods for the competitive service are used.

## **Question:**

Under what circumstances is an agency required to use the Rule of Many?

## **Answer:**

The Rule of Many must be used under delegated examining procedures when an agency is using an assessment that provides numerical scores that are used for rating and ranking to create a certificate of eligibles.

## Question:

What must an agency document when selecting from a rule of many certificate?

## Answer:

The documentation for a Rule of Many certificate must contain the following information:

- Job opportunity announcement reflecting the use of Rule of Many procedures.
- Certificates of eligibles, including any tie-breaking or ranking justifications.
- Selection and non-selection justifications
- Pass-over requests and decisions;
- Three-Considerations tracking and outcomes.

## **Question:**

Can Rule of Many be used for positions filled via Direct Hire Authority (DHA)?

## **Answer:**

No. Rule of Many does not apply to positions filled using DHA. DHA allows agencies to bypass competitive procedures, including veterans' preference and rating and ranking procedures such as Rule of Many.

# Questions

# Rule of Many Mechanics, Scoring & Referral Methods

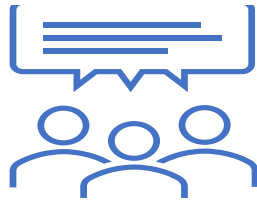


# Four Mechanisms

An agency may use **one** of 4 mechanisms for determining the number of applicants to certify for selection:



- A cut-off score **based on the assessment(s) used**, supported by job analysis data



- A cut-off score **based on business necessity**; for example, to keep the number of applicants manageable for costly or labor-intensive assessments such as structured interviews



- A **set number of names**, for example, the top ten names



- A **percentage of the highest rated applicants**; for example, the top 10 percent will be referred for selection

## **Question:**

When must we define and disclose the mechanism (cut score/number/percentage)?

## **Answer:**

Choose the mechanism before the announcement and identify it in the JOA.

Do not switch mechanisms mid-process; adjust in future announcements if needed.

Follow agency policies for amended certificates if the mechanism doesn't result in a sufficient number of eligibles.

## **Question:**

Can an agency use more than one mechanism to determine the number of candidates referred within a single announcement?

## **Answer:**

No. Choose one mechanism for the announcement.

You may change mechanisms in future announcements based on data and policy.

## **Question:**

How do we handle ties when using a cut score or the top "x" number referred?

## **Answer:**

Include all candidates with the same score as the last candidate within the cut.

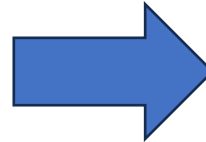
Maintain the ranked order with veterans' preference tie-break rules.

# Example of Certificate with Tie Scores

**POSITION: ACCOUNTANT, GS-11**

**AGENCY IS MAKING 4 SELECTIONS, AND USING A SET NUMBER OF CANDIDATES OF 10**

Ranked List				
In score order:				
Candidate	Score/VP		Candidate	Score/VP
1.	99.0 NV		11.	95.0 XP
2.	98.0 XP		12.	95.0 XP
3.	98.0 NV		13.	95.0 TP
4.	97.0 TP		14.	95.0 TP
5.	97.0 TP		15.	95.0 NV
6.	97.0 NV		16.	94.0 TP
7.	96.0 TP		17.	94.0 NV
8.	96.0 NV		18.	94.0 NV
9.	96.0 NV		19.	94.0 NV
10.	95.0 NV		20.	94.0 NV



Certificate of Eligibles				
Created using a set number of 10 eligibles:				
Candidate	Score/VP		Candidate	Score/VP
1.	99.0 NV		11.	95.0 XP
2.	98.0 XP		12.	95.0 XP
3.	98.0 NV		13.	95.0 TP
4.	97.0 TP		14.	95.0 TP
5.	97.0 TP		15.	95.0 NV
6.	97.0 NV			
7.	96.0 TP			
8.	96.0 NV			
9.	96.0 NV			
10.	95.0 NV			

## **Question:**

How large should the referral pool be with multiple vacancies?

## **Answer:**

Large enough to consider at least three candidates per vacancy.

Agencies should consider using a set-number or top-percentage to meet this threshold; consider market conditions and assessment reliability.

# Questions

# Veterans' Preference & Special Eligibilities



# How is Veterans Preference Applied?

## Veterans Preference Codes

- **CPS/CP** – 10% or greater disability
  - **XP** – less than 10% disability, purple heart, and spouses and parents with derived preference
  - **TP** – qualifying military service
  - **SSP** – sole survivorship
  - **NV** – non-veteran/non-preference
- Applicants are numerically scored; **5- or 10-point** preference is added to passing scores; the list is ordered by score.
  - Ties are broken by veterans' preference.
  - **CP/CPS (10%+ disabled) veterans** are placed at the top of the certificate (except GS-9+ scientific/professional).
  - An agency **may not select** a non-preference eligible **over** a preference eligible with the **same or higher ranking**; pass-over procedures would then apply.

# How the Rule of Many Works (Example #1)

POSITION: PROGRAM ANALYST, GS-11

AGENCY IS MAKING 3 SELECTIONS, AND USING A CUT-SCORE BASED ON ASSESSMENT

## Veterans Preference Codes

- **CPS/CP** – 10% or greater disability
- **XP** – less than 10% disability, purple heart, and spouses and parents with derived preference
- **TP** – qualifying military service
- **SSP** – sole survivorship
- **NV** – non-veteran/non-preference

Ranked List in score order, including veterans' preference points	
Candidate	Score/VP
1.	94.0 CPS*
2.	96.0 XP
3.	96.0 NV
4.	95.0 TP
5.	95.0 TP
6.	95.0 NV
7.	89.0 TP
8.	89.0 NV
9.	84.0 NV
10.	82.0 NV



Certificate of Eligibles Created using cut off score of 95		
Candidate	Score/VP	Action
1.	94.0 CPS*	Selection 1
2.	96.0 XP	Selection 2
3.	96.0 NV	Selection 3
4.	95.0 TP	
5.	95.0 TP	
6.	95.0 NV	

## **Question:**

Do CP/CPS veterans always 'float' to the top of a Rule of  
Many certificate?

## **Answer:**

Yes, CP/CPS veterans must be listed at the top of the  
certificate of eligibles for all positions except scientific and  
professional positions at the GS-9 grade level or higher.

## Question:

How are individuals with priority placement eligibility (CTAP/ICTAP/RPL) referred or considered under the Rule of Many?

## Answer:

Agencies must give selection priority to well-qualified individuals eligible under CTAP, ICTAP, or RPL before applying Rule of Many procedures. These candidates must be considered first, and only if no such candidates are available or selected can the agency proceed with Rule of Many referrals.

# Questions

# Three Considerations Rule & Candidate Removal

# Applying the Three Considerations Rule

## Applying Three Considerations

- Beginning with the fourth selection from a certificate (for the same position), an agency may remove one or more candidates who have received three bona fide considerations.
- The number removed at a given point may not exceed the number of selections remaining; removals may include veterans and non-veterans.
- Document the bona fide consideration (review of the candidate's application) and the rationale for removal. DEU audits apply; OPM will update the DEOH.

## **Question:**

Can applicants be removed from consideration under three considerations if one or more of the considerations were from a different certificate?

## **Answer:**

Yes, within the same agency a bona fide consideration from a previous announcement/certificate for the same position can be used in determining whether three considerations have been received on the current certificate.

Same position = same title, series and grade



## **Question:**

Can a preference eligible be passed over multiple times?

## **Answer:**

Yes, but each pass-over must be separately justified for each selection action.

If removed after three bona fide considerations, a pass-over is not required for that removal.

## **Question:**

Is the hiring agency required to notify a candidate removed after three considerations ?

## **Answer:**

Yes, the agency must provide written notification to any candidate removed from consideration using the three considerations rule.

## **Question:**

When do pass over procedures apply ?

## **Answer:**

Pass over procedures apply when an agency wishes to select a lower ranked non-veteran instead of a preference eligible veteran with an equal or higher ranking. A hiring agency may invoke pass over procedures if the agency determines the preference eligible veteran lacks the qualifications to successfully perform the duties of the position being filled.

# Pass Over vs. Three Considerations: When It Applies & What to Document

## What Is a Pass-Over Request?

A pass-over occurs when an agency seeks to select a **lower-ranked non-preference eligible** over a **preference eligible who is within reach**.

It is typically justified by **qualification, conduct, or medical** reasons and must be **well-documented**.

## When Do Pass-Over Procedures Apply?

When the agency wants to select a **lower-ranked non-veteran** instead of a **preference eligible** who is within reach, and the agency believes the preference eligible **lacks the qualifications** for the position.

## Three Considerations vs. Pass-Over

A **pass-over** is not the same as removing a preference eligible after **three bona fide considerations**.

After three valid considerations for the **same position**, the hiring manager may **discontinue** further consideration and should **document** the three considerations on the certificate.

# Questions

# Other / General

# Rule of Many vs. Category Rating

Feature	Rule of Many	Category Rating
<b>Selection Method</b>	Candidates are <b>ranked numerically</b> based on assessment scores	Candidates are <b>grouped into quality categories</b> (e.g., Best Qualified, Well Qualified)
<b>Selection Pool</b>	Managers may select from an agency determined range of <b>top-ranked candidates</b>	Managers may select from <b>top quality category only</b>
<b>Flexibility</b>	Offers <b>greater flexibility</b> in choosing among top scorers	More <b>limited flexibility</b> —must stay within the highest category
<b>Supports EO 14170</b>	✅ Yes – aligns with <b>merit-based hiring reforms</b>	✅ Yes – still permitted, but not the preferred method
<b>Use Together?</b>	❌ <b>No</b> – cannot be used with Category Rating in the same hiring action	❌ <b>No</b> – cannot be used with Rule of Many in the same hiring action
<b>Best Used When</b>	You have <b>robust assessments</b> that make fine distinction among candidates, as mentioned in the Merit Hiring Plan	You are filling positions that don't require technical qualifications and applicants have similar competency levels

# Questions



# The Merit Hiring Learning Series

## OPM Talent Team

The U.S. Office of Personnel Management (OPM) is pleased to provide a free, government-wide learning series to support HR professionals, Talent Team members, hiring managers, and agency leaders in effective implementation of the Merit Hiring Plan.

***Must have a .gov or .mil email*** to register on [Eventbrite](#).



**Upcoming Events - Check back at our series collection for updates!**

***Virtual events are hosted on MS Teams Townhall. Depending on your agency's network, the Teams Townhall features may not be available to you.***

# Wrap Up: Resources

# Thank You

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**Please take a moment to complete a short survey** to provide your feedback on today's session:

<https://surveys.opm.gov/se/5B5534D43F6AB62F>



**The Merit Hiring Learning Series**  
Hiring Experience (HX) Group

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