

BUSINESS OPERATING PROCEDURE

BOP 310.1

Approved: 10-15-18

Expires: 10-15-21

**FEDERAL AND SUPPORT WORKFORCE
SELECTION PROCESS**



**NATIONAL NUCLEAR SECURITY ADMINISTRATION
Management and Budget**

CONTROLLED DOCUMENT

OFFICE OF PRIMARY INTEREST (OPI):

AVAILABLE ONLINE AT:

Management and Budget

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FEDERAL AND SUPPORT WORKFORCE SELECTION PROCESS

1. PURPOSE. This document describes the options available to National Nuclear Security Administration (NNSA) supervisors to fulfill work requirements and includes a step-by-step process for selecting the most appropriate option and funding source.
2. AUTHORITY. This Business Operating Procedure (BOP) is written under the Administrator's authority to set policy under Section 3212(d) of the *National Nuclear Security Administration (NNSA) Act*. The Associate Administrator for Management and Budget is authorized by NNSA Supplemental Directive 251.1A, *Directives Management*, to issue and sign this BOP.
3. CANCELLATION. BOP 02.08, *Workforce Decision Process*, dated 6-6-17.
4. APPLICABILITY.
 - a. Federal. This applies to all NNSA federal elements.
 - b. Contractors. Does not apply to contractors.
 - c. Equivalency. In accordance with the responsibilities and authorities assigned by Executive Order 12344, codified at 50 United States Code sections 2406 and 2511, and to ensure consistency throughout the joint Navy/Department of Energy (DOE) Naval Nuclear Propulsion Program, the Deputy Administrator for Naval Reactors (Director) will implement and oversee requirements and practices pertaining to this Directive for activities under the Director's cognizance, as deemed appropriate.
5. SUMMARY OF CHANGES. BOP number changed to match new numbering system. Administrative changes to remove the word *staffing*. Added Requirement 7.d. to contact the Office of Acquisition Management (NA-APM-10) to procure services from a support service contractor (SSC). Removed statutory language and left references to laws and regulations. Reordered Responsibilities.
6. BACKGROUND. Numerous options are available to supervisors who need additional support to fulfill new, increased, or changed work requirements. Options include hiring full- or part-time federal employees (permanent or time-limited) through excepted service or competitive service, hiring from temporary programs, or procuring the services of SSCs. Hiring flexibilities include Pathways, recent graduates, or Presidential Management (PM) Fellow positions; NNSA Graduate Fellowship Program (NGFP); legal interns and externs; NGFP Graduates; Minority Educational Institution Student Partnership Program (MEISPP) interns; Minority Serving Institution Partnership Program (MSIPP) interns; and employees participating in NNSA-sponsored rotation programs. Contractor options include using management and operating (M&O) contractor employees as detailees, or procuring services from a support service contractor. *Intergovernmental Personnel Act* (IPA) assignments may also be considered for providing technical expertise on a short-term basis.

The type of funding available for each option is a major consideration: Program funds or Federal Salaries and Expenses (FSE)/Program Direction funds are governed by law and can only be used to fund specific types of positions.

This BOP describes a process to help supervisors navigate the options and funding decisions to be made when selecting the best solution to address changing work requirements and the organization's needs.

7. REQUIREMENTS.

- a. The *Federal and Support Workforce Selection Process* in Appendix 1 must be used to determine the best option to fill a needed position or complete a type of work.
- b. A Human Resources (NA-MB-10) representative must be contacted to begin the hiring process when the organization decides to hire a federal employee (including a Pathways position), and to determine if the position will be filled using competitive or excepted service.
- c. A Learning and Career Management (NA-MB-40) representative must be contacted to begin the process when the organization decides to use one of the following options:
 - (1) MSIPP intern,
 - (2) MEISPP intern, or
 - (3) NGFP fellow.
- d. An Office of Acquisition Management (NA-APM-10) representative must be contacted to begin the procurement process to obtain services from a support service contractor.
- e. FSE/Program Direction funding must be used for federal staff and to procure management and professional services from a support service contractor. This list may not be inclusive of all types of available workforce or support options.
- f. Program funding must be used to fund detail assignments involving M&O employees, MSIPP interns, and MEISSP interns. This list may not be inclusive of all available workforce or support options that may be funded by Program funding.
- g. Appendix 2 *NNSA Selection Justification Form* must be submitted to Management and Budget's Planning, Programming, Budget and Evaluation (NA-MB-50) for directions and approval on funding for all options.

- h. The requirements specified in NNSA Policy (NAP)-31, *NNSA M&O Off-Site Extended Duty Assignments*, or subsequent applicable policy, must be followed when a program office decides to request that an M&O employee be detailed to the program.
- i. When using the authority provided by the *Intergovernmental Personnel Act* to temporarily transfer personnel to NNSA from a state or local government, institution of higher education, Native American tribal government, or other eligible non-federal organization (including federally funded research and development centers), the requirements specified in DOE M 321.1-1, or subsequent applicable policy, must be followed.

8. RESPONSIBILITIES.

a. Hiring Manager.

- (1) Uses the process flowchart in Appendix 1 *Federal and Support Workforce Selection Process* to determine the best option for fulfilling workforce requirements.
- (2) Completes Appendix 2 *NNSA Selection Justification Form* for all actions.
- (3) Coordinates with Human Resources (NA-MB-10) for federal, IPA, Pathways position(s), or detail assignments involving DOE employees or employees from other federal agencies.
- (4) Contacts their NA-MB-10 representative for dual incumbency of an FTE for succession planning.
- (5) Coordinates with Learning and Career Management (NA-MB-40) for MSIPP interns, MEISPP interns, NGFP fellows, and NNSA-sponsored rotation programs.
- (6) Coordinates with NA-APM-10 on the procurement of services from a support service contractor and detailees from M&O contractors.
- (7) Obtains approval from budget official for procurement of services from a support service contractor.

b. Hiring Approval Official (An Organization's Pay Pool Manager). Confirms the workforce decision process was properly executed prior to initiating the recommended option. The Hiring Approval Official reviews and signs Appendix 2 *NNSA Decision Selection Form*.

c. Associate/Deputy Administrators/Field Office Managers/Chief Counsels/Direct Reports to the Administrator.

- (1) Manage the staffing allocation on a fiscal year basis, unless otherwise approved to exceed their allocation.
 - (2) Determine how to distribute federal staff allocation among subordinate organizational levels.
- d. Office of Acquisition Management (NA-APM-10).
- (1) Works with NNSA organizations to implement the process to procure services from a support service contractor.
 - (2) Establishes and maintains NNSA policies on M&O contractor Off-Site Extended Duty Assignments.
 - (3) Reviews all Procurement Request packages for completed *NNSA Selection Justification Form*, Appendix 2.
- e. General Counsel (NA-GC).
- (1) Reviews IPA packages (to the extent provided for under DOE M 321.1-1, or subsequent applicable policy).
 - (2) Reviews M&O detail packages for conflicts of interest.
- f. Human Resources (NA-MB-10). Implements the hiring or onboarding process for federal, IPA, Pathways position(s), legal interns, legal externs, or detailees from DOE or other federal agencies.
- g. Learning and Career Management (NA-MB-40). Manages the NGFP, MSIPP (including MEISPP) internships, and NNSA-sponsored rotations programs.
- h. Planning, Programming, Budget, and Evaluation (NA-MB-50). Verifies there are sufficient funds for a hiring action.
- i. Program Offices. Initiate M&O contractor detail process in accordance with NAP 31 or subsequent applicable policy.
- j. Field Office Administrative Contracting Officer. Ensures M&O contractor Off-Site Extended Duty Assignments are conducted in accordance with NAP 31 or subsequent applicable policy.
9. DEFINITIONS. Appendix 3.
10. REFERENCES. Appendix 4.

11. CONTACT.

- a. For federal hiring and IPA assignments contact Human Resources, NA-MB-10, 505-845-5474.
- b. To procure services from a support service contractor or to discuss M&O Off-Site Extended Duty Assignments, contact the Director of Acquisition Management, NA-APM-10, 202-287-5860.

BY ORDER OF THE ADMINISTRATOR:



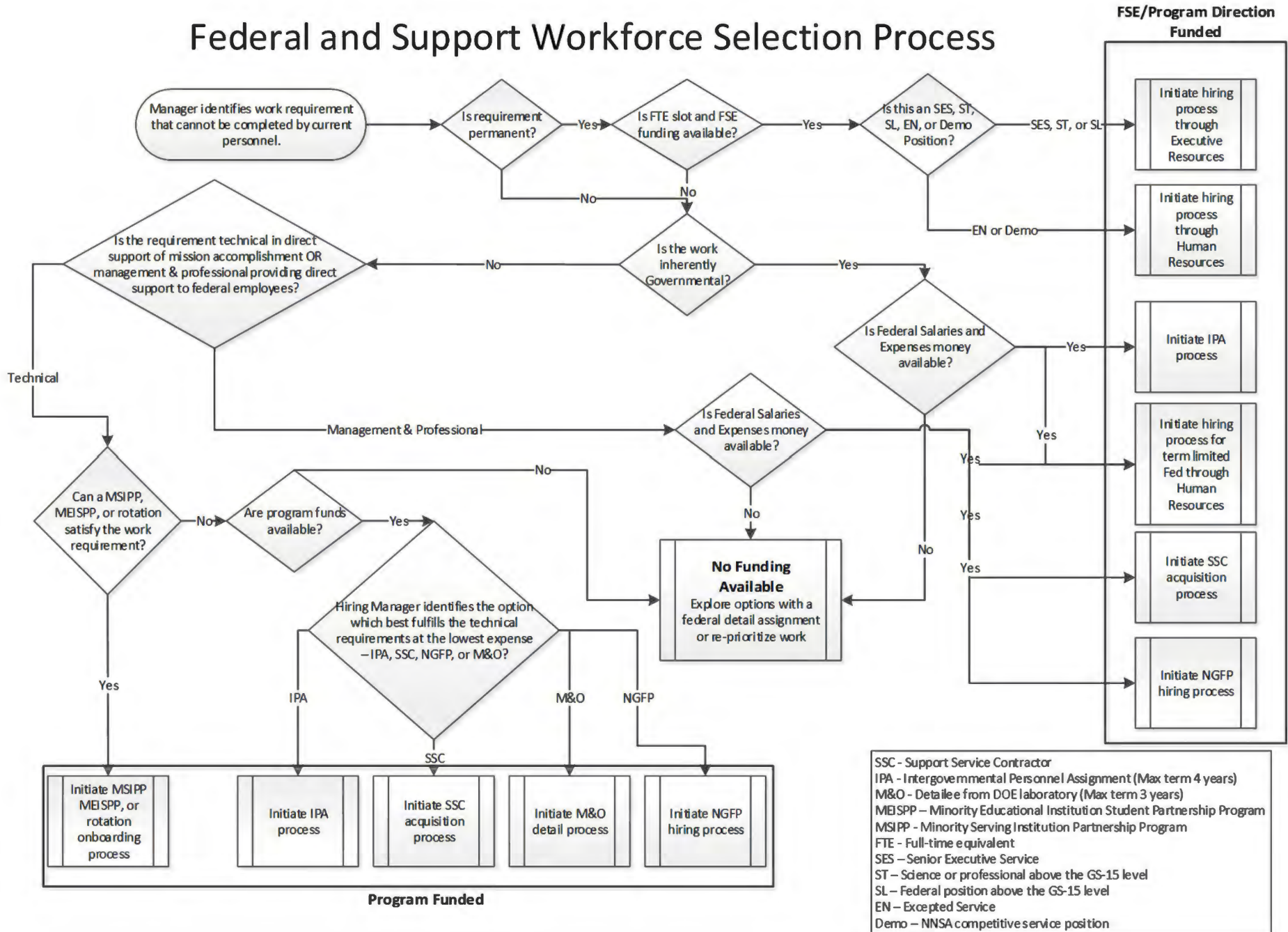
Steven C. Erhart
Acting Associate Administrator
for Management and Budget

Appendixes:

1. Federal and Support Workforce Selection Process Flowchart
2. NNSA Selection Justification Form
3. Definitions
4. References

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Federal and Support Workforce Selection Process



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**NATIONAL NUCLEAR SECURITY ADMINISTRATION (NNSA)
SELECTION JUSTIFICATION**

HIRING MANAGER TO COMPLETE THE FOLLOWING SECTIONS AND SEND TO THEIR HIRING APPROVAL OFFICIAL FOR APPROVAL.

SECTION 1 – GENERAL INFORMATION

Hiring Manager (Printed/Typed Name) Telephone Number: _____

Routing Symbol: _____

SECTION 2 – DECISION JUSTIFICATION

New Hire Backfill

Funding Type: Program Federal Salaries and Expenses/Program Direction N/A

Is the Work Inherently Governmental? Yes No

Is the support Technical or Management and Professional

Justification: _____

Scope of Work: _____

Option Selected: _____

Proposed Start Date: _____

SECTION 3 – CERTIFICATION AND APPROVAL

I certify that the process in Appendix 1 of BOP 310.1 was used to make my decision where appropriate.

Hiring Manager (Printed/Typed Name) X _____
Signature Date

Budget Official (Printed/Typed Name) X _____
Signature Date

(Support Service Contractor Only)

Approve: _____ Disapprove: _____
Hiring Approval Official (Signature) Date

Hiring Approval Official (Printed/Typed Name) _____

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APPENDIX 3: DEFINITIONS

- a. Federal Salaries and Expenses (FSE). This is a general operating appropriation for administrative expenses. This funding is used for a federal employee or for procuring services from a support contractor. (In Naval Reactors and the Office of Secure Transportation this is called Program Direction).
- b. Inherently Governmental. An inherently Governmental activity is one that is so intimately related to the exercise of the public interest as to mandate performance by federal employees. The Office of Federal Procurement Policy (OFPP) Policy Letter 92-1, dated September 23, 1992 (Federal Register, September 30, 1992, page 45096), provides guidance on the identification of inherently Governmental activities.
- c. Legal Extern. A student selected by General Counsel to work during the semester for credit. This position is unpaid.
- d. Legal Intern. A student selected by General Counsel to work during the summer as a paid intern.
- e. Management and Professional Support Service Contracts. Contractual services that provide assistance, advice or training for the efficient and effective management and operation of organizations, activities (including management and support services for R&D activities), or systems. These services are normally closely related to the basic responsibilities and mission of the agency originating the requirement for the acquisition of services by contract. Included are efforts that support or contribute to improved organization of program management, logistics management, project monitoring and reporting, data collection, budgeting, accounting, performance auditing, and administrative technical support for conferences and training programs.
- f. Minority Educational Institution Student Partnership Program (MEISPP). A student pursuing a degree in scientific research, policy, business, or government relations. The intern goes to headquarters, a field office, or national laboratory for 8 to 10 weeks in the program. They receive lodging, airfare, and stipends.
- g. Minority Serving Institution Partnership Program (MSIPP) Intern. A student pursuing a degree in science, technology, engineering, and mathematics that attends a minority serving institution that NNSA supports via a federal grant. The intern goes to headquarters, a field office, or national laboratory for 10 weeks where all of their expenses are paid by the school using funding provided through the grant.
- h. NNSA Graduate Fellowship Program (NGFP). A fellowship program that develops the next generation of nuclear security, nonproliferation policy, and technical leaders.
- i. NNSA Organization. NNSA organizations consist of headquarters program offices and field offices that report directly to the Office of the Administrator.
- j. NNSA Hiring Approval Official. This is the organization's pay pool manager.

- k. Pathways Career Program. Innovative employment program targeting students and recent college graduates.
- l. Program Direction Funds. This is a general operating appropriation for administrative expenses. This funding is used for a federal employee or for procuring services from a support service contractor. (In NNSA headquarters this is called Federal Salaries and Expenses).
- m. Program Funds. Program Funds are appropriations provided for expenses in support of a specific action or function authorized by law. Expenditures in this category must bear a logical relationship, must make a direct contribution to carrying out the authorized function, and must not be otherwise provided for.
- n. Rotation Program. NNSA sponsors a variety of rotation programs to include agency-wide programs, Presidential Management Council interagency rotation programs, programs authorized under Section 3118 of the Fiscal Year 2018 *National Defense Authorization Act*, and the American Association for the Advancement of Science.
- o. Technical Support Service Contracts. Contractual services used to support the program office during the acquisition cycle by providing such services as systems engineering and technical direction to ensure the effective operation and maintenance of a weapon system or major system as defined in OMB Circular No. A-109. Contractual services may also be used to provide direct support of a weapon system that is essential to research, development, production, operation, or maintenance of the system.

APPENDIX 4: REFERENCES

- a. Federal Acquisition Requirement (FAR) 37, Service Contracting.
- b. DOE M 321.1-1, Intergovernmental Personnel Act Assignments, dated 8-24-00.
- c. DOE Acquisition Guide, Chapter 37.1, Support Service Contracting.
- d. NAP 31, *NNSA M&O Off-Site Extended Duty Assignments*, dated 11-22-16.
- e. NAP 33, *Planning, Programming, Budgeting, and Evaluation (PPBE) Process*, dated 1-17-17