

Approved for Release

Date

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**DEPARTMENT OF COMMERCE
OFFICE OF HUMAN RESOURCES MANAGEMENT**

HUMAN RESOURCES (HR) BULLETIN #269, FY25

SUBJECT: Shared Certificates

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

SUPERSEDES: N/A

EXPIRATION DATE: Upon cancellation or expiration of the bulletin.

COVERAGE: This policy covers all Department of Commerce (DOC) Competitive and Excepted Service positions (permanent, temporary, and term) under Merit Assignment Plan (MAP), Delegated Examining (DE), Pathways, and Direct-Hire Authority (DHA), and applies to all Servicing Human Resources Offices (SHROs) with MAP and DE authority. Additionally, this policy covers General Schedule (GS), Commerce Alternative Personnel System (CAPS), and Alternative Personnel Management System (APMS) positions.

EXCLUSIONS: This policy does not cover positions under Prevailing Rate (PR), Senior Executive Service (SES), Senior Level (SL), Scientific and Professionals (ST), or in the Office of the Inspector General (OIG). This policy also does not cover the sharing of certificates under DE with other Federal agencies, based on the Competitive Service Act of 2015 and 5 CFR § 332.408.

PURPOSE: This HR Bulletin establishes a Shared Certificate Policy within the DOC for MAP, DE, Pathways, and DHA to improve recruiting, streamline processes, increase staffing efficiency, and reduce the time to hire across DOC bureaus.

Prior to implementing this policy, bureaus must review collective bargaining agreements (CBAs) and satisfy any labor-management obligations, as applicable. Where the provisions of this policy differ from the requirements contained in an applicable CBA, the CBA takes precedence. When provisions of this policy differ from changes in applicable law or regulation, the changes in law or regulation apply.

POLICY: The DOC is establishing policy guidance for sharing certificates and encourages bureaus to share Certificates of Eligibles and Referral Lists when filling certain vacancies under MAP, DE, Pathways, and DHA.

This policy must be carried out in accordance with MAP, DE, Pathways, DHA, applicable laws, regulations, bargaining agreements, and Departmental policy. It is DOC policy that bureaus may share MAP, DE, Pathways, and DHA certificates with other DOC bureaus when meeting all policy requirements.

All DOC SHROs will familiarize themselves with this policy and advocate the use of Shared Certificates as a hiring efficiency tool during the strategic hiring consultation with Selecting Officials (SOs).

All selections must be made within 180 calendar days for MAP and 240 calendar days for DE of the original Certificate of Eligibles or Referral List issue date. Shared Certificates of Eligibles and Referral Lists are active for 180 days (MAP) and 240 days (DE) for the purpose of this policy only and must have the designated required language in the Job Opportunity Announcement (JOA) to be considered sharable.

The originating SHROs and receiving SHROs will establish procedures to ensure operational collaboration necessary to promote, participate, and use Shared Certificates, especially when seeking candidates to encumber positions that are designated mission-critical and/or commonly filled. The originating SHROs and receiving SHROs must adhere to the requirements in this policy when filling competitive service positions and excepted service positions through a shared Certificate of Eligibles or Referral List.

DEFINITIONS:

Calendar Day. Every day of the calendar year, including federal holidays and periods when the government operates under a shutdown furlough (5 CFR § 210.102).

Career Transition Programs. Career Transition Assistance Plan (CTAP), Interagency Career Transition Assistance Plan (ICTAP), and Reemployment Priority List (RPL) offer career transition assistance to employees affected by downsizing or restructuring. For more information, see [The Employee's Guide to Career Transition \(opm.gov\)](https://www.opm.gov/policy-data-oversight/career-transition-programs/).

Certificates/Certificates of Eligibles. A list of qualified candidates submitted to an SO or Hiring Manager for selection consideration in compliance with the appropriate merit staffing procedures. Under DHA, this is known as a Referral List.

Delegated Examining (DE). The authority to conduct fully delegated examinations for Title 5 competitive service positions for all series and grade levels nationwide, except for Administrative Law Judges. OPM delegated this authority under the Interagency Delegated Examining Agreement, DOC-1.

Direct-Hire Authority (DHA). An authority that permits hiring, after public notice, without regard to the rating and ranking procedures and veterans preference provisions of 5 U.S.C § 3309 through 3318, and 5 CFR § 211 and 337, and OPM Delegated Examining Operations Handbook.

Job Opportunity Announcement (JOA). A job announcement posted on usajobs.gov by a Servicing Human Resources Office (SHRO) for an available vacancy.

Merit Assignment Plan (MAP). A placement plan made under the authority of 5 CFR § 335, Promotion and Internal Placement. With certain important exceptions (e.g., candidates eligible under Veterans Employment Opportunities Act, and other candidates with non-competitive eligibility), only federal employees who currently hold or previously held a competitive service position may apply for positions that are to be filled under merit promotion procedures.

Office of Human Resources Management (OHRM). This DOC office implements Government-wide and Departmental HR policies, employee programs, and activities in all areas of human resources management and administration.

Originating Servicing Human Resources Office (Originating SHRO). The HR office initiating the original recruitment action (i.e., posted the JOA).

Pathways. Established by Executive Order 13562, the Pathways Programs consist of the Internship Program, Recent Graduates Program, and Presidential Management Fellows Program. Appointees under these Programs are appointed into excepted service positions (Schedule D).

Receiving Servicing Human Resources Office (Receiving SHRO). The HR office requesting a Certificate of Eligibles or Referral List when a position has been announced by an originating SHRO.

Selecting Official (SO). The Selecting Official who initiated the original recruitment action. The SO is often referred to as the Hiring Manager.

Shared Certificate. A Shared Certificate is a Certificate of Eligibles or Referral List that was generated from an originating SHRO and shared with a receiving SHRO.

Shared Selecting Official (Shared SO). The SO who requests the use of a Certificate of Eligibles or Referral List when the originating SHRO has announced the position.

ROLES AND RESPONSIBILITIES:

A. The Office of Human Resources Management (OHRM) is responsible for developing Department-wide policies and guidance regarding Shared Certificates that are consistent with Office of Personnel Management (OPM) policies and guidance and all applicable federal laws and regulations. The OHRM is also responsible for providing oversight through human capital evaluation program and accountability reviews.

B. The originating SHROs are responsible for complying with this policy and providing operational oversight of shared certificate execution. Originating SHROs should encourage the use of Shared Certificates and assist receiving SHROs in the coordination of sharing certificates. Originating SHROs are responsible for the operational management and efficacy of Shared Certificates, including:

- Conducting a strategic hiring consultation with the SO to guide them through the hiring process;
- Reviewing the Department's Voluntary Resume Bank for possible candidate placement opportunities. For more information, please see HR Bulletin #257, FY22;
- Clearing the CTAP, RPL, and PRL lists in accordance with HR Bulletin Career Transition Plan (CTAP) and Interagency Career Transition Assistance Plan (ICTAP) Evaluation and Clearance Process #153, FY12, and HR Bulletin Reemployment Priority Lists #158, FY13;
- Ensuring all announcements for positions covered under this policy contain standardized language notifying applicants that their applications may be shared (applicants may opt-in/share at their request);
- Conducting quality control and assurance reviews (i.e., ensuring selectee names and candidate names that choose not to share their applications have been removed, and updating disposition of candidates that may have withdrawn, etc.) prior to sharing a certificate;
- Submitting justifications for pass over requests for any preference eligible when selections are made in accordance with HR Bulletin #245, FY20 Process for Requests to Pass Over All Preference Eligibles for Competitive Service Positions and Excepted Service Positions Covered Under Title 5, United States Code (U.S.C);
- Sharing certificates with interested SHROs and providing a copy of all documentation pertaining to the creation of that certificate (e.g., the job analysis, JOA, rating schedule/crediting plan, applications of those certified, etc.); and
- Managing case files and referring to applicable SHRO, MAP, DE, MAP, or Pathways policy or procedures for specific guidance on establishing and maintaining case files.

C. The receiving SHROs are responsible for complying with this policy. Receiving SHROs are also responsible for conforming with the coordination of the originating SHROs and are responsible for ensuring proper certificate management and utilization including:

- Conducting a strategic hiring consultation with the SO to guide them through the hiring process;
- Verifying through job analysis that the minimum qualification requirements (including use of any selective placement factors) and the competencies, or knowledge, skills, and abilities, that were used for the original position are appropriate for their internal position to be filled;
- Making selections within thirty (30) calendar days of the date the certificate is received from the originating SHRO (this may be extended for an additional 30 calendar days by approval from the originating SHRO only). To request additional extensions, please follow the Department's current policy;
- Clearing the CTAP, RPL and PRL lists in accordance with HR Bulletin Career Transition Plan (CTAP) and Interagency Career Transition Assistance Plan (ICTAP) Evaluation and Clearance Process #153, FY12 and Human Resources Bulletin Reemployment Priority Lists #158, FY13;

- Submitting justifications for pass over requests for any preference eligible when selections are made in accordance with procedures in HR Bulletin #245, FY20 Process for Requests to Pass Over All Preference Eligibles for Competitive Service Positions and Excepted Service Positions Covered Under Title 5, United States Code;
- Sending notification no later than three (3) calendar days to the originating SHRO when selections are made;
- Conducting quality review of selections prior to tentative job offer;
- Providing selection packages after job offer to the originating SHRO, including all case file documentation sufficient for third-party audit and reconstruction;
- Notifying the originating SHRO in writing no later than three (3) calendar days if a selected candidate declines an offer, or if a selected candidate does not onboard with the Department;
- Notifying the originating SHRO upon return of the certificate that no further selections will be made;
- Administering all onboarding related activities for selectees (if applicable);
- Maintaining proper selection, documentation, and recordkeeping of new hire information (i.e., new hire records in USA Staffing, eOPF, etc.); and
- Not sharing or distributing the shared certificate to another DOC Bureau/Office.

DESIGNATED LANGUAGE REQUIRED IN JOB OPPORTUNITY ANNOUNCEMENT FOR SHARED CERTIFICATES: The following language must be included in each JOA that may result in a shared certificate opportunity under this policy. This decision is usually made during the strategic hiring consultation with the SHRO and SO prior to the JOA being posted.

Applicants who apply under this job opportunity announcement may opt-in/share (at their request) their resume, cover letter, transcripts, certifications, and other associated documents and applicable personal information shared with other Department of Commerce (DOC) Bureaus/Offices who have vacancies within the same occupational series, grade and pay band (or its equivalent), full performance level and in the same duty location. Applicants that apply for General Schedule (GS) positions can be considered for pay band positions under one of the DOC's alternative personnel systems (i.e., Commerce Alternative Personnel System (CAPS), or Alternative Personnel Management System (APMS)) that have the equivalent GS grade level and full performance level, and vice versa. Upon acceptance of a position, the employee will be subject to the corresponding pay system (i.e., GS, CAPS or APMS). Applying to this announcement does not replace the need to apply to other job opportunity announcements for which they wish to receive consideration.

POSITION REQUIREMENTS FOR RECEIVING SHROS:

1. The position must have:
 - a. the same official title, occupational series, and equivalent grade/band level and the same full performance level (FPL). If the position is classified/advertised as interdisciplinary, Shared Certificates are applicable only for selections to other interdisciplinary position(s) classified in the exact same full set of series, title(s)

- and same FPL.
 - b. same education requirements.
 - c. the same selective factors (if applicable).
 - d. the same testing requirements (if applicable).
 - e. the same appointment type (e.g., permanent, temporary, term).
 - f. the same work schedule (full-time, part-time, seasonal, etc.), but the tour of duty may be different.
 - g. the same duty location.
 - h. similar major job duties and responsibilities.
 - i. similar specialized experience requirements.
 - j. similar knowledge, skills and abilities as reflected in the job analysis and assessment questions.
2. JOAs may be posted with multiple official DOC bureaus and organizational units (OU) for hiring purposes under the consultation of your SHRO. One or more positions may be filled in the DOC bureau advertised or in another DOC bureau if appropriate to the position.
 3. If the announcement explicitly states that a Permanent Change of Station (PCS) allowance, or a recruitment or relocation incentive will not be offered, then that allowance or incentive may not be offered to any selectee from the announcement.
 4. Job requirements listed in the JOAs are encouraged to be as flexible as possible within DOC's authority to allow increased usage for sharing certificates. Some examples include the following:
 - a. Security clearance: Other.
Security clearance may vary depending on the position being filled.
 - b. Travel Required: Occasional Travel – Varies.
Some positions may require travel.
 - c. Some positions may require financial disclosure filing.
 - d. Some positions may be covered by a bargaining unit.
 - e. Telework will vary based on bureau and office.
 - f. Remote work situations will vary based on the bureau and office.

All job requirements or flexibilities not specifically stated in the JOA must be communicated to the candidate no later than the tentative job offer so the candidate can make an informed decision.

For additional information, please refer to any applicable Shared Certificates Procedures for guidance.

AVAILABILITY OF CERTIFICATES:

1. Certificates of Eligibles and Referral Lists covered under this policy are available for 180 days (MAP) and 240 (DE) from the initial issuance date, with no exceptions. Originating SHROs should make certificates available for sharing no later than forty (40) calendar

days from the certificate issuance date, giving the SO enough time to make an initial selection. If an initial selection is not made within forty (40) calendar days, the Originating SHRO may still proceed with making certificates available for sharing.

2. The originating SHRO may issue a certificate to a shared SO before forty (40) calendar days when there has been an established written agreement between the SO and SHROs to share the certificate concurrently. This agreement is normally established during the strategic hiring consultation. When such an agreement exists, exclusive rights to the certificate are no longer afforded to the SO, and shared SOs may make a selection at any time, including before the originating SO.
3. Candidates will remain referred for consideration while the certificate is active, provided they are still eligible, unless the candidate requests to withdraw from continued consideration. This is to ensure applicants can compete for all vacant positions that may be filled through the JOA.

DELEGATING EXAMINING CERTIFICATES:

1. Adjudicating Veterans Preference. The originating SHRO is responsible for properly adjudicating veterans' preference.
2. Pass over of a preference eligible. The reasons why a bureau might object to an eligible or pass over a preference eligible may vary. If OPM sustains a pass over of a 10-Point 30 Percent Compensable Disability Preference (CPS) eligible, it does not transfer to the receiving SHRO. OPM reviews and decides on an applicant more than once, even though that applicant may be considered from the same certificate. Each objection and pass over is adjudicated based on its own merits consistent with 5 U.S.C. 3317 and 3318. Originating SHROs are responsible for reviewing 5-Point Preference (TP) veteran pass over requests, if applicable.

DIRECT HIRE AUTHORITY REFERRAL LISTS:

1. Governmentwide Direct-Hire Authorities. SHROs may share referral lists from OPM-approved governmentwide DHAs. When using DHA, SHROs must adhere to the public notice requirements in 5 U.S.C. 3327 and 3330, and the displaced employee procedures in 5 CFR part 330, subparts B, F, and G. Originating SHROs must verify that the referral list originated from an OPM approved governmentwide DHA before issuing the referral list to a shared SO outside of the bureau
2. Bureau-specific authorities. SHROs are prohibited from sharing referral lists from bureau-specific DHAs outside their delegated authority and original purpose.

DOCUMENTATION: The originating SHRO is responsible for maintaining complete case file documentation sufficient to reconstruct all hiring actions in accordance with MAP procedures and the Delegated Examining Operation Handbook (DEOH) procedures. Each time the certificate is shared, the receiving SHRO is responsible for creating a new instance of a case file to document its use.

Bureau HR Policy Offices or Bureau HR Liaisons may reach out to the Office of Policy and Benefits at OPBServices@doc.gov with additional questions. The SHROs should contact their bureau policy offices with questions.

REFERENCES: 5 CFR §332.408; 5 CFR 335; Delegated Examining Operations Handbook, dated June 2019; Human Resources Bulletin #221, FY21; Delegated Examining Operations Handbook, dated June 2019; DAO 202-335 Merit Assignment Plan, dated June 15, 2017; Human Resources Bulletin #160, FY12 Pathways Programs; Department of Commerce Alternative Personnel System Operating Procedures Manual, dated May 28, 2010; Federal Register, Volume 62, No. 247, dated December 24, 1997; Human Resources Bulletin Career Transition Plan (CTAP) and Interagency Career Transition Assistance Plan (ICTAP) Evaluation and Clearance Process #153, FY12; Human Resources Bulletin Reemployment Priority Lists #158, FY13; NIST AMPS Project Operating Procedures; Federal Register, Volume 62, No. 203, dated October 21, 1997; The Employee's Guide to Career Transition (CTAP, ICTAP, RPL), dated March 2017; and OPM USA Staffing Shared Certificate Guide, dated December 2023.