



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

July 31, 2020

MEMORANDUM FOR: HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: MICHAEL J. RIGAS, ACTING DIRECTOR

A handwritten signature in black ink that reads "Michael Rigas".

Subject: Implementation of E.O. 13932; Determining Qualifications and the Use of Assessment Tools When Filling Positions

On June 26, 2020, [Executive Order \(EO\) 13932 - Modernizing and Reforming the Assessment and Hiring of Federal Job Candidates](#), was issued, directing important, merit-based reforms to expand the use of valid, competency-based assessments and narrow the use of educational qualifications in the Federal hiring process. The intent is to allow for skills- and competency-based hiring across the Federal government via assessments that carefully measure candidates' ability to perform the job.

In accordance with 5 USC 3308, the U.S. Office of Personnel Management (OPM) or other examining agency may not prescribe a minimum educational requirement for an examination for the competitive service except when it is determined that the duties of a [scientific, technical, or professional position](#) cannot be performed by an individual who does not have a prescribed minimum education." EO 13932 clarifies the rare circumstances when a position *cannot* be performed absent a minimum level of education and, where it is appropriate to establish a minimum education requirement for examination for the competitive service.

EO 13932 is aligned with the federal workforce-related priorities enumerated in the [President's Management Agenda \(PMA\)](#), issued by OMB in 2018 to establish a long-term vision for modernizing the Federal government and improving its ability to deliver mission outcomes, provide excellent service, and effectively steward taxpayer dollars on behalf of the American people. The PMA includes a Cross Agency Priority (CAP) goal *Developing a Workforce for the 21st Century* that highlights the importance of simple and strategic agency hiring. Many of the same concepts outlined in the PMA are also paramount in the EO to include:

- 1) Reviewing and streamlining agency hiring practices;
- 2) Revamping the use of education to qualify applicants governmentwide;
- 3) Using competency-based hiring practices including assessments to identify highly skilled talent; and
- 4) Using a multiple hurdle process for assessing skilled talent.

In addition, on September 13, 2019, OPM issued a memorandum entitled, "[Improving Federal Hiring using Effective Assessment Strategies to Advance Mission Outcomes](#)," an agency guidance memorandum defining minimum qualifications, describing how agencies can determine the best assessment methods, and how they can involve subject matter experts in the hiring process.

With the issuance of EO 13932 – and its implementation – the Administration takes the next steps necessary to improve hiring using skill- and competency-based qualifications and assessments.

Qualifying Applicants

In accordance with 5 CFR 338, Federal agencies use OPM’s policy for General Schedule (GS) (or equivalent) white collar occupations in the Federal Government. Under this authority, agencies are responsible for conducting all competitive examining functions from posting job opportunity announcements to evaluating applicants and notifying them of their results. Currently, many qualification standards permit applicants to qualify based on education/training, experience, or a combination of the two. Federal agencies analyze work and apply OPM qualifications standards to determine the education, training, experience and/or other requirements (e.g., licensure) that an applicant must possess in order to be considered for a position or occupation (5 USC 5112, 5 USC 5105, USC 5102 (5)(b)). At present, most agencies use federal resumes and an occupational questionnaire to screen applicants for minimum qualifications. A “deeper dive” needs to be taken in order to address the actual competencies needed to perform work successfully.

EO 13932 Sec.2(a)(i)(ii), requires the Director of OPM, in consultation with the Office of Management and Budget (OMB), Assistant to the President and Director of the Domestic Policy Council (DPC), and the heads of executive departments and agencies as appropriate, to review and revise within 180 days of the executive order issued on June 26, 2020 all qualification standards consistent with subsections (i) and (ii) below.

- i. Education shall be a prerequisite to Federal employment only when a minimum educational qualification is legally required (5 USC 3308) for the performance of the position’s required duties.
- ii. Education shall be an allowable substitute for required experience in qualifying for a position only where education directly reflects the specific skills or competencies necessary to perform the job.

Position descriptions and job postings published by agencies should be based on analysis that emphasizes the specific skills and competencies required to perform the work of the position successfully. Agencies’ analysis of work should follow the guidelines included in the [Delegated Examination Operations Handbook, 2019 \(Chapter 2\)](#).

Assessments

Screening an applicant for minimum qualifications is not the same as assessing applicants for the competencies and proficiency levels necessary to perform the job. Agencies are required to use validated (i.e., job-related) assessment tools when examining applicants for competitive service positions. Assessment tools include, but are not limited to, cognitive ability tests, work samples, situational judgment tests, job knowledge tests, and structured interviews. [OPM’s Assessment and Selection webpage](#) contains multiple competency-based assessment options and an [Assessment Decision Guide](#) that agencies can use to make assessment decisions.

EO 13932 Sec 3 directs heads of all executive departments and agencies to ensure that within 180 days of the EO issuance, candidate selection decisions shall include assessments that do not rely exclusively on educational attainment to determine the extent to which candidates possess relevant knowledge, skills, competencies, and abilities. The heads of all executive departments and agencies shall develop or identify the assessments to serve as alternatives to educational qualifications.

- i. In assessing candidates, agencies shall not rely solely on candidate self-evaluations of their qualifications (e.g., resumes and occupational questionnaires). Applicants must clear other assessment hurdles in order to be considered qualified and eligible for preference and referral.
- ii. Agencies should continually evaluate the effectiveness of different assessment strategies to ensure the quality and integrity of their hiring process.

Next Steps and Timeline for Implementation

OPM will partner with OMB and Federal agencies over the next 120 days to meet the requirements of EO 13932.

- 1) Each agency will identify a lead point of contact and an alternate, at the headquarters level, who will coordinate with OPM to oversee their agency's implementation of the requirements of EO 13932. Please email the name, title, email address, and telephone number to Fedclass@opm.gov within 1 week of the date of this memorandum.
- 2) Agency POCs will participate in upcoming virtual focus groups to engage with OPM and other agency leaders and share experiences, best practices, insights, and concerns regarding implementation.
- 3) OPM and OMB leadership will host a series of listening sessions with outside experts and authorities on assessments and competency-based hiring to inform implementation.
- 4) OPM and OMB will host a joint Industry and Federal Sector Day to highlight assessment products and best practices.

Timeline

Below is the schedule for key actions that will be critical for the implementation of the EO:

<u>Date</u>	<u>Action</u>
July-August 2020	OPM Acting Director Rigas participates in listening sessions with leaders and experts within and outside of the Federal Government, including agency Chief Human Capital Officers, private employers and assessment specialists arranged by OPM, OMB, and DPC.
Within 1 week of the date of this memorandum	Agencies designate lead and alternate points of contact. Please email the name, title, email address, and telephone number to Fedclass@opm.gov .
Friday, August 21, 2020	OPM issues draft changes to the General Schedule qualifications policy .
Friday, August 21-Monday, September 21, 2020	OPM collects and reviews feedback from agencies on draft changes to the qualification policy.
August-September 2020	OPM develops guidance to facilitate agency development and use of effective competency-based assessments.
Monday, October 26, 2020	OPM issues final changes to the General Schedule qualification policy.
Ongoing	OPM and OMB will host webinars with agencies to prepare for change management and implementation of the EO to include updated guidance, tool, and mythbusters.
Thursday, December 24, 2020	Final implementation of updated Operations Manual, Delegated Examining Handbook, revised General Schedule qualification policy and assessment guidance.

OPM may have additional requests in support of updating and developing qualifications and assessment policy, guidance, and/or tools. Your partnership is essential to changing the path to Federal hiring by expanding the candidate pool for competitive service Federal positions, particularly in the areas of emerging technologies.

We look forward to working with you to implement the actions outlined in the EO to improve Federal hiring using effective assessments and competency-based qualifications. If there are any questions about the guidance and requirements outlined above, please contact April.Davis@opm.gov or email Fedclass@opm.gov.

If there are any questions about the strategies detailed above, please contact Kimberly Holden at Kimberly.Holden@opm.gov.

Cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, HR Directors and Chief Executive Officer Councils

Attachments: Attachment #1 – Assessment Types and Attachment #2 – Glossary of Terms