

STAFFING

1. **REASON FOR ISSUE:** To revise policy to include requirements for pre-employment reference checks in the hiring process.
2. **SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory procedures on staffing. The revised policy in VA Handbook 5005, Part I, Recruitment/General Employment, Chapter 3, Section A, Application Forms to include requirements for pre-employment reference checks in the hiring process. This policy will be incorporated into the electronic version of VA Handbook 5005, Staffing, which is maintained on the [Office of the Chief Human Capital Officer website](#) and [VA Publications website](#). Significant changes include:
 - a. Establishes requirements that hiring officials must conduct pre-employment reference checks prior to Human Resources staff extending a tentative offer of employment to internal and external candidates.
 - b. Establishes the process for exceptions to this policy.
3. **RESPONSIBLE OFFICE:** Human Resources and Administration/Operations, Security and Preparedness (006), Office of the Chief Human Capital Officer (05), Recruitment and Placement Policy Service (059).
4. **RELATED DIRECTIVE:** VA Directive 5005, Staffing.
5. **RESCISSION:** None.

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

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STAFFING

PART I. RECRUITMENT/GENERAL EMPLOYMENT

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- (5) **[Office of Personnel Management Optional and Standard Application Forms.** The Standard Form 171 and 171A, Application for Federal Employment, or Optional Form 612, Optional Application for Federal Employment are obsolete and not required for USA Staffing recruitments.] In USA Staffing, a résumé is preferred. Applicants for USA Staffing recruitments apply online or fax their applications to the USA Staffing Processing Center. However, [servicing HR offices may provide] exceptions for applicants with disabilities and applicants for title 38 and hybrid title 38 vacancies, when applying outside the system.
- b. **Application Review.** The HR Officer or designee will thoroughly review each employment application [package] to assure that [all required documents are submitted], questions are answered, [signatures are complete], and that additional information is provided where required. Applicants [must] account for, [and document] any gaps in their work history. [Applicants must document this information in] the employment application [package], along with reference checks and other information obtained in the credentialing process, [for consideration] in the selection process. [HR staff cannot process incomplete applications and must notify applicants that they will not be considered for employment in such instances. HR staff will review application [packages] for compliance with administrative and regulatory requirements and provide notice to applicants who do not meet appointment requirements.

3. [Pre-Employment Reference Checks.

- a. **General.** Pre-employment reference checks are an assessment method used in the hiring and selection process to verify the information provided by an internal or external candidate (generally on a résumé/application and during an interview); gain additional knowledge regarding a candidate's abilities; and assist a hiring official with making a final selection for a position. Servicing HR offices and hiring officials demonstrate compliance with this policy by using the VA application and onboarding system of record, USA Staffing.
- b. **Applicability.** Pre-employment reference checks are applicable to all positions in VA to include all competitive and excepted service positions appointed under title 5 in grades GS-01 through GS-15 (wage grade or equivalent) and hybrid title 38 and full title 38 excepted service positions appointed under [38 U.S.C. Chapter 74](#).
- c. **Exceptions.** The following are exceptions and do not require pre-employment reference checks:
- (1) Internal candidates who are members of a hiring official's work unit. A work unit is a group of employees organizationally aligned under a hiring official (that is, line official or supervisor).

- (2) Positions and candidates for positions that have an approved exception from this policy in subparagraph g of this paragraph.
- d. **Conducting Reference Checks.** A hiring official, or an appropriate designee, must conduct reference checks prior to HR staff extending the tentative offer of employment. At a minimum, reference checks must include contacting at least two appropriate references (current/former supervisors or approved alternatives described in subparagraph e of this section) for all placement actions. If available, references from current or former supervisors are required. Current or former supervisors have observed a candidate's work products, performance, aptitude, conduct, and so forth. Prior to contacting a supervisory reference, a hiring official must comply with the following:
- (1) In cases where a candidate has not provided oral or written consent (or similar documentation) and the hiring official is aware of a candidate's current or former supervisors, the hiring official must obtain consent from a candidate prior to contacting these references. The hiring official must validate (orally and/or in writing) a candidate's consent/permission to contact a reference. If a candidate does not grant permission to contact the reference, and a hiring official has obtained required, acceptable reference checks (see subparagraphs d and e), no further action is required toward securing reference checks from current or former supervisors to extend a tentative offer.

NOTE: Permission/release of information is not required to obtain references on internal candidates or internal selectees. All current, internal candidates/selectees are presumed to have an OF-306, Declaration for Federal Employment, located in their electronic Official Personnel Folder which satisfies permission requirements. (See the Office of Personnel Management [Operating Manual, The Guide to Personnel Recordkeeping](#)).

- (2) While conducting reference checks, it is possible to receive an unsolicited reference check. If this occurs, a hiring official must obtain permission from the candidate and then request the source of the unsolicited reference check provide the information in writing and in good faith for it to be considered. If the reference check is negative or questionable, the hiring official must alert the appropriate servicing HR office or legal counsel as outlined in subparagraph f(1)(g) below for further consultation.

NOTE: In cases where a current/former supervisor or employer requests a release of information prior to providing a reference, a hiring official must provide the release of information signed by the candidate to that supervisor or employer if they have obtained consent from the candidate. Under no circumstance will the hiring official or servicing HR office provide the OF-306 form as the release of information.

- (3) If a candidate's résumé/application indicate they granted permission to contact the references listed, no further action is necessary, and a hiring official may proceed with conducting reference checks.
 - (4) If a candidate's résumé/application indicates they did not grant permission or do not specify whether a potential reference may be contacted, a hiring official must contact a candidate to obtain their permission prior to conducting reference checks, and advise that failure to obtain references may impact the selection process. The hiring official may obtain this information either in writing (memo or email), or orally (for example, during the interview). If obtained orally, the hiring official must document the permission via report of contact and include it in the recruitment case file.
 - (5) If a candidate does not grant permission to conduct reference checks with current/former supervisors or a hiring official is unable to reach two supervisory references, and the candidate is unable to provide any alternative references as described in paragraph e below, a hiring official must document and communicate the lack of acceptable references to the HR staff. A hiring official must consider the lack of acceptable references as a factor during the selection process if they were unable to verify work products, performance, aptitude, conduct, and so forth. A hiring official must cease selection consideration of that candidate.
 - (6) A candidate may request to delay the reference check for their current supervisor. In this case, the hiring official can request an alternative reference (see subparagraph e) for the HR staff to proceed with the tentative offer. When the current supervisor is not contacted for a reference check prior to the tentative offer, the hiring official must notify the candidate and conduct this supervisory reference check prior to HR staff extending a final offer of employment. The hiring official must submit this reference check to the HR staff for inclusion in the recruitment case file.
- e. **Appropriate Alternatives to Supervisory References or Additional References.** If two supervisory references are not available, or if a hiring official desires additional perspectives, they may ask the candidate for alternate or additional references. References should come from professional sources, such as co-workers, professors, or other individuals, who have directly observed the candidate's work products, performance, aptitude, conduct, etc. Acceptable alternatives to supervisory references or additional references are as follows:
- (1) If it is not possible for a hiring official to obtain at least two supervisory references, per paragraph d above, a hiring official may substitute one co-worker or another employment-based source who was able to directly observe the candidate and can provide information about the candidate's professional work products, performance, aptitude, conduct, and so forth.

- (2) A hiring official may substitute academic sources, such as professors, teachers or instructors, as supervisory references for a candidate who has only academic history and/or limited or no employment history.
 - (3) A hiring official may substitute using personal references such as friends, relatives, and so forth as a last resort, and only if the candidate has no employment or academic references available. The personal references should be able to attest to a candidate's work skills (for example, general and technical) and their work habits, including the behaviors needed for the position.
- f. **Reference Check Documentation.** A hiring official does not have to use a specific form or format when conducting reference checks, if as long as it provides an additional assessment of the candidate's past work product, performance, aptitude, conduct, competencies, and general or technical skills and behaviors.
- (1) When conducting the reference check, a hiring official must consider the following:
 - (a) Describe the position and duties that the candidate will perform to the reference.
 - (b) Ask the same questions of all references for all candidates under consideration.
 - (c) Verify information from the candidate's résumé and interview, as appropriate.
 - (d) Clarify any conflicting information received from references with the candidate.
 - (e) Avoid asking questions or validating criteria that may reveal protected personal information or are illegal, discriminatory, and/or biased in nature.
 - (f) Evaluate all information obtained from references and consider that information in the selection process.
 - (g) Consult with HR staff or the appropriate legal counsel, if a negative or questionable reference is provided on a candidate prior to proceeding with selection of the candidate.
 - (2) HR staff are responsible for ensuring reference check documentation is accurate and appropriately uploaded into the recruitment case file on those selectees requiring a reference check. HR staff must ensure reference

check documents are uploaded into USA Staffing and retain them in the recruitment case file. Hiring officials must submit the following on those selectees requiring a reference check to the servicing HR office that includes:

- (a) Written documentation confirming completed reference checks to HR staff along with the name(s) of the selected candidate(s).
 - (b) All completed reference check documentation to HR staff, including documentation for selected and non-selected candidates. **NOTE:** This means that a hiring official must submit documentation for non-selected candidates that received a reference check, but were not eventually selected to the servicing HR office.
- g. **Exception.** Pre-employment reference checks are required; however, the Office of the Chief Human Capital Officer (05) may approve exceptions to the requirements of this policy on a case-by-case basis. Requests for exceptions must be reasonable and demonstrate compliance with the intent of this policy. Administration Heads, Assistant Secretaries, Other Key Officials, and Deputy Assistant Secretaries or their designees must submit exception requests for approval by the Chief Human Capital Officer (05) through the Director, Recruitment and Placement Policy Service (059).]