Approved for Release
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Director for Human Resources
Management

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Date

DEPARTMENT OF COMMERCE
OFFICE OF HUMAN RESOURCES MANAGEMENT

HUMAN RESOURCES (HR) BULLETIN #089, FY 08

SUBJECT: Process for Requests to Pass Over or Object to All Preference Eligible Veterans and All Applicants Under Certain Conditions

EFFECTIVE DATE: Upon release of this HR Bulletin

EXPIRATION DATE: Effective until canceled or superseded

SUPERCEDES: HR Bulletin #001, FY'05, Process for Adjudicating Cases Involving Preference Eligibles, dated March 10, 2005.

BACKGROUND: As a result of reoccurring unfavorable delegated examining operations compliance audits, the Office of Human Resources Management rescinds authority previously delegated to the bureau's Principle Human Resources Managers (PHRM) to pass over or object to less than 30 percent compensable disabled veterans. The Office of Personnel Management (OPM) retains authority to rule on a proposed pass over or objection request of a preference eligible with a compensable service connected disability of 30 percent or more, and all applicants when based on material, intentional false statement or deception or fraud in examination or appointment for review and adjudication.

PURPOSE: The purpose of this HR Bulletin is to establish procedures in reviewing, clearing, and approving requests to pass over or object to preference eligible veterans and all applicants under certain conditions. In accordance with the President's strong commitment to veterans' preference hiring, the Department of Commerce (DOC) is aggressively enforcing the prohibited personnel practice of bypassing veterans for job opportunities.

COVERAGE: This HR Bulletin applies to requests for pass over or objection of all preference eligible veterans, and all applicants when based on material, intentional false statement or deception or fraud in examination or appointment for review and adjudication, on competitive examining certificates within DOC and its operating units.

APPROVAL PROCESS: The following approval process must be followed prior to passing over or objecting to a preference eligible veteran, or an applicant when the request is based on material, intentional false statement or deception or fraud in examination or appointment for review and adjudication. Operating units may NOT extend an offer of employment until a written approval of the pass over or objection is received from the Director for Human Resources Management (Director).

Less than 30 percent compensably disabled veterans: All requests must be forwarded to the Director. Only after the pass over or objection of a less than 30 percent compensably disabled veteran has received final approval from the Director, can the eligible be passed over or removed from the certificate. Submission requests 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, veterans' application, ranking sheet justification for pass over or objection, and any other available information and documents considered pertinent to the case.

Thirty percent or more compensably disabled veterans: All requests must be forwarded to the Director for preliminary approval. Upon preliminary approval from the Director, requests for pass over or objection of the eligible must be submitted to OPM by the Director for final approval. Only after the pass over or objection of a 30 percent or more compensably disabled veteran has received final approval from OPM, can the eligible be passed over or removed from the certificate. Submission requests 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, veterans' application, ranking sheet justification for pass over or objection, and any other available information and documents considered pertinent to the case.

All applicants when based on material, intentional false statement or deception or fraud in examination or appointment: All requests must be submitted to the Director for review and preliminary approval. Upon preliminary approval from the Director, requests for pass over or objection of the eligible must be submitted to OPM by the Director for final approval. Only after the pass over or objection of the eligible has received final approval from OPM can the eligible be passed over or removed from the certificate. Submission requests 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, veterans' application, ranking sheet justification for pass over or objection, and any other available information and documents considered pertinent to the case.

REFERENCES: 5 U.S.C. 3318, 5 CFR Part 731, 5 CFR 339.306, Delegated Examining Operations Handbook 2007, Interagency Delegated Examining Agreement Number DOC-1 between the Office of Personnel Management and the Department of Commerce, effective May 1, 2008.

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