

Myth Busters: Leveraging Title 38/Hybrid Title 38 Hiring Flexibilities

The Office of Academic Affiliations (OAA) frequently hears from Service Chiefs, training directors, and trainees that they face challenges utilizing Title 38/Hybrid Title 38 special hiring authority. Not hiring our qualified trainees wastes VA's investment in preparing them for VA employment. In collaboration with Workforce Management and Consulting's Healthcare Recruitment and Marketing Office (HRMO) we are releasing the following guidance to clarify many hiring myths filtering through the field.

Myth 1: Trainees can only be hired using special hiring authority during their first year after completing VA training.

False. There is no limitation on who can be hired via Title 38/Hybrid Title 38 special hiring authority or when they are hired so long as they are qualified (or will be qualified), bargaining unit job posting requirements are met (does not require USAJOBS announcements) and Veterans preference is not violated. Any current or former trainees (VA or non-VA) can be hired non-competitively at any time no matter how long ago they finished training.

Myth 2: Incentives can only be offered if they were advertised in a USAJOBS posting.

False. VA has flexibility to offer incentives in recruitment. The most common are 1) Recruitment/Relocation Incentive; 2) Educational Debt Reduction Program (EDRP); and 3) Permanent Change of Station (PCS) relocation benefits. It is not necessary to post positions at USAJOBS for the sake of offering aforementioned incentives. If incentives are approved in advance and a person is hired via special hiring authority, the incentive approval language should appear in the final commitment letter issued by HR. If a position is announced at USAJOBS then the appropriate language must appear in that announcement.

Myth 3: Language in USAjobs postings may not be adjusted by HR.

False. If as a last resort a position is announced on USAJOBS, it is critical to ensure that the language reflects that current trainees may apply and assessment questionnaires are not screening out trainees. Although Office of Personnel Management has not modified the announcement templates for many professions, local HR managers have the ability to make revisions (when allowed) to the posting. In addition, it is important to include any exceptions that may be documented in the profession's qualification standards. For example, in a psychology posting, include language about the exception for applicants who completed a newly funded, unaccredited VA internship to be eligible to apply. Additionally, it is important that VAMCs include marketing information about the local community and avoid using the word incumbent in job descriptions.

Myth 4: Current trainees may not be considered for vacant positions while in their training program.

False. Current trainees may be recruited and selected before receiving degree if they are on track to complete their academic program and meet the profession's qualification standards at the time of appointment. Use of appropriate language in Tentative Job Offers (TJO) will protect VA if candidates fail to become fully qualified at the time of appointment. There is also no limit on how early trainees can be considered and offered positions.

Myth 5: Local union bargaining unit agreements require that positions are announced through a USAjobs posting.

False. Local Bargaining Unit (BU) agreements rarely specify USAJOBS announcements as a requirement. Typically the language is vague and similar to "post at the facility." Local postings can be as simple as a bulletin board announcement or an internal e-mail. If you do not receive interest locally

from VA employees or trainees you may expand an announcement to other training directors and chiefs in your profession, still utilizing the special hiring authority. USAjobs postings should only be used if candidates are not available for direct hire via special hiring authority, such as current trainees or practicing professionals who have already expressed interest in a position. The best practice in VA is to comply with job posting requirements in local BU agreements prior to receiving approval to recruit. When service lines are ready to request approval to recruit from the facility's resource management committee, the internal announcements to the BU can take place so that the job posting period finishes at approximately the same time the position is approved to recruit. It is prudent to include this language when advertising positions to the BU: "This position has been submitted for approval and no personnel actions will take place unless the position is ultimately approved to recruit."

Myth 6: Veterans Preference must be used for all professions.

False. Hybrid Title 38 professions listed on the Office of the Inspector General's (OIG) report of the top five mission critical shortage professions may waive Veterans Preference rules for the fiscal year for which the profession is identified on this listing. If the profession remains on the list in subsequent years Veterans Preference rules will remain waived until it is a profession no longer in the top five. The IG's Top 5 Critical Shortage Occupations for FY16 are 1) Medical Officer; 2) Nurse (RN, CRNA, NP); 3) Physician Assistant; 4) Physical Therapist; and 5) Psychologist. Veterans' preference rules for Title 38 occupations state "The primary consideration in making appointments of physicians, dentists, podiatrists, optometrists, chiropractors, nurses, nurse anesthetists, PAs and EFDAs under 38 U.S.C., chapter 73 or 74, will be the professional needs of VHA. Consistent with this policy, however, veterans will be given preference when qualifications of candidates are approximately equal. This includes qualified disabled veterans and preference eligibles as defined in 5 U.S.C. 2108."

Myth 7: VA can only recruit for a position after the position becomes vacant.

False. In truth, VAMCs should forecast future healthcare vacancies 1-2 years in advance by analyzing historical turnover rates and projected growth in uniques/services. This will allow early selection and offers for health professions trainees.