And now for something completely different.....

HYBRID TITLE 38
Time to Don Kevlar Vest
Boarding Packets Sent To:

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E-mail questions...be persistent!
What is Hybrid Title 38?

- Hiring authority combining elements of Title 5 and Title 38.
  - Title 38 covers appointment and advancement.
  - Title 5 covers pay, duty, leave, employee protections.
- Grade/pay determined by qualification standards, applied by Professional Standards Boards.
- Focus on professional credentials, education, experience, and achievement.
- Direct and expedited hiring.
Reminders

Tip O’Neill was right: “All politics is local.”
Functional Statement Format

- Must include general description of job duties
- Functions/scope of duties (major duties and responsibilities)
- Supervisory controls (clinical and administrative)
- Cite applicable qualification standards
- Customer service requirements
- Age, development, cultural needs of patients
- Computer security requirement
Other Considerations for Functional Statements

- Reviewed every two years to verify accuracy
- Superseded functional statements kept for two years
- New functional statements when new position established or when duties/responsibilities significantly altered
- Supervisor signs at bottom of functional statement
- One copy each to employee, service file, HR
See HRML, summary, sample functional statement at:

http://www.avapl.org/documents.html
Putting Together a Complete Boarding Packet

- Transmittal Sheet/Memo from HR indicating review and identifying HR contact.
- New Board Action Form (page 1 completed)
- Copy of Previous Board Action Form (if applicable)
- Memo of Support from Supervisor
- Functional Statement (must include KSAs for job being considered and percentage of time in each element)
- Vita
- Organizational Chart (with proposed position highlighted)
SAAs

- SAAs are for activities outside of VA job duties that occur while employed at VA.
- **New:** SAAs are discretionary, not entitlements.
  - If/when SAA is sent forward is up to the approving official.
  - No retroactive pay outside of one-time special boarding.
  - No timeline for supervisor to recommend SAA.
  - If approved, step increase effective at beginning of pay period after approval given.
SAAs

- During tight budget times, Director may stop or delay any discretionary awards.

- Recommendation:
  - Keep supervisor informed about any activity that might warrant an SAA.
  - Notify in writing.
  - If supervisor delays recommending SAA, may submit at any later date.
Promotions/Appointments

- Most frequent question: “Why didn’t I get promoted or appointed at the grade I expected?”
  - Board deliberations are confidential.
  - CRS syndrome.
  - Most likely, promotion denied because job duties did not meet the scope and complexity required for GS-14 or GS-15.
- Be overinclusive when writing Functional Statement. PSB only knows what is presented in boarding packet.
Appointments

- Initial appointments at or below full performance level must be boarded.
- Promotions at or below full performance level are administrative and do not require boarding.
  - Effective on first day of first full pay period following approval.
- Appointments cannot be appealed by applicant.
  - Applicant has option of not accepting job.
  - Selecting official can request Director override recommendation of PSB.
Appeals

- Decisions not to promote communicated in writing:
  - Reason for decision
  - Right to request reconsideration
  - Must have informal discussion with supervisor first

- Reconsideration at or below full performance level
  - Employee submits written request to ultimate supervisor (through intermediate supervisor) within 30 days
  - Must indicate when discussion with supervisor took place
  - Must cite reason(s) why decision was not proper
  - 30-day deadline can be extended by supervisor
Appeals

- Reconsideration at or below full performance level (continued)
  - Supervisor reviews request within 30 days.
  - If promoted, promotion effective on first day of first pay period following approval.
  - If denied, communicated in writing with reasons for denial.
  - Employee can request reconsideration by next supervisory level.
Appeals

- Reconsideration above full performance level
  - Employee submits within 30 days written request through supervisor to next higher-level board.
  - 30-day deadline can be extended by supervisor.
  - Request must indicate when informal discussion with supervisor was held and reason(s) why decision was not proper.
  - Supervisor reviews and comments on employee’s request in writing, provides copy to employee.
  - Professional Standards Board reviews request and accompanying documents, makes recommendation.
Appeals

- Reconsideration above full performance level (continued)
  - Professional Standards Board forward recommendations to approving official.
  - Approving official:
    - Requests additional information to make decision. May meet with PSB, employee, and/or supervisor.
    - Approve employee’s promotion.
    - Disapprove promotion; notify employee in writing.
Appeals

- Reconsideration of National Board recommendations:
  - National Board reviews its recommendations.
  - If the facility Director is making the decision, the request for reconsideration goes to VISN Director for final determination.
  - If the VISN Director or higher is making the decision, the request for reconsideration goes to the Under Secretary for Operations and Management.
  - Requests for promotion consideration are excluded from Agency Grievance Procedure.
Setting Steps

- Appointments are made at the minimum step of the grade unless authorized a higher step because they have prior Federal service.
- May also receive a higher step based on the individual’s existing pay, recent salary history, competing job offer, higher or unique qualifications or special needs of the VA.
Setting Steps

- It is the role of the Hybrid Title 38 Standards Board to recommend both the grade and the step on appointment and on promotion.
- Selecting official may request higher step but must provide justification.
- Setting step on promotion:
  - Step 1: Move up two steps in current grade on pay table.
  - Step 2: Match salary in new grade to closest salary at or above salary in step one.
Confused? Queasy? Questions?