NATIONAL NUCLEAR SECURITY ADMINISTRATION

Delegated Examining Audit Program

September 2009

TABLE OF CONTENTS

1. INTRODUCTION

The purpose of the program is to ensure the accuracy of Delegated Examining (DE) case files as well as the reporting and compliance with the DE procedures found in the Office of Personnel Management (OPM) Delegated Examining Operations Handbook (DEOH), the Interagency Delegated Examining Agreement between OPM and DOE, NNSA Demonstration Project Delegated Examining Policy Supplement, and the NNSA Delegated Examining Procedures, BOP-002-P-001. This document contains the requirements for NNSA DE units to follow in carrying out the NNSA Delegated Examining Audit Program to bring consistency in meeting OPM accountability and reporting requirements.

2. COVERAGE

This program covers NNSA positions and is applicable to all permanent and non-permanent competitive service positions for Pay Bands 1 through 4 and GS-1 through GS-15 (e.g., career, career conditional, temporary not to exceed one (1) year or less, and term appointments).

3. RESPONSIBLITIES

a. Director, Office of Human Capital Management Services; Director, Management and Administration Naval Reactors; and Director, Executive Resources and Office of the Administrator Services:

1) Administer NNSA DE activities and provide technical operational support for the organizations/locations serviced.

2) Ensure that quarterly DE reports are communicated to OPM through the Delegated Examining Information System (DEIS), as required in Chapter 7, Section C of the OPM DEOH, dated May 2007.

3) Ensure yearly audits are conducted by staff not associated with DE activities on 5 percent of case files and a copy of the Audit Review forms are sent to the Headquarters Workforce Planning and Policy Division, NA-641, within 30 days of conducting the reviews.

b. Department Managers; Office of Human Capital Management Services; Director, Civilian Programs Naval Reactors; and Director, Executive Resources and Office of the Administrator Services:

1) Ensure case audits are conducted by personnel in a timely manner and in accordance with the OPM DEOH and the NNSA Demonstration Project Delegated Examining Policy Supplement.

2) Work with the Principle Delegated Examiners (PDEs) in maintaining a level of consistency and competency among operating staff and also provide necessary feedback regarding inconsistencies in programs, as well as needed improvements.

3) Review and approve passover/objections of less than 30 percent disabled veterans and forward passover/objections of more than 30 percent disabled veterans to OPM for review and approval.

c. Team Leaders; Office of Human Capital Management Services; Human Resources Officer Naval Reactors; and Director, Executive Resources and Office of the Administrator Services:

1) Ensure DE activities performed on the Operating Teams are carried out in conjunction with the requirements of this audit program and the OPM DEOH.

2) Work with the PDE in maintaining a level of consistency and competency among the Human Resources staff and also provide necessary feedback regarding inconsistencies and improvements in the DE program.

3) Conduct the first case review, or have the PDE or Senior Human Resource Consultant (HRC) conduct a thorough review, on each DE case file prior to the HRC issuing a selection certificate to ensure qualification determinations (both qualified and non-qualified) are accurate, veterans preference has been adjudicated (proper ratings and points have been assigned and candidates are properly ordered on the certificate). In general, case files should be reviewed and returned to the HRC within 48 hours.

4) Conduct or ensure a second case review is done by someone other than the first reviewer prior to the extension of the tentative job offer. The second case review can be conducted by either the Team Leader, PDE, or Senior HRC to ensure the selection has been made from the top three (3) candidates; no veterans have been passed over to select non-veterans; supporting veteran documentation and/or transcripts, as applicable, have been submitted; certificate has been annotated using proper codes; and the certificate has been signed and dated. In general, case files should be reviewed and returned to the HRC within 48 hours.

d. Human Resource Consultants (HRCs):

1) Conduct a thorough review of each DE case prior to issuing a selection certificate using the Delegated Examining Compliance Checklist or the DE Case File Internal Audit Sheet.

2) Prepare and advertise public notice announcements and include all required criteria as described in Chapter 3, Section C, of the OPM DEOH.

3) Ensure all applicants receive appropriate consideration, determine or review qualification determinations, recommend the approval or disapproval of

objections to certified eligibles and requests to pass over any eligibles, respond to written inquiries for information related to DE activities or applicant reconsiderations, issue notices of results, and ensure proper maintenance and documentation of DE records and case files (hard copy and automated).

4) Prior to issuance of certificate of eligibles and prior to issuance of tentative job offer, ensure the case file is turned over to a Team Leader, PDE, or Senior HRC for review and the review is documented on the Delegated Examining Compliance Checklist or the DE Case File Internal Audit Sheet.

e. Principle Delegated Examiners (PDEs):

1) Monitor and evaluate DE activities, providing operational advice, assistance, direction, guidance, and oversight to operating HRCs conducting DE activities.

2) Make arrangements for each HRC to attend the required DE training prior to conducting any DE activities and ensure the recertification needs of the staff every three (3) years are accomplished.

3) Develop explanatory guidance, standard operating procedures, processes, and forms for DE activities to ensure uniformity and consistency. Keep abreast of changes in specific DE policies, regulations, or procedures as well as other policies and regulations having an impact on the DE program and the latest information regarding automated systems (Hiring Management).

4) Ensure thorough first and second reviews are being conducted by Team Leaders, PDEs, or Senior HRCs on each DE case file prior to HRC issuing a selection certificate and prior to the extension of the tentative offer.

5) Arrange for annual self audits of DE activities from outside sources, develop records of results for audits, make necessary corrective actions, and maintain internal accountability of the use of DE authorities for compliance with laws and merit systems principles.

6) Provide scheduled quarterly DE reports to OPM.

7) Prepare for periodic DOE/OPM reviews.

8) *Maintain a 10-point preference eligible file.* You must ensure a 10-point preference eligible's entitlement under 5 U.S.C. Section 3305 to file an application at any time for any position to which an appointment was made within the preceding three (3) years. The 10-point preference eligible's application must be accepted for any position for which: 1) non-temporary appointment has been made in the preceding three (3) years; 2) list of eligibles currently exists but is closed to new applicants; or 3) list of eligibles is about to be established.

9) *Maintain a Lost Consideration file.* In the case where an applicant has lost consideration for a position due to erroneous certification by inadvertent mis-ranking, non-certification, or failure to give bona fide consideration to an eligible in connection with a competitive certificate, notify the eligible immediately, particularly if the error was due to a legal violation.

10) *Maintain all DE case files.* Case files are to be filed in an established central location to be retained for the specified time period as described in Appendix C, Section 9, of the OPM DEOH. The time period begins after final action has been taken on the case and ends after three (3) years have elapsed or when the DE program is formally audited by OPM. After an audit has been completed, cases reviewed where no issues were identified may be destroyed.

NOTE: Files described in numbers 8), 9), and 10) of the PDE section above should be arranged to permit reconstruction or validation of actions taken in the event of appeal or legal action.

4. DELEGATED EXAMINING REPORTS

The OPM delegation agreement with DOE requires that the Office of Human Capital Management Services, the Naval Reactors Office, and the Executive Resources and Office of the Administrator Services Division provide quarterly workload reports to the appropriate OPM Service Center. Quarterly reports are due 15 calendar days after the end of each quarter (i.e., January 15 for the first quarter October 1 through December 31; April 15 for the second quarter January 1 through March 31, etc.). Reports are to be provided via the OPM automated reporting system (DEIS).

NOTE: Do not include the following information in your quarterly reports: (1) applications received or selections made under either outside-the-register authority or noncompetitive authority; or (2) work produced by OPM or another Federal agency under a reimbursable contract.

5. AUDITS

Self Audit Programs:

In accordance with the OPM DEOH, dated May 2007, and the Interagency Delegated Examining Agreement between OPM and DOE, it is the responsibility of the Office of Human Capital Management Services to have annual internal reviews conducted of its DE operations.

The annual self audits will be conducted by a person(s) who resides outside the DE unit (an individual from the Office of Human Capital Management Services DE unit may audit cases for the Naval Reactors DE unit and/or the Executive Resources and Office of the Administrator Services DE unit and visa versa), is certified to perform DE work, and has been designated by one of the PDEs. On an annual basis, the certification of completed reviews will be forwarded to OPM as part of the quarterly report for that quarter.

After the annual call is issued by the Office of Human Capital Management Programs, Workforce Policy and Planning Division, yearly audits will be conducted each January (unless the office has undergone a review by OPM or was audited by the DOE Human Capital Management Accountability Program staff during the year, in which case, results from that audit may be used in lieu of the annual self audit and would satisfy the requirement). The audits must be conducted by staff not associated with the DE activities and be conducted on at least 5 percent of case files. Each auditor will use Attachment 3, the Annual Delegated Examining Audit Review form, to document the reviews. For record-keeping purposes and to ensure compliance with this program requirement, a copy of all review forms will be sent to the Headquarters Workforce Planning and Policy Division, NA-641, within 30 days of the reviews.

<u>OPM Audits</u>:

OPM conducts periodic reviews of agency DE activities to ensure they are operating in accordance with the merit system and applicable laws, regulations, and policies.

The DOE Human Capital Policy Division will maintain a list of all discrepancies and corrective actions for a period of three (3) years after audit.

6. CASE FILE RETENTION AND DESTRUCTION

Certificate case files: Break annually. Destroy two (2) years after break.
Retain records for a total of three (3) years.

Cancelled case files: Break annually. Destroy one (1) year after break.
Retain records for a total of two (2) years.

<u>NOTE</u>:
(1) The 3-year period begins after final action has been taken on the case and ends after three (3) years have elapsed since the action was taken or when the DE program is formally audited by OPM, whichever comes first.
(2) The certificate case file should be arranged to permit reconstruction or validation of actions taken in the event of appeal or legal action.
(3) If the examination upon which a certificate is based is under litigation, then the case file **<u>MUST</u>** be retained indefinitely.

7. REFERENCES

OPM Delegated Examining Operations Handbook, May 2007
5 CFR, Part 332 – Recruitment and Selection through Competitive Examination
NNSA Demonstration Project Delegated Examining Policy Supplement
DOE and OPM Delegated Examining Agreement
NNSA Delegated Examining Procedures, BOP-002-P-001

8. APPENDIX

Attachment 1 - DE Case File Internal Audit Sheet
Attachment 2 - Compliance Checklist Delegated Examining (Demo and GS) and
EN/EK/EJ Announced All Sources (in lieu of utilizing Attachment 1)
Attachment 3 – Annual Delegated Examining Audit Review
Attachment 4 – Numerical Statistics for Delegated Examining Report