



Wednesday, February 21, 2019

DCPAS Message 2019008

DEPARTMENT OF DEFENSE
DEFENSE CIVILIAN PERSONNEL ADVISORY SERVICE
4800 MARK CENTER DRIVE
ALEXANDRIA, VA 22350-1100

FOR: CIVILIAN PERSONNEL POLICY COUNCIL MEMBERS

FROM: Defense Civilian Personnel Advisory Service Director, Ms. Ronna Rowe Garrett

RR Garrett
21 Feb 19

SUBJECT: Priority Placement Program Exemption for Civilian Acquisition Workforce
Personnel Demonstration Project Intern Positions

SUSPENSE: N/A

ACTION: Distribute to DoD HR Practitioners and Priority Placement Program (PPP)
Coordinators for immediate use.

REFERENCES:

- a. Section 1762 of title 10 U.S. Code (U.S.C.)
- b. Federal Register Notice (FRN), 82 FR 52104, 52118, dated November 9, 2017.

BACKGROUND/INTENT: The attached memorandum grants a PPP exemption for Civilian Acquisition Workforce Personnel Demonstration (AcqDemo) Project Intern positions filled under section 1762 of title 10 U.S.C., and FRN, 82 FR 52104, 52118, dated November 9, 2017. The AcqDemo authority expires on December 31, 2023, and the PPP exemption will not apply thereafter.

POINT OF CONTACT: Mr. Bobby Winn, Associate Director, Employment & Compensation,
(571) 372-1530 or bobby.e.winn.civ@mail.mil

Attachment(s):
As stated



PERSONNEL AND
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

FEB - 1 2019

MEMORANDUM FOR DIRECTOR, HUMAN CAPITAL INITIATIVES, OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT

SUBJECT: Priority Placement Program Exemption for Civilian Acquisition Workforce
Personnel Demonstration Project Intern Positions

This memorandum grants a Priority Placement Program (PPP) exemption for Civilian Acquisition Workforce Personnel Demonstration (AcqDemo) Project intern positions hired under the Civilian AcqDemo Project, pursuant to section 1762 of title 10 U.S. Code (U.S.C.) and Federal Register Notice (FRN), 82 FR 52104, 52118, dated November 9, 2017. The AcqDemo authority expires on December 31, 2023, and the PPP exemption will not apply thereafter. Any extension of the exemption will require further review and authorization by me.

Section 1762 of title 10, U.S.C., provides the Secretary of Defense authority to carry out a personnel management demonstration project. Flexibilities codified in the FRN include the authority to recruit and appoint certain undergraduate and graduate students seeking degrees in the acquisition career field to positions as interns. There is no limitation on the total number of students appointed during a fiscal year.

Consistent with other student hiring authorities under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 and Pathways Programs, which are exempt from the PPP, human resources offices are not required to submit PPP requisitions when filling positions and effecting noncompetitive conversions under this authority. The audit trail for each recruitment transaction should be annotated with "PPP exemption – Office of the Under Secretary of Defense for Personnel and Readiness memorandum dated MM/DD/YYYY."

If you have any questions, my point of contact is Mr. Bobby Winn, at (571) 372-1530, DSN 372-1530, or e-mail at bobby.e.winn.civ@mail.mil.

James N. Stewart

Assistant Secretary of Defense for Manpower
and Reserve Affairs, Performing the Duties of
the Under Secretary of Defense for Personnel
and Readiness

(4) The criteria in 5 U.S.C. 2108 and 5 U.S.C. 2108a for determining the preference eligibility of each applicant shall apply to AcqDemo without change. DoD AcqDemo Program Office and Participating Organizations' procedures shall ensure that, at a minimum:

(a) Selecting officials treat veterans' preference eligibility as a positive factor when making a selection from external recruitment sources or where veterans' preference is otherwise applicable. The detailed definition of "positive factor" rests with participating organizations and is expected to be described in internal issuances and on vacancy announcements. The AcqDemo Program Office guidance is stated generally to keep veterans' preference as a highlighted item to define how it will be addressed in external recruiting and to provide maximum flexibility to Participating Organizations in developing their policy.

(b) When making final selections, any candidates with veterans' preference should be considered for appointments if they are found to best meet mission requirements.

(c) If a non-preference eligible candidate is selected over a veteran considered to best meet mission requirements, the reasons for non-selection of any veteran considered to best meet mission requirements must be documented in writing. Non-selection documentation must be made part of the permanent selection record. Reasons for non-selection will be provided to the veteran candidate by the servicing human resources office if requested by the veteran. Participating Organizations may establish a higher level review and/or approval process above the selecting official if appropriate.

(5) Displaced employee procedures shall be adhered to when using this authority.

(6) Participating Organizations must ensure transparency, accountability, and auditability in hiring processes.

b. Direct Hire Appointments for the Business and Technical Management Professional Career Path. The Head of a Participating Organization may appoint qualified candidates possessing at least a baccalaureate degree required by OPM or DoD qualification standards covering acquisition positions and/or qualified candidates for those positions involving 51% or more of time in direct support of acquisition positions in a critical acquisition career field classified to the Business and Technical Management Professional, NH, career path, without regard to the provisions of 5 U.S.C. chapter 33, subchapter I (other than

sections 3303, 3308, and 3328 of such title).

c. Veteran Direct Hire Appointments for the Business and Technical Management Professional and Technical Management Career Paths. The Head of a Participating Organization may appoint qualified veteran candidates to acquisition positions in a critical acquisition career field and to those positions involving 51% or more of time in direct support of an acquisition position classified to either the Business and Technical Management Professional, NH, career path or to the Technical Management Support, NJ, career path, without regard to the provisions of 5 U.S.C. chapter 33, subchapter I (other than sections 3303 and 3328 of such title). The term "veteran" has the meaning given that term in 38 U.S.C. 101.

d. Acquisition Student Intern Appointments. The Head of a Participating Organization, without regard to the provisions of 5 U.S.C. chapter 33, subchapter I (other than sections 3303 and 3328 of such title), may appoint candidates enrolled in a program of undergraduate or graduate instruction at an institution of higher education leading to either:

(1) A baccalaureate degree in a course of study required by OPM or DoD qualification standards for an acquisition position in a critical acquisition career field; or

(2) A degree the completion of which (including any additional essential credit hours or related experience in an acquisition-related field as defined by DoD internal issuances) provides competencies, knowledge, skills, etc., directly linked to an acquisition position's requirements (selective placement or quality ranking factors) for one of the critical acquisition career fields.

An "institution of higher education" for this purpose has the same meaning as that term is defined in Section 101 and 102 of the Higher Education Act of 1965 (20 U.S.C. 1001). Appointments under this authority may be made using a term appointment authority or the Pathways appointment authority.

e. Scholastic Achievement Appointment. This demonstration project establishes a Scholastic Achievement Appointment that provides the authority to appoint candidates with degrees to acquisition positions with positive education requirements without regard to the provisions of subchapter I of chapter 33 of title 5, U.S.C. (other than sections 3303 and 3328 of such title). This authority allows for competitive appointment to acquisition positions

classified to either the NH-II or NH-III broadband level of the Business and Technical Management Professional career path. Candidates may be appointed under this procedure if:

(1) They have at least a baccalaureate degree required by OPM or DoD qualification standards, or a degree the completion of which (including any additional essential credit hours or specialized experience in an acquisition-related field as identified by DoD internal issuances) provides competencies, knowledge, skills, etc., directly linked to an acquisition position's requirements for one of the critical acquisition career fields plus any selective factors, quality ranking factors, and/or DAWIA certification requirements stated in a vacancy announcement;

(2) the candidate has a cumulative grade point average (GPA) of 3.25 or better (on a 4.0 scale) in those courses in those fields of study that are specified in the OPM Qualification Standards for the occupational series and an overall undergraduate GPA of at least 3.0 on a 4.0 scale; and

(3) the appointment is into a permanent or term position at a pay level within the NH-II broadband level basic pay range. Appointments may also be made to the NH-III broadband level on the basis of graduate education and/or experience, but with the requirement of a GPA of at least 3.5 on a scale of 4.0 for graduate courses in the field of study required for the occupation.

f. Simplified Hiring Processes. The goal of the simplified hiring processes is to enable AcqDemo Participating Organizations to expedite the hiring and appointment of qualified persons to acquisition positions as well as to direct support positions in any of the fifteen acquisition career fields using the approaches described below:

(1) A name request may be submitted to expedite the appointment of a qualified candidate identified through a Participating Organization's targeted recruitment actions.

(2) A certificate of eligibles may be developed from qualified applicants to a vacancy announcement who have been evaluated or rated under an appropriate assessment methodology such as the Administrative Careers with America examination, USA Hire, or OPM category rating procedures.

(3) This demonstration project established a streamlined AcqDemo Delegated Examining-Category Rating process. This process may be used to fill both acquisition positions and those in direct support of acquisition positions covered by this demonstration project.

should be considered for appointments if they are found to best meet mission requirements.

Chapter 33, Section 3341: Details. Waived as necessary to extend the time limits for details.

Chapter 35, Section 3502: Order of retention. Waived as necessary to accommodate the reduction-in-force process described in this demonstration project with 3502(c) waived in its entirety.

Chapter 41, Section 4107(a): Academic degree training. Waived to the extent necessary to provide academic degree training as described for the demonstration project.

Chapter 41, Section 4108(a)-(c): Employee agreements; service after training. Waived to the extent necessary to require the employee to continue in the service of the covered organizations for the period of the required service and to the extent necessary to permit the organization to waive in whole or in part a right of recovery.

Chapter 43, Sections 4301-4305 except for 4303(e) and (f): Related to performance appraisal are waived in entirety. In turn, 4303(e) and (f) are waived only to the extent necessary to (1) substitute "broadband" for "grade" and (2) provide that moving to a lower broadband as a result of not receiving the full amount of a general pay increase because of inadequate contribution is not an action covered by the provisions of section 4303(a)-(d).

Chapter 45, Sections 4502(f): General Provisions. Waived to allow Service Acquisition Executives to approve cash awards for superior accomplishments not to exceed \$25,000.

Chapter 51, Sections 5101-5113: Related to classification standards and grading. Waived in entirety except section 5104 to the extent needed to permit classification of broadband levels and factor descriptors and discriminators.

Chapter 53, Sections 5301; 5302 (8) and (9); and 5303-5305 and 5331-5336: Related to special pay and pay rates and systems. Sections 5301, 5302 (8) and (9), and 5304 are waived only to the extent necessary to allow demonstration project employees to be treated as General Schedule employees and to allow basic rates of pay under the demonstration project to be treated as scheduled rates of basic pay. Sections 5331-5336 waived to the extent necessary to allow: (1) Demonstration Project employees to be treated as GS employees; (2) to allow the provisions of this FRN pertaining to setting rates of pay; and (3) to waive sections 5335 and 5336 in their entirety.

Chapter 53, Section 5362: Grade retention. Waived in its entirety. Not applicable in the demonstration project.

Chapter 53, Section 5363: Pay retention. This waiver applies only to the extent necessary to: (1) Allow demonstration project employees to be treated as General Schedule employees; (2) provide that pay retention provisions do not apply to conversions from General Schedule special rates to demonstration project pay, as long as total pay is not reduced; (3) replace the term "grade" with "broadband level;" and (4) provide that an employee on pay retention whose contribution assessment is "Unacceptable" may have the 50 percent of the amount of the increase in the maximum rate of base pay payable for the pay band of the employee's position reduced or denied.

Chapter 53, Section 5371: Related to health care positions. This waiver applies only to the extent necessary to allow demonstration project employees to hold positions subject to Chapter 51 of title 5.

Chapter 55, Section 5545(d): Hazardous duty premium pay. Waived only to the extent necessary to allow demonstration project employees to be treated as General Schedule employees.

Chapter 57, Sections 5753, 5754, and 5755: Related to recruitment, relocation, and retention payments, and supervisory differentials. Waived to the extent necessary (1) to allow employees and positions under the demonstration project to be treated as employees and positions under the General Schedule; (2) allow management to offer a bonus to incentivize geographic mobility to a new student intern and to one whose worksite is in a different geographic location than that of the college enrolled or permanent home residence; and (3) authorize supervisory and team leader cash differentials as described for this demonstration project.

Chapter 59, Section 5941: Allowances based on living costs and conditions of environment; employees stationed outside the continental United States or Alaska. This waiver applies only to the extent necessary to provide that COLAs paid to employees under the demonstration project are paid in accordance with regulations prescribed by the President (as delegated to OPM).

Chapter 59, Section 5948: Related to physicians comparability allowances (only to the extent necessary to treat employees under the demonstration project as General Schedule employees).

Chapter 71, to the extent its provisions (e.g., 5 U.S.C. 7103(a)(12) and 7116) would prohibit management or the union from unilaterally terminating negotiations over whether

the project will apply to employees represented by the union.

Chapter 71, Section 7119: To the extent it gives the Federal Service Impasses Panel jurisdiction to resolve impasses referred to it by either party or both parties during implementation of the demonstration project.

Chapter 75, Section 7512(3): Adverse actions. Waived to the extent necessary to exclude reductions in broadband level not accompanied by a reduction in pay and replace "grade" with "broadband level".

Chapter 75, Section 7512(4): Adverse actions. Waived to the extent necessary to exclude conversions from a General Schedule special rate to demonstration project pay that do not result in a reduction in the employee's total rate of pay.

C. Waivers to Title 5, CFR

Part 300, Sections 300.601 through 300.605: Time-in-grade restrictions. Waived to eliminate time-in-grade restrictions in the demonstration project.

Parts 300-330 other than Subpart G of 5 CFR part 300: Employment. Waived to the extent necessary to allow direct hire authority for (1) qualified candidates with bachelor's or advanced degrees required by OPM or DoD qualification standards to qualify for AWF positions in a critical acquisition career field classified to the Business and Technical Management Professional, NH, career path; (2) qualified veteran candidates for AWF positions in a critical acquisition career field classified to either the Business and Technical Management Professional, NH, career path or to the Technical Management Support, NJ, career path; (3) candidates enrolled in a program of undergraduate or graduate instruction at an institution of higher education leading to a baccalaureate degree or an advanced degree in a course of study required by OPM or DoD qualification standards or a degree the completion of which (including any additional essential credit hours in an acquisition-related field as appropriate) provides competencies, knowledge, skills, etc., directly linked to an AWF position's requirements (quality ranking factors) for one of the critical acquisition career fields; and (4) degree candidates with superior scholastic achievement in a field of study directly linked to the qualifications, competencies, knowledge, skills, abilities, and DAWIA certifications for and duties of AWF positions in one of the critical acquisition career fields.

Part 308, Volunteer service: Waived to allow volunteer service under the