The *ABCs* of SCHEDULE A

For the Disability Program Manager and/or Selective Placement Coordinator

How to Hire Using the Schedule A Appointing Authority

INTRODUCTION

As the Disability Program Manager (DPM) or Selective Placement Coordinator (SPC) for your agency, you are on the front lines of the battle to improve hiring opportunities for individuals with disabilities. And it is a battle!! When it comes to hiring, accommodating, and/or advancing people with disabilities, you are likely the go-to person for Human Resources (HR) personnel, as well as for hiring mangers. You are no stranger to the barriers faced by people with disabilities trying to get hired or attempting to advance in the federal government. You are also probably familiar with the attitudinal biases of hiring managers. So what can you do to further the goals of your program?

Become a well-informed advocate of Schedule A! The Schedule A hiring authority is one of the best weapons in your arsenal. It addresses one of the most common complaints about the federal hiring process – that it takes too long – while furthering the need to hire and advance more individuals with disabilities. As noted by the Merit Systems Protection Board in its report entitled *Reforming Federal Hiring -- Beyond Faster and Cheaper* (September 2006), it takes an average of 102 days to complete all of the steps in the competitive hiring process, from making the request, to making the appointment. Federal hiring managers do not delight in the prospect of spending three months or more trying to fill a position. Moreover, talented potential employees are lost because they do not want to wait (or cannot afford to wait) months for a hiring decision. Schedule A is an excellent alternative to the frustrating and bloated traditional hiring process. Further, it is a way for you to be part of the solution!

Using the Schedule A appointing authority, found at 5 CFR § 213.3102(u), qualified candidates who meet the Office of Personnel Management's (OPM) guidelines can be hired non-competitively –

- without the typical recruitment headaches;
- without posting and publicizing the position; and
- without going through the certificate process.

How? By following the Easy How To Steps detailed in the next section.

EASY HOW TO STEPS

1. Importantly, as a SPC/DPM, you should *routinely* encourage hiring managers to approach you *before* they approach HR when they have a position that needs to be filled. Typically, the first step in this process will be contact from a manager with a job opening. You will want to gain a very clear understanding of what competencies the ideal candidate should possess. Work with the manager to carefully consider the essential functions of the position in question.

   On occasion, this first step may be in the form of contact directly from an applicant, or from HR, on behalf of an applicant, instead of from a hiring official. Where this occurs, you should:

   a. Review the resume of the applicant, and assess his or her knowledge, skills and abilities.

   b. Where there is a specific opening that the applicant is inquiring about, you should evaluate whether the applicant is qualified for that position. This will require you to have a firm understanding of the needs/expectations of the job (if you are not sure, find out!), as it is *critical* that you do not refer candidates who are not qualified for the job. Doing so will undermine your credibility and the program's credibility. Moreover, it will discourage managers from ever considering a Schedule A applicant again.

c. Where the applicant is not applying for a specific job, but his or her qualifications nonetheless match those needed for one or more of your agency's major occupations, you should keep their resume on file for future use. By building up a "resume bank" of Schedule A applicants with the knowledge, skills and abilities to successfully perform in your agency's major occupations, you will always be ready to *quickly* provide a (possibly desperate) hiring manager with qualified potential candidates.

2

Once you have a clear understanding of the job from the hiring manager, you will need to review the resumes in your "resume bank" for potential candidates. Provide the manager (or HR professional) with the resumes of those applicants who have the requisite qualifications to meet the needs of the job. The number of candidates the manager is presented with will vary greatly, depending on the level of specialty required by the job, as well as the depth of your "resume bank."

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The hiring official can now review the resumes and references of all applicants, conduct interviews, etc., and then make a selection. Resume and reference reviews should be thorough to accurately assess job readiness. As a SPC/DPM, you might consider assisting the hiring official with this task.

4

Once the selection decision is made, the hiring manager should relay her decision to you. At this point, you should:

a. Relay the decision to the appropriate persons within HR who extend offers of employment on behalf of the agency. After an appointment type is determined (permanent, temporary, or time-limited), a conditional offer of employment should be extended to the candidate. Agencies should make clear that the offer is contingent upon receipt of Schedule A qualifying documentation from the candidate, *i.e.*, proof of disability.[1] Often, you, as the SPC/DPM, will have already collected this documentation, so as to speed the process along. If so, you should quickly turn it over to the appropriate personnel in HR. **Importantly, the hiring manager should not be involved in the disability documentation process, as medical documentation must be kept strictly confidential.**

b. Begin the interactive process with the candidate. Once an offer has been extended, you should contact the candidate

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[1] Proof of a disability(ies) is required for appointments under 5 CFR § 213.3102(u). Proof of disability is the term used to define any number of documents which attest to the fact that the candidate does indeed have a disability. The documentation can take many acceptable forms, so agencies should be flexible. Agencies may accept as proof of disability simple documentation from a licensed medical professional (e.g., a physician or other medical professional duly 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 agency, State agency, or an agency of the District of Columbia or a U.S. territory that issues or provides disability benefits. Documentation need only certify that the applicant has a disability which is long-term and/or permanent in nature.

and inquire as to whether a reasonable accommodation will be necessary (follow your agency's approved policy for handling reasonable accommodation requests). For some agencies, this interactive process will be done in conjunction with the Reasonable Accommodation Coordinator (RAC). Regardless of whether the request is handled through you or the RAC, verify that the accommodation is in place for the new employee's first day on the job.

Once the offer has been accepted, a start date may be established to bring the candidate on board. In situations where it becomes apparent that the accommodation needed will not be in place on the new employee's first day, the start date may need to be delayed. For this reason, communication between the hiring manager, the servicing HR professional, and you is of utmost importance.

That's it!

Seem easy? It is! As noted above, a skilled SPC/DPM will keep a cadre of Schedule A eligible candidates on stand-by (this can take the form of a "resume bank" or "Schedule A Registry," and should include people with the necessary knowledge, skills and abilities needed to succeed in the major occupations of the agency), so that you can assist busy hiring managers to very quickly fill job openings. No more three, six, or nine month waits!!

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HELPFUL TIPS

There are limited resources available for the SPC/DPM. It may be difficult to know where to start, what to do, and/or how to help, particularly for people new to the position. Don't be discouraged! You have the opportunity to develope new practices that may serve as a positive example for the rest of the government. The following tips are offered as a supplement to the Resources section of this quick-reference guide.

- Network, network, network! You are not alone, so get out and talk with other SPCs and DPMs! Another SPC/DPM may have a solution to the problem you are currently grappling with – so get out there! Participation in the annual *Perspectives on the Employment of Persons with Disabilities Conference* is a great way to do so. Further information can be found at https://register.grad.usda.gov/Conferences/Perspectives/.

- If you do not have an HR background, take steps to familiarize yourself with staffing and placement regulations/guidelines. The USDA Graduate School offers many HR classes at a reasonable cost.

- Reach out to managers, but do so with the understanding that most may not have ever managed someone with a disability. Meet with managers one-on-one and encourage them to communicate their concerns openly, in a judgment-free environment.

- A good SPC/DPM should not preach laws, rules and regulations – this is likely to create new barriers where none previously existed, or reinforce old ones. Instead, explain to managers why hiring people with disabilities makes good business sense ... and let managers know that you are there to help, even after the person comes onboard.

- Don't know why hiring people with disabilities makes good business sense? Do some research and find out! Several academic institutions have published papers on this topic. A great place to start is: http://www.earnworks.com/employers/businesscase/index.asp.

- Remember, whether your position description says so or not, part of your job is recruiting! Use a variety of resources to build your "resume bank," including, but not limited to, all local colleges and universities, local Vocational Rehabilitation service providers, the Employer Assistance & Recruiting Network (EARN), the Department of Labor's Workforce Recruitment Program (WRP), the Department of Defense's Wounded Warriors program, counterparts at other agencies, etc.

FREQUENTLY ASKED QUESTIONS

Q. What is Schedule A?

A. Schedule A is an appointing authority, or hiring authority. It is an Excepted Service appointment for persons with disabilities. The regulations guiding the *Excepted Service -- Appointment of Persons with Disabilities and Career and Career-Conditional Appointment* are found in the Code of Federal Regulations (CFR). The citation is 5 CFR § 213.3102(u).

Q. Why should agencies consider using this hiring authority?

A. Agencies should use this hiring authority for a number of good reasons:

- ***Individuals with disabilities are an untapped source of excellent applicants***;
- No public notice is required. In fact, many of the usual HR-related stumbling blocks are avoided, which could result in significantly reducing the time necessary to hire a well-qualified candidate;
- Doing so can support an agency's Career Patterns initiative. Technological advances and growing emphasis on tele-work may dovetail with the needs of many applicants with disabilities; and
- Agencies don't have to clear 'surplus employee' lists prior to using Schedule A.

Q. What about accommodations? Aren't they expensive and a hassle?

A. No! More often than not, providing accommodations is simple and *usually* free! Moreover, you are not alone in trying to work through accommodation requests. Your agency may have a person who serves as the Reasonable Accommodation Coordinator (RAC), to

help with accommodation needs. There are also several resources outside of your agency which can help, some of which are listed herein – just check our Resources page!

And remember, just as we all need assistance at some point in the work place, accommodations may be needed by an individual with a disability. We want all employees to be at their best at work, and accommodations play a role in reaching that goal. Providing accommodations, however, does not have to be a difficult, expensive or time consuming process.

Q. Is this appointment to a permanent position?

A. It can be. Agencies may self-determine what type of placement to make, based on the needs of the position, as well as the qualification level of the candidate. Under the Schedule A appointing authority, a hiring agency may make a temporary appointment, a time-limited appointment when the duties of the position do not require it to be filled on a permanent basis, or a permanent appointment. Agencies are strongly encouraged to make permanent appointments unless there is a compelling reason to do otherwise.

Q. What about a probationary period?

A. Depending on the type of appointment, probationary periods typically last up to two years. Schedule A candidates should be held to the same performance standards as all other employees. Once the employee's accommodation needs, if any, have been met, then you should expect no more or less from a Schedule A employee than you would from any other employee. Once the probationary period has been successfully completed, employees should be converted to permanent competitive status.

RESOURCES

RECRUITMENT / HIRING

EARN – The Employer Assistance & Recruiting Network (EARN) is a **free** service that connects employers looking for quality employees with skilled job candidates. EARN provides recruiting services, as well as employer success stories. Moreover, if you need to make the business case for hiring people with disabilities, EARN can provide you with the information you need! Further information can be found at http://earnworks.com/.

WRP – The Workforce Recruitment Program (WRP) is a recruitment and referral program that connects federal sector employers nationwide with highly motivated postsecondary students and recent graduates with disabilities who are eager to prove their abilities in the workplace through summer or permanent jobs. Students represent all majors, and range from college freshmen to graduate students and law students. A searchable database is available through the WRP website. WRP is ready to help you fill your summer or permanent hiring needs! Further information can be found at http://wrp.gov.

For Veterans with Disabilities – There are numerous organizations and agencies that exist to assist veterans with disabilities find and maintain employment. The following is a sample of useful resources to keep handy:

- The Department of Labor's (DOL) Veterans Employment & Training Service http://www.dol.gov/vets/welcome.html
- Hire Heroes http://www.hireheroesusa.org/
- Wounded Warriors Project http://www.woundedwarriorproject.org

Advocacy Groups – There are several different advocacy groups that also serve as excellent resources for recruiting and hiring individuals with disabilities. The following is a sampling of those resources:

- American Association of People with Disabilities http://www.aapd-dc.org/
- National Council on Independent Living http://www.ncil.org/
- Council of State Administrators of Vocational Rehabilitation http://www.rehabnetwork.org/
- Deaf and Hard of Hearing in Government http://dhhig.org/
- American Council of the Blind http://www.acb.org/

Federal Resources – There are numerous federal programs designed to meet the needs of people with disabilities in finding employment. The following is a non-exhaustive list of programs/resources:

- The Office of Personnel Management's "Disability Site" http://www.opm.gov/disability/
- DOL's Office of Disability Employment Policy http://www.dol.gov/odep/
- Also check out the federal government's one-stop web site for people with disabilities, their families, employers, veterans and service members, workforce professionals and many others. www.DisabilityInfo.gov

ACCOMMODATIONS

CAP – Within the federal government there is a wonderful program housed within the Department of Defense. The Computer/Electronic Accommodations Program (CAP) provides assistive technology and services to people with disabilities throughout the federal government **FREE OF CHARGE!** That means you can tap this resource for help in accommodating an employee with a disability. CAP will do the needs assessment, buy the needed technology, train the employee on how to use it, and follow up with updates. All you have to do is ask! (Note: Before contacting CAP directly, check with the RAC, as they may already have a relationship with CAP.) Further information can be found at http://www.tricare.mil/cap/.

JAN – The Job Accommodation Network (JAN) represents the most comprehensive resource for job accommodations available, and is a terrific and easy-to-use resource. This **free** consulting service is designed to increase the employability of people with disabilities. JAN provides individualized worksite accommodation solutions, as well as information on job accommodations and related subjects for employers and people with disabilities. Additional information can be found at http://www.jan.wvu.edu/.

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U.S. Equal Employment Opportunity Commission
1-800-669-4000 / **TTY** 1-800-669-6820
www.eeoc.gov

Rev. 2/08