



Tips and Tidbits
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Question: What is the difference between Delegated Examining (DE) and Merit Promotion (MP)?

Both DE and MP are methods by which agencies recruit for vacant positions.

Delegated examining is an authority granted to agencies by the Office of Personnel Management (OPM) to fill competitive civil service jobs with applicants applying from outside the Federal workforce; Federal employees who do not have competitive service status (i.e. temporary or TERM employees); or, Federal employees with competitive service status (i.e. career or career-conditional employees). Typically, “U.S. citizens” will be annotated under “Who May Apply” on DE vacancy announcements.

The OPM maintains oversight of DE to ensure that it is executed in accordance with the merit system principles. Each agency authorized to execute DE is required to enter into a written agreement with the OPM. The agreement stipulates several conditions to which the agency must abide, not the least of which are requiring the Human Resource Specialists exercising DE to attend training and maintain a current certificate [to issue a DE referral lists]; strict adherence to defined responsibilities outlined for the Agency; and, an unwavering commitment to uphold the laws, regulations, and policies of merit selection solely on the basis of the applicants’ competencies or knowledge, skills, and abilities. If at any time OPM determines that the agency is not performing in accordance with the signed agreement, the agency could be in jeopardy of losing DE authority.

Until recently, the law governing DE procedures required that only the three highest-ranking candidates [on a referral list] be considered for a vacancy. This requirement was known as the “rule of three”, and with very few exceptions, Management **was bound** to select from among these candidates. Since an additional 5 or 10 points was added to the scores of veterans entitled to preference, the top three candidates were normally veterans. On 11 May 2010, selection under DE changed. President Barak Obama mandated the use of category rating. This directly impacted candidates available to selecting officials. Unlike the rule of three, category rating does not generate numerical scores for the applicants. Also departing from the old practice, category rating results in an increased number of applicants referred for consideration as this method assigns applicants who meet or exceed “minimum qualifications” to *groups* based on identified job skills. Under category rating, selecting officials have the flexibility to select from among **any** of the applicants in the highest quality group/category without regard to the rule of three. Selections may be made from within the highest category *regardless of the number of candidates within that category*; however, veterans’ preference eligibles still receive preference within each category. If a preference eligible is in the category, the selecting official may not select a non-preference eligible. Delegated Examining is **ONLY** used to fill positions that have been identified as hard to fill*.

Merit Promotion (MP) procedures are used to fill jobs from qualified current or former federal employees with career or career conditional status or qualified employees eligible for special

appointing authorities. Merit promotion procedures are outlined in the installation Merit Promotion Plan (MPP), MCOE Regulation 690-335. Staff from every Civilian Personnel Advisory Center (CPAC) develops and implements a MPP. This document contains information on the placement, promotion, transfer, reassignment and other movement of competitive service employees. The MPP also provides instructions on the area of consideration; job analysis, candidate evaluation criteria; basic eligibility and best qualified determinations; ranking and referral of candidates; use of awards, training, education and appraisal data; and, interviewing and selection of applicants.

Insofar as merit promotion selections must also be executed in accordance with merit system principles, selections must be made without regard to political, religious, or labor organization affiliation or nonaffiliation, marital status, race, color, sex, national origin, nondisqualifying physical disability, or age, and shall be based solely on job-related criteria.

Merit promotion is used to fill positions that have not been designated as hard to fill. It is the primary vehicle through which positions are filled at Fort Benning.

Please contact your servicing HR Specialist for additional information.

*Hard to fill positions must meet criteria established in 5 CFR, part 575. These determinations are made at the CPAC.

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