



U.S. Department of Veterans Affairs

Office of the Chief Human Capital Officer

VA Central Office
Washington, DC

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OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER (OCHCO) BULLETIN

SUBJECT: Schedule A Hiring Authority Responsibilities Under 5 C.F.R. § 213.3102(u)

The Schedule A Hiring Authority for Individuals with Disabilities allows Federal agencies the opportunity to non-competitively appoint an individual with an intellectual, severe, or a psychiatric disability to an excepted service appointment under 5 C.F.R. § 213.3102(u). These appointments may be permanent, time-limited, or on a temporary basis. The Schedule A Hiring Authority will help the Department of Veterans Affairs (VA) hire skilled and diverse employees in an efficient and streamlined manner without posting a job opportunity announcement. Additionally, the Department can demonstrate its commitment to be a model employer for people with disabilities through its proactive use of Schedule A.

Using the Schedule A Hiring Authority is a win-win for all. As a best practice, Human Resources (HR) Specialists should discuss the benefits of using Schedule A with hiring officials during the pre-recruitment consultation and review of hiring flexibilities that are available.

Recruitment Methods

Individuals with disabilities may be recruited via:

- Non-competitive Schedule A Hiring Process. Candidates may submit their resume directly to their respective Selective Placement Program Coordinator (SPPC). The SPPC will work with VA HR professionals and the hiring manager to determine if the candidate meets the requirements of the position to be filled, type of appointment, etc. Prospective Schedule A applicants may also reach out directly to their servicing HR Specialist to submit a resume for consideration.

Candidates, who meet requirements for the Schedule A appointing authority and are qualified for the positions may be appointed without applying to a public notice/job opportunity announcement. VA HR professionals may make these appointments without considering Career Transition Assistance Plan (CTAP)/Interagency Career Transition Assistance Plan (ICTAP) candidates.

Regardless of the recruitment method, HR is responsible for verifying that the candidate meets the eligibility requirements (i.e., review of disability documentation). Often the SPPC may have already reviewed the documents. Hiring managers should not be involved in the disability documentation process.

- Merit Promotion Procedures. Schedule A applicants may also apply under Merit Promotion Procedures for positions advertised outside the VA workforce. Under such procedures, applicants are not required to compete with non-Schedule A applicants for a position. Schedule A applicants are placed on an excepted service certificate with other Schedule A applicants and are assessed and appointed via Schedule A, 5 C.F.R. § 213.3102(u).
- Competitive Process. Applicants with disabilities may also apply under the traditional competitive hiring process.

PLEASE NOTE: Veterans with disability ratings are also eligible to be considered under the Schedule A Hiring Authority. In accordance with 5 C.F.R. 302.101(c) and 5 C.F.R. 302.101(c)(11), VA HR professionals must apply Veterans preference as administratively feasible when appointing individuals under this hiring authority.

Application Process

Schedule A applicants must meet the Office of Personnel Management (OPM) qualification requirements for the position (series/grade) to which they apply; in addition to any conditions of employment or selective placement factors. Applicants must submit a resume and all applicable documentation to validate their claim for Schedule A consideration.

Proof of Eligibility

Applicants must provide proof of their disability prior to being appointed under Schedule A. The following is a list of documents HR office staff may accept as proof of an intellectual disability, severe physical disability or psychiatric disability:

- Statements or letters on a physician's/medical professional's letterhead stationery.
- Statements or letters from a Federal Government agency that issued or provided disability benefits.
- Statements or letters from a State Vocational Rehabilitation Agency counselor.
- Certification from a private Vocational Rehabilitation Professional or Counselor that issued or provided disability benefits.

Nature of Action (NOA) Codes and Legal Authorities

The following NOA Codes and Legal Authorities must be used to appoint individuals under Schedule A:

NOA Code	Legal Authority
<i>170 Excepted Appt</i> (if not on VA's rolls)	WUM, (213.3102(u) - Severe Physical Disability WTA, (213.3102(u) - Intellectual Disability WTB, (213.3102(u) - Psychiatric Disability
<i>570, Conv to Exc Appt</i> (if on VA's rolls)	WUM, (213.3102(u) - Severe Physical Disability WTA, (213.3102(u) - Intellectual Disability WTB, (213.3102(u) - Psychiatric Disability
<i>171 Excepted Appt NTE</i> (if not on VA's rolls)	WUM, (213.3102(u) - Severe Physical Disability WTA, (213.3102(u) - Intellectual Disability WTB, (213.3102(u) - Psychiatric Disability
<i>571, Conv to Exc Appt NTE</i> (if on VA's rolls)	WUM, (213.3102(u) - Severe Physical Disability WTA, (213.3102(u) - Intellectual Disability WTB, (213.3102(u) - Psychiatric Disability

[\(See Guide to Processing Personnel Actions, Chap. 11, Excepted Appointments for additional information\)](#)

Conversions

Upon completion of two years of satisfactory service on a non-temporary appointment, an appointee may be non-competitively converted to a career or career-conditional appointment, at the discretion of the hiring official.

- Employees on a temporary Schedule A, Individuals with Disabilities, appointment are not eligible for non-competitive conversion to the competitive service. Time served in a temporary appointment under 5 C.F.R. § 213.3102(u)(5)(ii) does not count toward the two-year service requirement for non-competitive conversion. Please see 5 C.F.R. §§ 213.3102(u)(6)(ii) and 315.709(a)(1) for further information.
- Employees on a permanent or time-limited (i.e., with a Not-To-Exceed (NTE) date) appointment may be non-competitively converted to a career or career-conditional appointment in the competitive service if the employee meets the following requirements (5 C.F.R. Part 3; 5 C.F.R. §§ 213.3102(u)(6) and 315.709):
 1. Completes two or more years of satisfactory service, without a break of more than 30 days, on a non-temporary appointment under 5 C.F.R. §213.3102(u);

2. Is recommended for conversion by their supervisor;
3. Meets all requirements and conditions governing career and career-conditional appointment, except those requirements concerning competitive selection from a register and medical qualifications; and
4. Is converted without a break in service of one workday.

The HR system of record issues 60 and 30-day automated reminders as well as NTE Date Reports prior to the expiration of NTE appointments to allow VA HR professionals adequate time to process the required action (conversion, extension or termination of appointments, as applicable).

It is critical that VA HR office professionals and management officials review the automated reminders and NTE Date Reports and take the necessary action (specified in the previous paragraph) for Schedule A employees serving on permanent or NTE appointments to comply with appointment requirements and alleviate unnecessary delays with processing appropriate personnel actions.

Recommended Action: Recruitment and Placement Policy Service (RPPS) strongly encourages VA HR Officers to share this information with their staff. Questions concerning this bulletin may be directed to vatitle5staffingpoli@va.gov.

Issued by: VA/OCHCO/Recruitment and Placement Policy Service (059)