


Approved for Release
Deborah A. Jefferson
Director for Human Resources
Management

March 10, 2005
Date

DEPARTMENT OF COMMERCE
OFFICE OF HUMAN RESOURCES MANAGEMENT

HUMAN RESOURCES BULLETIN # 001, FY05, 5 CFR 339.306

SUBJECT: Process for Adjudicating Cases Involving Preference Eligibles

EFFECTIVE DATE: Upon release of this Human Resources (HR) Bulletin

EXPIRATION DATE: Effective until canceled or superseded

SUPERSEDES: N/A

BACKGROUND: The Office of Personnel Management (OPM) retains final approval authority when an agency makes a request to object/passover a preference eligible based on suitability considerations, medical considerations, and qualifications which would result in the passover of a compensable preference eligible with a disability of 30 percent or more. Currently, bureaus are forwarding such cases directly to OPM. In accordance with the President's strong commitment to veterans' preference hiring, the Department of Commerce is aggressively enforcing the prohibited personnel practice of bypassing veterans for job opportunities.

PURPOSE: The purpose of this HR Bulletin is to establish procedures in reviewing, clearing, and approving cases involving objection/passover of a preference eligible.

PROCEDURES: Effective immediately, **all** requests for objection/passover of a **30 percent or more** disabled preference eligible must be forwarded to the Director for Human Resources Management for review. Submissions **must** include an Agency Request to Pass Over a Preference Eligible or Object to an Eligible (SF-62), a copy of the job announcement, position description, crediting plan, veteran's application, ranking sheet, justification for objection/passover, and any other available information and documents considered pertinent to the case. If the justification is sufficient, the Director for Human Resources Management will forward the package to OPM for final adjudication.

All justifications supporting the selection of a nonpreference eligible over a preference eligible that is **less than 30 percent** disabled, must be reported to the Director for Human Resources Management within 5 working days for Departmental oversight and **must** also include a copy of the job announcement, position description, crediting plan, veteran's

application, ranking sheet, justification for objection/passover, Optional Form 5, Inquiry as to Availability, and any other available information that supports the decision.

REFERENCES: 5 U.S.C. 3318, 5 CFR Part 731, 5 CFR 339.306, Delegated Examining Operations Handbook, 2003

OFFICE OF POLICY AND PROGRAMS: Felicia Purifoy, Director,
fpurifoy@doc.gov, (202) 482-5291

PROGRAM MANAGER CONTACT INFORMATION: Paul Jordan,
pjordan@doc.gov, (202) 482-5413