



U.S. Department of Veterans Affairs

Office of the Chief Human Capital Officer

VA Central Office
Washington, DC

October 22, 2021

OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER (OCHCO) BULLETIN

SUBJECT: Modification of Provisions Governing the Recruitment and Employment of Certain Military Spouses

The Office of Personnel Management (OPM) issued [final regulations](#) to modify the provisions governing the recruitment and employment of certain military spouses in Federal agencies to conform to statutory mandates affecting the rules governing this hiring authority and to carry out certain provisions of [Executive Order 13832, *Enhancing Noncompetitive Civil Service Appointments of Military Spouses*](#). The final rule was published on September 21, 2021 and is effective October 21, 2021.

The provisions include the following:

- The hiring flexibilities apply to the spouses of active-duty Service members, spouses of military members who have a 100% disability rating from the Department of Veterans Affairs (VA) or the un-remarried widow or widower of Service members killed in the line of duty.
- VA can non-competitively appoint eligible military spouses to temporary, term or permanent positions in the competitive service. Military spouses must be currently married to an active or injured Service member at the time the agencies make their appointments.
- Military spouses are no longer limited to Federal jobs in the geographic area where their partners are assigned for active duty. The geographic and eligibility flexibilities are in effect until August 13, 2023. Military spouses can also receive unlimited non-competitive appointments through August 13, 2023.
- After August 13, 2023, military spouses will only receive non-competitive appointments to a Federal position in the geographic area where his or her partner is stationed for permanent duty, unless there are no agencies with a position within that particular area.

- VA must report each year on the number of applicants, new hires, positions that were made available, the types of positions filled (by title, series and grade level) and actions taken to advertise/promote the military spouse hiring authority. VA must send its report to the Department of Labor and OPM separately. This year's report is due December 31, 2021.

Key Points to Remember About Military Spouse Appointment Procedures:

- Non-competitive eligibility for purposes of the military spouse hiring authority means it provides access to consideration, but a military spouse must apply to a job opportunity announcement in order to receive consideration along with eligible status candidates.
- VA Human Resources Specialists are not required to rate and rank military spouses because this is a non-competitive hiring authority. After determining minimum qualifications, they may refer eligible spouses to a hiring manager who may select them. Without this authority under Executive Order (E.O.) 13473, military spouses would not be able to apply to the internal job announcement.
- A selectee under E.O. 13473 is appointed to a career-conditional appointment, unless he/she meets or is exempt from the service requirement for career tenure. Once appointed, the selectee is treated as any other career or career-conditional employee.

Questions concerning this Bulletin may be directed to Recruitment and Placement Policy Service at vatitle5staffingpoli@va.gov.

Issued by: VA/OCHCO/Recruitment and Placement Policy Service