

116TH CONGRESS
2D SESSION

H. R. 8703

To require the Director of the Office of Personnel Management to revise job classification and qualification standards for positions within the competitive service regarding educational requirements for such positions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2020

Mr. BUDD introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To require the Director of the Office of Personnel Management to revise job classification and qualification standards for positions within the competitive service regarding educational requirements for such positions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Skills Act”.

1 **SEC. 2. REVISION OF JOB CLASSIFICATION AND QUALI-**
2 **FICATION STANDARDS.**

3 (a) IN GENERAL.—The Director of the Office of Per-
4 sonnel Management, in consultation with the Director of
5 the Office of Management and Budget, the Assistant to
6 the President for Domestic Policy, and the heads of agen-
7 cies, shall review and revise all job classification and quali-
8 fication standards for positions within the competitive
9 service, as necessary and consistent with the requirements
10 of this section. Any change to job classification and quali-
11 fication standards shall be made available to the public
12 not later than 120 days after the date of enactment of
13 this Act and go into effect not later than 180 days after
14 such date of enactment.

15 (b) EDUCATIONAL REQUIREMENT.—An agency may
16 prescribe a minimum educational requirement for employ-
17 ment in the Federal competitive service only when a min-
18 imum educational qualification is legally required to per-
19 form the duties of the position in the State or locality
20 where those duties are to be performed.

21 (c) CONSIDERATION OF EDUCATION.—Unless an
22 agency is determining a candidate's satisfaction of a le-
23 gally required minimum educational requirement, an agen-
24 cy may consider education in determining a candidate's
25 satisfaction of some other minimum qualification only if
26 the candidate's education directly reflects the com-

1 petencies necessary to satisfy that qualification and per-
2 form the duties of the position.

3 (d) POSITION LISTING.—Position descriptions and
4 job postings published by agencies for positions within the
5 competitive service should be based on the specific skills
6 and competencies required to perform those jobs.

7 **SEC. 3. IMPROVING THE USE OF ASSESSMENTS IN THE FED-**
8 **ERAL HIRING PROCESS.**

9 (a) IN GENERAL.—The Director of the Office of Per-
10 sonnel Management shall work with the heads of all agen-
11 cies to ensure that, not later than 180 days after the date
12 of enactment of this Act, for positions within the competi-
13 tive service, agencies assess candidates in a manner that
14 does not rely solely on educational attainment to deter-
15 mine the extent to which candidates possess relevant
16 knowledge, skills, competencies, and abilities. The heads
17 of all agencies shall develop or identify such assessment
18 practices.

19 (b) CONSIDERATION OF SELF-EVALUATION.—In as-
20 sessing candidates, agencies may not rely solely on can-
21 didates' self-evaluations of their stated abilities. Appli-
22 cants must clear other assessment hurdles in order to be
23 certified for consideration.

24 (c) EVALUATION.—Agencies shall continually evalu-
25 ate the effectiveness of different assessment strategies to

1 promote and protect the quality and integrity of their hir-
2 ing processes.

3 **SEC. 4. APPLICATION.**

4 (a) IN GENERAL.—Nothing in this Act shall be con-
5 strued to impair or otherwise affect—

6 (1) the authority granted by law to an executive
7 department or agency, or the head thereof; or

8 (2) the functions of the Director of the Office
9 of Management and Budget relating to budgetary,
10 administrative, or legislative proposals.

11 (b) RIGHTS OR BENEFITS.—This Act is not intended
12 to, and does not, create any right or benefit, substantive
13 or procedural, enforceable at law or in equity by any party
14 against the United States, its departments, agencies, or
15 entities, its officers, employees, or agents, or any other
16 person.

17 **SEC. 5. DEFINITIONS.**

18 In this Act—

19 (1) the term “assessment” means any valid and
20 reliable method of collecting information on an indi-
21 vidual for the purposes of making a decision about
22 qualification, hiring, placement, promotion, referral,
23 or entry into programs leading to advancement;

1 (2) the term “competitive service” has the
2 meaning given that term in section 2102 of title 5,
3 United States Code;

4 (3) the term “education” refers to Post High-
5 School Education as that term is defined in the Of-
6 fice of Personnel Management General Schedule
7 Qualification Policies; and

8 (4) the term “qualification” means the min-
9 imum requirements necessary to perform work of a
10 particular position or occupation successfully and
11 safely.

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