

# 5 USC 7106 (b)(1) Pilot Memorandum Of Understanding

## Section 1 – Preamble

- A. This Memorandum of Understanding (MOU) is entered into between the Department of Veterans Affairs (Department), Veterans Benefits Administration (VBA) the American Federation of Government Employee's National VA Council (AFGE) and the National Federation of Federal Employee's Council of Consolidated Locals (NFFE).
- B. In response to [Executive Order 13522](#) and pursuant to [5 USC 7106\(b\)\(1\)](#), the parties to this MOU volunteered to participate in a pilot program to negotiate means, methods and technology, specifically for developing and implementing a Skills Certification Program for Vocational Rehabilitation Counselors (VRC) and Counseling Psychologists (CP) within VBA. The parties enter into this MOU with the intent to improve delivery of services to Veterans and the public, identify knowledge gaps and to assist in the continued development of world class training to address and mitigate these gaps and to better standardize the delivery and quality of services to Veterans, improve quality and effectiveness of VBA, while managing costs and advancing employee interests.
- C. This MOU is not precedent setting.
- D. The content of this MOU is to be consistent with Federal law, government-wide regulations, controlling collective bargaining agreements and VA policy.

## Section 2 – General

- A. The VA acknowledges that the VA Skills Certification Test (Test) is an internal professional-level examination, and does not replace or lessen the importance of the national Certified Rehabilitation Counselor (CRC) and other related professional credentials. The VBA, and specifically the VA Vocational Rehabilitation and Employment Service (VR&E), acknowledges the professional status of the VRC and CP position.
- B. The Test measures the possession of technical and procedural knowledge along with situational judgment associated with the journey-level counselor position. Since the Test is not designed to measure employee performance, the Test will not impact an employee's performance appraisal or promotion potential.
- C. The results of the Test will provide data that is used by the Department to identify knowledge gaps and to assist in the continued development of world-class



training to address and mitigate these gaps and to better standardize the delivery and quality of services to Veterans and the public.

- D. The Parties agree that the Test will be updated to reflect changes to the counselor position and/or guidance associated with the delivery of Chapter 31 services.
- E. The Parties agree that future Item Writing Workshops and Cut Score Workshops will be necessary to refresh the content of the Test.

### **Section 3 – Test Participants**

All GS-11 VRCs eligible for promotion within six months and current GS-12 VRCs/CPs are required to take the Test. When scheduled, employees are required to take the Test until certification is achieved.

### **Section 4 – Test Administration**

- A. The Test will be offered two times per year, to the extent practicable.
- B. The schedule for the Test and any changes to the schedule will be posted on the VBA intranet.
- C. Normally, employees selected to take the Test will be provided notification at least 30 calendar days before the Test administration date.
- D. All employees required to sit for the Test will be notified sufficiently in advance of their right to request reasonable accommodations; for example, additional time, alternate test site, and lighting, etc. Normally, notification to the employee will be within 30 calendar days. The Department will coordinate the requested accommodations as needed.
- E. Prior to taking the Test, VRCs and CPs will be provided with an instructor-led preparation session to orient them to the test environment and assist them with setting up their computers.
- F. The Situational Judgment section is one hour of test time and the Technical Knowledge section is three hours of test time. The Test administrators will use additional preparatory time to start and run the Test.
- G. The location of the Test site will be designated by the Department.
- H. Consistent with the Federal Travel Regulations, employee travel and per diem to and from Test locations will be funded by the Department.

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- I. Normally, the local Union will be provided notification at least 30 calendar days before the Test Administration date. In the event the 30 calendar day notice is not provided to the Union, the Department will explain in writing why the 30 calendar day notice was not provided. In the event the 30 calendar day notice is not provided, the results of the test will not be invalidated.
- J. Upon request, local Unions may appoint an observer to be present during Test administration. The Union will make every effort to use an observer from the geographic area of concern. Consistent with the Federal Travel Regulations, observer travel and per diem to and from Test locations will be funded by the Department.
- K. The testing environment will be quiet and free of distractions. The Department will make reasonable attempts to display signage regarding testing in progress.
- L. Employees who have been using two monitors for their work will have two monitors for the testing, when they are available in the testing environment nationwide.
- M. The requirements for passing the Test will be determined following each Cut Score Workshop.

### **Section 5 – Certification**

- A. A notification letter will be provided to the employee indicating whether they passed or failed the Test. A certificate will be provided to employees who pass the Test.
- B. Employees that pass the Test will receive the designation of a Certified Veterans Rehabilitation Counselor (CVRC).
- C. The CVRC certification will be submitted for entry into the employee's eOPF.

### **Section 6 – Pre-test Training**

- A. The Department will provide training sufficient for employees to participate in the certification program.
- B. The Department will continue to make available practice Tests and sample Test questions and answers to all eligible employees for a minimum of three hours of duty time. The Department will continue to require Core Technical training for all VRCs and CPs.

110

- C. A continual cross-walk of VR&E training will be conducted to ensure adequate alignment with the Test.

### **Section 7 – Post-Test Activities**

- A. Detailed Test results will go to the employee and VR&E Officer. The detailed report will identify knowledge areas in which improvement is needed and will direct the employee to applicable references for self-study. Feedback will be grounded in applicable statutes, regulations, and procedures. The feedback on Test results will be as extensive as possible without compromising Test integrity.
- B. Employees are required to discuss Test results with their supervisor. The Test results will be incorporated into an individualized training plan. The supervisor and employee will identify training available to gain knowledge in deficit areas, to remediate knowledge gaps and allow sufficient time for employees to complete the training.
- C. VR&E Service will receive the contractor's report regarding pass rate, statistical data, etc. by specific location.
- D. Upon request, HR will provide the local Union with the contractor's report regarding pass rate, statistical data, etc. by specific location.

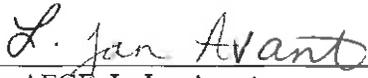
### **Section 8 - Test Maintenance**

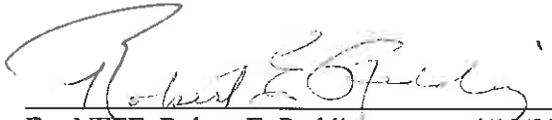
- A. The Department is responsible for the maintenance and development of the Test, to include a minimum of two Item Writing Workshops, two Cut Score Workshops and one follow-up Design Team meeting annually, to discuss work performance, test measurement, metrics of the test, and review of Test design. The Design Team will normally consist of two representatives from each of the three Parties. Additional Design Team members will be by mutual agreement. In collaboration with the contractor, the Design Team will determine the appropriate dates for meetings.
- B. Five representatives from each Union and the Department will meet for the Item Writing Workshops. Each party is strongly encouraged to send subject matter experts qualified to develop test questions. The Department is responsible for providing the travel and per diem of those attending the workshops.
- C. Counselor subject matter experts serving on the B1 workgroup shall receive certification equivalent to those who have taken and passed the Test.



**Section 9 – Distribution of MOU**

The appropriate Department official shall provide the local Union President a copy of this MOU upon receipt.

  
For AFGE, L. Jan Avant 4/13/2012

  
For NFFE, Robert E. Redding 4/13/2012

 4/13/12  
For VA, Mark Emilio Frassinelli 4/13/2012

