

FDA STAFF MANUAL GUIDES, VOLUME III - GENERAL ADMINISTRATION

PERSONNEL

EMPLOYMENT

POLICY AND PROCEDURES FOR PREEMPLOYMENT SUITABILITY  
CHECKS

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**1. PURPOSE**

The purpose of this Guide is to state FDA policy and provide guidelines for determining the suitability of potential employees. This Guide is effective upon issuance.

**2. DEFINITIONS**

The following definitions are provided for use in this Guide:

1. **Suitability.** A requirement or requirements for employment by FDA having reference to the character, reputation, and fitness of the person under consideration.
2. **Preference Inquiry.** Documented information obtained from present and former employers and/or persons knowledgeable of the applicant's suitability.
3. **Work History/Experience.** Any employment including paid, voluntary, full or part-time, irregular, temporary or permanent.
4. **Servicing Personnel Office.** The office responsible for providing day-to-day operating personnel services.

### **3. POLICY**

It is the policy of the Food and Drug Administration to maintain the high reputation of the Federal Government as an employer by recruiting and employing persons of high competence and character, and to preserve and nourish the traditional values of the Federal civil service, including integrity, continuity, nonpartisanship, and merit, which are essential to the mutual confidence that exists between the service and the public it serves. At the same time, FDA recognizes its responsibility to avoid artificial and exclusionary standards. As a progressive Federal Agency, it will fully meet its obligations to carry out employment programs designed to give the socially, economically, and educationally disadvantaged person a fair opportunity to enter and rise in Government service.

### **4. RESPONSIBILITIES**

A. Managers and selecting officials are responsible for:

1. Providing active support to the objectives of preemployment inquiries and fully complying with the intent and procedural requirements of this Guide.
2. Evaluating potential candidates without regard to race, creed, color, national origin, sex, age or other non-merit factors.

B. The Servicing Personnel Office is responsible for:

1. Assuring that the requirements of this Guide have been met before taking action on an appointment.
2. Developing and employing the procedures necessary for the implementation of preemployment reference inquiries.
3. Obtaining reference inquiries on potential employees and personnel records of former Federal employees before offer of employment.
4. Determining if derogatory information has been obtained and evaluating contents.
5. Advising the official, who has made the tentative selection, when derogatory information has been developed that the candidate does not meet the suitability tests.
6. Making offer of employment, either verbal and/or written, to candidates who meet suitability and other legal and procedural requirements.

C. FDA Staff Personnel Office is responsible for:

Approving exceptions to the reference inquiry process.

## **5. OBTAINING SUITABILITY INFORMATION**

- A. Reference inquiries will be obtained by telephone or written inquiry before an offer of employment is made to any candidate. Normally, this will be done by the Servicing Personnel Office. If, however, the employing office undertakes this responsibility, it must do so in full accordance with the requirements of this Guide and any instructions issued by the Servicing Personnel office. Inquiries are not required for a temporary appointment of 30 days or less or for appointment of a recent high school graduate without a work history.
- B. If possible, inquiry should be made of supervisors, preferably not less than three, under whom the applicant has worked during his most recent 5 years. If it is not practical to make inquiry of three such persons, others should be substituted in the approximate order of their value as references. (Questionable work histories, poor references and other negative indicators necessitate expansion of the inquiry process so that the fullest possible information is developed regarding candidates.
- C. Occasionally, a potential employee will indicate that he does not want his present supervisor contacted. It should be explained to the applicant that no offer of employment can be made until a reference, which meets the agency's suitability requirements, has been obtained from the current supervisor. To such instances, it may be desirable to postpone contact with the present supervisor until all other preemployment checks have been satisfactorily completed.
- D. Exceptions other than specifically stated in this Guide, to the full reference inquiry process must be approved by the Chief, Employee Management Staff, Division of Personnel Management, FDA or the Director, Division of Personnel Management, FDA.

## **6. DOCUMENTING SUITABILITY INFORMATION**

- A. There are several forms available for use in obtaining reference inquiries. These forms are-
  - 1. Form HEW-525, Appraisal of Performance
  - 2. Form HEW-526, Appraisal of Supervisory Potential/Performance
  - 3. Form FD-1583, Reference Evaluation

- B. A narrative reference evaluation can be obtained and may be desirable for executive level positions. However, it must contain the same type of information provided on the reference forms, in which case, the form(s) can be used as guidelines.
- C. Reference inquiries should identify the name of the applicant, the position and grade level for which the applicant is being considered, the relationship between the applicant and the evaluator, the period of time on which the evaluation is being made; and the date of the inquiry and name of the person making the inquiry.

## **7. EVALUATING SUITABILITY INFORMATION**

- A. The servicing personnel office and the selecting official will evaluate the suitability information obtained through the reference inquiry process, the SF-171, Personal Qualifications Statement, and other appropriate sources. The servicing personnel office will provide advice and guidance to the selecting official on such warning signals as job-hopping, conflicts with supervisors, periods of unaccountable unemployment, and measurable discrepancies in such areas as education and/or dates.
- B. The servicing personnel office is responsible for determining, on the basis of information obtained in accordance with this Guide and related CSC and Department instructions, that a prospective employee meets tests of suitability for FDA employment except that
  - 1. The Director of Security, DHEW, evaluates all information including that on suitability) made available to him through the required preemployment investigations as he carries out the responsibility given him to grant clearance to occupy a sensitive position.
  - 2. Advice from the Director of Security, DHEW, should be requested through the FDA Security Representative, ACPC, when questions on loyalty arise.
  - 3. The prior approval of the Secretary shall be obtained before any candidate for employment is disqualified solely on the basis of "reasonable doubt as to the loyalty to the Government of the United States.
  - 4. Prior approval of the Secretary and the CSC, must be obtained before employment of any person whose employment has been terminated by any other Department or Agency under or pursuant to any security or loyalty program.

- C. When derogatory information, other than of the nature requiring other approvals, cannot be resolved and there are indications that employment of the applicant would not meet with the standards of suitability established by the FDA, prior approval of the Director, Division of Personnel Management, FDA, is required to effect an appointment.