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Overview of the Pathways Programs

A Mandatory Reference for ADS Chapters 413 and 460

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Background

On May 11, 2012, the Office of Personnel Management (OPM) issued [final regulations](#) effective July 10, 2012, to implement the new Pathways Programs, which target students and recent graduates of qualifying educational institutions or programs.

This guidance summarizes key provisions of the three Pathways Programs. The Office of Human Resources will provide supervisors and managers with supplemental policies and procedures for implementation of these Programs in the future. Supplemental USAID policies/procedures will be developed and incorporated in ADS 413, Civil Service Appointments, ADS 469, Civil Service Personnel Recruitment, and ADS 460, Presidential Management Fellows Program.

The regulations implement [Executive Order 13562](#), entitled “Recruiting and Hiring Students and Recent Graduates”, signed by President Obama on December 27, 2010. The purpose of the order was to address the Federal Government’s disadvantage in competing with private sector employers for students and recent graduates.

The regulations accomplish the following:

- Make Federal internship opportunities more transparent;
- Limit the Pathways Programs so that they are used as a supplement to competitive hiring procedures, and not a substitute for them;
- Apply veterans’ preference; and
- Provide for OPM oversight.

The Pathways Programs consist of the following three excepted-service Programs: the Internship Program, the Recent Graduates Program, and a reinvigorated Presidential Management Fellows (PMF) Program.

1. General Provisions That Apply to All the Pathways Programs

The Pathways Programs allow agencies to evaluate students and recent graduates, who lack prior work experience in their field, through a “tryout” in the workplace. To develop talent for civil service careers, agencies must provide Program Participants mentorship, training, and developmental activities. In addition, agencies must provide a meaningful on-boarding process for each Pathways Program.

Participants who successfully complete the Program may be converted to a term or permanent position in the competitive service. Those Participants converted to a term position may subsequently be converted to a permanent one.

Agencies must follow the procedures of [5 CFR 302](#), including the assessment of candidates and application of veterans' preference, when filling a position under a Pathways Program.

An agency must enter into a written agreement with each Participant it employs. These agreements identify expectations, such as how the Participant will be evaluated and requirements for successful completion of the Program. The Office of Personnel Management has provided sample templates for these Participant Agreements that can be used at the Agency's discretion. They are located in the [Pathways for Students & Recent Graduates to Federal Careers: Transition and Implementation Guidance](#). In this guidance, the templates are in the following appendices: 1) Appendix B for the Internship Program, 2) Appendix C for the Recent Graduates Program, and 3) Appendix D for the Presidential Management Fellows Program.

Participants in the Pathways Programs are hired through the newly created Schedule D of the excepted service.

2. Internship Program

The Internship Program replaces and consolidates the current paid student intern programs—the Student Temporary Employment and Student Career Experience Programs.

This Program accomplishes the following:

- Targets students enrolled in a wide variety of educational institutions from high school to graduate level;
- Provides students with opportunities to explore Federal careers while being paid for work performed; and
- Provides eligibility for non-competitive conversion to a Federal career or career conditional position on successful completion of the Program.

Intern appointments can be made either on a temporary basis not to exceed 1 year or for a period of more than 1 year without an end date. If the appointment is without an end date, the end date on the Participant Agreement is the expected date by which the student will complete all educational requirements of the degree. Further, if the appointment is made on a temporary basis not to exceed 1 year, it can be extended for up to 1 additional year.

The appointments can be made at any grade level for which the individual is qualified, and the duties of the position should relate to the Intern's academic or career goals. While agencies are generally required to provide Interns with meaningful developmental work, they may judiciously hire Interns to complete temporary projects, to perform labor intensive tasks not requiring subject-matter expertise, or to work in traditional summer jobs.

The Office of Personnel Management (OPM) encourages agencies to provide mentors for Interns employed for lengthier periods of time (for example, longer than 12 weeks).

Once the Intern has successfully completed the Program and has conversion eligibility to a permanent position, an agency may convert the Intern to another career field when it does not have a permanent position related to the Intern's field of study and Intern work experience.

Intern positions will be advertised on OPM's USAJOBS web-site, with information on the position title, series, grade, geographic location, and how to apply.

While OPM acknowledges that posting information on Pathways opportunities may increase the number of applicants and thus lengthen the amount of time to fill positions, they believe that agencies will benefit from having more qualified applicants.

While OPM test requirements were waived under the Student Temporary Employment and Student Career Experience Programs, they are not waived under the new Internship Program. Therefore, agencies must use a valid and job-related assessment, which can be either the OPM assessment or other valid assessments. For more information on valid assessments, see the [Use of Validated Assessment Tools When Filling Positions in the Competitive Service Memorandum](#) issued on 3/6/2009.

3. Recent Graduates Program

This new Program targets recent graduates of vocational schools, community colleges, universities, and other qualifying institutions.

Applicants must apply within 2 years of meeting all academic requirements for the degree or certificate. Veterans, however, who were not able to apply within 2 years due to a military service obligation, must apply within 2 years of release from active duty. This window may not extend beyond 6 years from the date that the academic requirements were met.

This Program provides eligibility for non-competitive conversion to a Federal career or career conditional position, after the Participant successfully completes 1 year. If the training requirements of the position call for a longer period, the conversion can be done up to 2 years after entry into the Program.

A Recent Graduate can be appointed up to the GS-9 level for any position for which qualified. For science, technology, engineering, or mathematics (STEM) occupations, appointments can be made at the GS-11 level if the candidate possesses a PhD, or equivalent degree, that is directly related to the position. For scientific and professional research positions, appointments can be made at the GS-11 or GS-12 level if the candidate possesses a qualifying degree (i.e. master's degree for the GS-11 level or PhD for the GS-12 level) directly related to the position.

Appointments are to career ladder positions, since they must have career advancement opportunities.

Same as the Internship Program, positions for the Recent Graduates Program also must be advertised on the Office of Personnel Management's USAJOBS web-site.

Agencies participating in this Program must do the following:

- Within 90 days of appointment, ensure that each Participant is assigned a mentor outside his or her chain of command.
- Within 45 days of appointment, ensure that each Participant has an Individual Development Plan (IDP) that is approved by his or her supervisor.
- Provide at least 40 hours of formal interactive training per year. This training must advance the goals and competencies in each Participant's IDP. Mandatory annual training, such as information security and ethics training, does not count toward the 40-hour requirement.

As with the Internship Program, the Recent Graduates Program requires the use of a valid and job-related assessment. Agencies can choose to use the OPM assessment or other valid assessments.

4. Presidential Management Fellows Program

The introduction of the Pathways Programs makes several changes to the Presidential Management Fellows (PMF) Program.

When the Office of Personnel Management (OPM) announces the opportunity to apply for the PMF Program, an individual who has obtained an advanced degree within the 2-year period preceding the Program announcement may apply.

Individuals are no longer required to be nominated by their school to be considered for this Program. However, OPM revamped the PMF assessment procedures, including an interview process that was developed and validated by industrial psychologists.

While agencies may no longer extend PMF appointments for an additional year, they can still extend them for up to 120 days in rare or unusual circumstances. Further, agencies are no longer required to convert PMF Participants to permanent positions in the competitive service on successful completion of the Program. Instead, conversion to a term or permanent appointment in the competitive service is at the agencies' discretion.

The following changes have been made to the PMF developmental program:

- Agencies must approve PMFs' Individual Development Plans (IDPs) within 45 days of appointment (instead of within 90 days). While the IDP specifies activities agreed on by the Fellow and supervisor, it must be developed in consultation with the Agency PMF Coordinator or the Fellow's mentor.

- Rather than “formal classroom training,” Fellows must have 80 hours of “formal interactive training.” This change provides agencies with more flexibility, since unconventional methods of training, such as conferences and on-line training, can be used to meet the requirement. However, mandatory annual training, such as information security and ethics training, does not count. Further, the training must address the competencies outlined in the IDP.
- Within 90 days of a Fellow’s appointment, agencies must assign a mentor who is a managerial employee outside the Fellow’s chain of command. To enhance a Fellow’s development, the mentor can provide advice on career decisions, such as training and developmental assignments.
- Agencies must still provide at least one developmental assignment, of 4 to 6 months in duration, with management or technical responsibilities consistent with the Fellow’s IDP. Also, the developmental assignment may be in the Fellow’s organization, in another Agency component, or in another Federal agency. As an alternative to the developmental assignment, the Fellow may choose to participate in an agency-wide, Presidential, or Administration initiative. If such participation is used, it must offer experience comparable to what would have been gained in the developmental assignment.
- Fellows can still have other rotational assignments of 1 to 6 months in duration, at the Agency’s discretion.
- At OPM’s request, agencies must make Fellows available to assist in the assessment process of other PMF classes. Any interactive training provided in this experience may count towards the 80 hours of formal interactive training that is required.

The Senior Fellows component of the PMF Program is eliminated.

5. Office of Personnel Management (OPM) Oversight Through the Pathways Memorandum of Understanding

The Pathways Programs are a supplement to competitive hiring procedures—not a substitute for them. Since the Pathways Programs are limited in nature, OPM will closely oversee their use.

One method OPM uses to oversee the Pathways Programs is the Pathways Memorandum of Understanding (“Pathways MOU”) between the Agency and OPM.

Agencies cannot appoint individuals through the Pathways Programs, unless they have entered into the MOU. This MOU must be re-executed every two years. Further, OPM can revoke an MOU when the Agency’s practices are inconsistent with the Executive order, regulation, or the MOU. If it is revoked, the Agency could not use the Pathways Programs.

The MOU describes how the Agency will use each Pathways Program. The following is some of the information that must be included:

- Identify any Agency-specific program labels that will be used.
- Identify the Agency Pathways Programs Officer (PPO), who is responsible for administering the Pathways Programs. The PPO's duties include coordinating the recruiting and on-boarding of Participants, acting as liaison with OPM for the Programs, and reporting to OPM on the Agency's implementation of the Programs.
- Describe how the Agency will design, implement and document formal training and development of Participants, including the type and duration of assignments.
- Identify the Agency PMF Coordinator, who is responsible for administering the Agency's PMF Program and serving as liaison with OPM.
- Identify the duration of the Agency's Recent Graduates Program, including criteria used to determine the need for a longer training program if it exceeds one year.

The Office of Personnel Management (OPM) has provided a template for the Pathways MOU in the [Pathways for Students & Recent Graduates to Federal Careers: Transition and Implementation Guidance](#), Appendix A. Agencies may work with OPM to include additional items that are agency-specific.

6. OPM Oversight Through Caps

Another method of OPM oversight on the Pathways Programs is their authority to impose caps. These caps can limit the number of Participants who can be converted to permanent competitive service positions and the number of appointments to the Pathways Programs.

When deciding whether to establish caps, OPM will consider the following:

- The Agency's MOU compliance.
- The Agency's use of Pathways Programs as a supplement to competitive hiring procedures, and not a substitute for them.
- The Agency's overall approach to hiring for entry-level positions. If, for example, the Pathways Programs are used to hire the majority of individuals for any entry-level position, it would be proof that the Programs are not used as a supplement to competitive hiring procedures.
- The Agency conducts sound workforce planning to ensure that there are enough permanent positions available to convert Participants.
- The Agency's record of publicizing their Pathways Programs positions and recruiting and selecting from a variety of sources.

7. OPM Oversight Through Workforce Planning

An additional OPM oversight tool is the requirement that agencies report to OPM annually on their use of the Pathways Programs.

These reports have estimates on the use of Pathways Programs in the coming year, as well as their use in the previous year. Estimates are for occupations targeted for filling positions under the Programs and the percentage of all the Agency's hiring that will be done through the Programs. For the previous year, the Agency must report on the number of individuals appointed under each Program, the percentage of all the Agency's hires made from each Program, and the number of Participants converted from each Program to permanent competitive service positions, as well as the number separated.

Further, agencies should include measures to ensure that there will be an adequate number of permanent positions available to convert Participants who successfully complete their Pathways Programs.

8. Transition to the Pathways Programs

Agencies have until January 6, 2013 to convert employees in the Student Career Experience and Student Temporary Employment Programs to the Internship Program and to transition PMFs to the new PMF Program. Also, during the transition period, agencies may make appointments under the Internship and PMF Programs, even if they have not entered into a final MOU with OPM. However, appointments under the Recent Graduates Program may not be made until an MOU is in place. Current PMFs and finalists appointed between now and January 24, 2013 will continue to be subject to the rules that were in effect when they became PMF finalists.

The Office of Personnel Management's (OPM's) [Pathways for Students & Recent Graduates to Federal Careers: Transition and Implementation Guidance](#) provides instructions on how to do the following:

- Address pending Student Temporary Employment Program (STEP), Student Career Experience Program (SCEP), or PMF recruitment actions and job offers;
- Transition current STEP, SCEP, and PMF employees into Pathways Programs; and
- Implement the Internship and PMF Programs, as well as the new Recent Graduates Program.

Anyone who would have become eligible for the Recent Graduates Program after December 27, 2010, the date that Executive Order 13562 was issued, and before July 10, 2012, the date that the final regulations take effect, has 2 years of eligibility from July 10, 2012.

OPM's [Guide to Processing Personnel Actions](#) has been updated to include guidance on documenting actions subject to the Pathways Programs regulations.

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