

Federal Employment and Schedule A Hiring Authority
Cheryl Bates-Harris
Senior Disability Advocacy Specialist
National Disability Rights Network
Protection and Advocacy for Individuals with Disabilities

Slide 1: Federal Employment and Schedule A Hiring Authority

Cheryl Bates-Harris
Senior Disability Advocacy Specialist
National Disability Rights Network

Slide 2: Why Federal Employment?

Job security
Top salaries and room for advancement
Generous vacation and health benefits
Coverage for childcare and dependent care
Flexible work schedules
Student loan forgiveness
200,000 new hires each year

Slide 3: Historical Background

Theodore Roosevelt proclaimed in his State of the Union Address on December 3, 1907, that "the National government should be a model employer".

Federal agencies must promote equal employment opportunities through a continuing affirmative action program for people with disabilities

Slide 4: But, the EEOC Reports:

"Despite the initiatives of multiple administrations and the efforts of various agencies charged with administering programs for the employment of persons with targeted disabilities (pwtd) the percentage of pwtd has declined each year since reaching a peak of 1.24% in 1993."

Slide 5: So, what are targeted disabilities?

deafness
blindness
missing extremities and distortion of limb and/or spine
partial paralysis and complete paralysis
convulsive disorders
mental retardation
mental illness

Slide 6: Where did these come from?

Individuals who have self-identified their disability have a “reportable disability.” People with Targeted Disabilities are a subset of that group as officially recognized by the EEOC beginning in December 1979. Criteria at the time, was based on the severity of disability, feasibility of recruitment, and availability of workforce data.

Slide 7: How are we doing?

In FY 2008, the participation rate of people with targeted disabilities fell to .88% of the federal governments workforce, the lowest participation rate in 20 years. The participation rate has declined while the federal workforce has actually grown.

Slide 8: FY 2008 EEOC Annual Report

From 1999 -2008 the total workforce increased by 301,031 employees (12.22%) BUT The number of employees with targeted disabilities decreased from 27,601 in 1999 to 24,447 a net decline of 11.49%.

Slide 9: Targeted Disabilities

Targeted disabilities are those disabilities that the federal government, as a matter of policy, has identified for special emphasis.
There is a huge retirement wave coming.
Federal agencies are in your locality.

Slide 10: What is Schedule A?

Non Competitive Appointments

- Do not need to be advertised

- Do not need to wait for closing date to fill
- Do not require a formal job announcement
- Required disability documentation
- Agencies can accept resumes without job notices

Eligible requirements

- Mental retardation (t)
- Severe physical disability (u)
- Psychiatric disability (gg)

Slide 11: Recent Schedule A Changes

New Regulations combine Schedule A appointing authorities into one streamlined authority, 5 CFR 213.3102(u).

Distinction between proof of disability and certification of job readiness is clarified. If applicant does not have certification of job readiness, an agency can hire into temporary appointment to determine job readiness for continued employment.

Slide 12: Who Can Certify Disability?

A licensed vocational rehabilitation specialist (i.e., State or private) such as a state vocational rehabilitation counselor

Any Federal agency, state agency, or agency of the District of Columbia or a US territory that issues or provides disability benefits (SSA)

Slide 13: Who else can certify disability?

A licensed medical professional (e.g. a physician or other medical professional certified by a State, the District of Columbia, or a US territory to practice medicine).

Each agency has the right to decide what documentation they will accept. For example, licensed audiologist, clinical social worker, etc.

Slide 14: Job Ready and Qualified

Must be able to work

“Qualified individual with a disability” is defined as a person who, with or without reasonable accommodation, can perform the essential functions of the job
 qualifications include the skills, knowledge and ability to do the work.

Slide 15: Changes in Schedule A

Appointment Options (hiring):

- Temporary: (in lieu of job readiness certification), to determine job readiness and continued employment.
- A time-limited: (provides disability documentation and Job certification) when the duties of job do not require it to be filled on a permanent basis.
- Permanent: when proof of disability and job readiness is provided.

All under “excepted service” which can be converted to “competitive service” after meeting requirements.

Slide 16: New (Schedule A) Terminology

What is “job readiness”?

Ability to perform duties of the job in a work environment

The Federal hiring manager determines if the applicant is qualified to perform the essential job functions.

Slide 17: New (Schedule A) Terminology

What does ‘likely to succeed’ mean?

Simply states that the person is ready for employment.

This statement does not put any liability on the counselor that the consumer will succeed.

Slide 18: New (Schedule A) Terminology

What are *job readiness restrictions*?

If there is not an accommodation for the disability and when a change in the work environment is requested. Include this in the Schedule A letter - see sample.

If you choose not to include certification of job readiness, the Federal hiring manager has the option to hire the individual on a temporary appointment.

Slide 19: Sample Schedule A Letter

To Whom It May Concern:

This letter serves as certification that (*name*) is an individual with a documented disability, identified by the Virginia Department of Rehabilitative policy and can be considered for employment under the Schedule A hiring authority 5 CFR 213.3102 (u).

(Name of Person) also has certification of job readiness in an (ex: office setting, food service or warehouse) and is likely to succeed in performing the duties of the position for which he /she is seeking.

Thank you for your interest in considering this individual for employment. You may contact me at-----.

Slide 20: Sample Schedule A letter with Restriction

To Whom It May Concern:

This letter serves as certification that (name) is an individual with a documented disability, identified by the Virginia Department of Rehabilitative policy and can be considered for employment under the Schedule A hiring authority 5 CFR 213.3102 (u).

(Name of Person) also has certification of job readiness in a (ex. warehouse/distribution, office setting, food service, etc.) environment and is likely to succeed in performing the duties of the position for which he /she is seeking; provided he/she is not required to (restrictions due to disability such as: operate equipment or climb ladders).

Thank you for your interest in considering this individual for employment. You may contact me at-----.

Slide 21:

The wording "likely to succeed" is stated in the new regulations issued by OPM and does not put any liability on the counselors that the consumer will succeed but simply states that the person is ready for employment.

Restrictions are mentioned when there is not accommodation for the disability and when you are asking for a change in the work environment.

The example above refers to someone with a seizure disorder and has the skills to work in a warehouse or distribution center.

Slide 22: How to Find Federal Jobs

USAJOBS – the official website of the federal government (<http://usajobs.gov>) Don't forget to check each agency's website.

Attend at Federal Job Fair.

Work summer or year round internships.

Check classified ads in papers that cover Capital hill such as Roll Call and The Hill.

Slide 23: Work with

State Vocational Rehabilitation agency
Human Resource Offices of Federal Agencies
Selective Placement Coordinators – type in selective placement coordinators in the search window at <http://www.opm.gov>
Selling yourself and your abilities – you can only go up from there!!

Slide 24: Contact Information

Cheryl Bates-Harris
Senior Disability Advocacy Specialist
National Disability Rights Network
202-408-9514
Cheryl.bates-harris@ndrn.org
www.ndrn.org