

Merit Hiring Rule of Many Part 3: Q&A Clinic January 2026

The Merit Hiring Plan (MHP) Learning Series

Hiring Experience (HX) Group

Workforce Policy and Innovation

U.S. Office of Personnel Management



U.S. Office of
Personnel Management

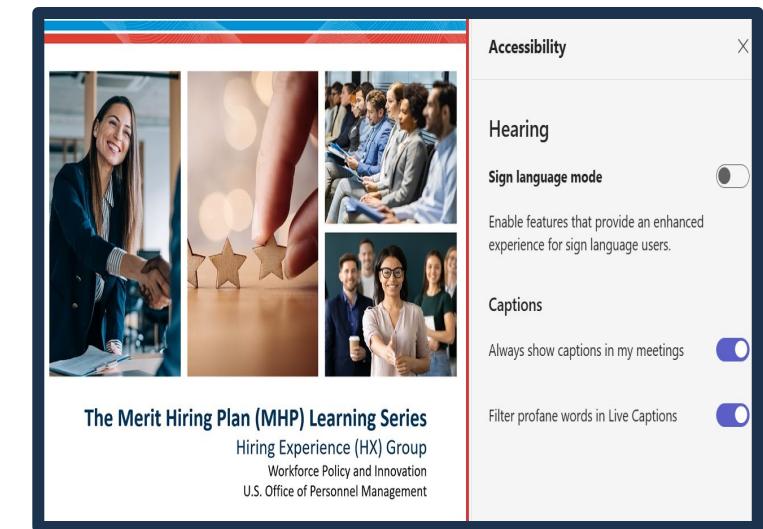
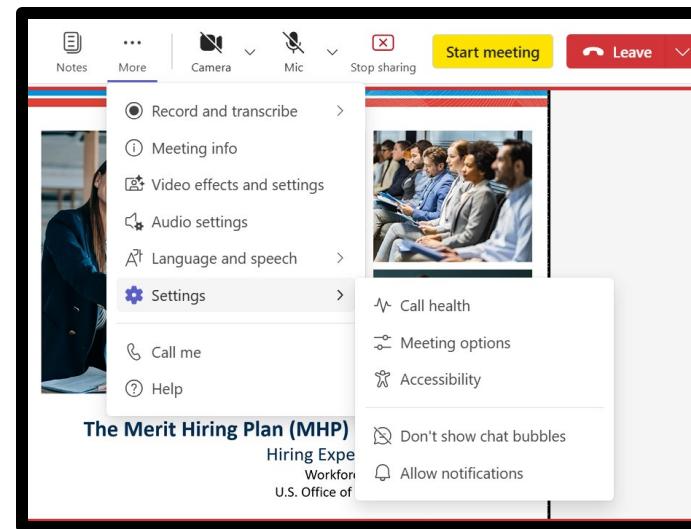
Enabling Live Captions (Closed Captioning)

A recording of this session with ASL interpreters will be posted at <https://www.opm.gov/policy-data-oversight/hiring-information/merit-hiring-plan-resources/#url=Training-Learning-Series>.

During a meeting: Go to your meeting controls (at the top of the screen) and:

1. Select "**More**"
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Housekeeping Items

- A copy of this slide presentation is/will be posted on [OPM's Merit Hiring Plan Resources](#) page.
- Ask questions in the Q&A, but please wait until a topic is covered so you're not posting a question that's already been answered.
- We'll respond to as many questions as we can; however, we cannot answer agency-specific or individual-specific questions.
- A recording of this webinar may be found on [OPM's Merit Hiring Plan Resources](#) page.

Agenda

- Overview
- USA Staffing and Rule of Many
- Curated Q&A
- Open Forum Q&A
- Wrap-up: Resources

Overview

Rule of Many

Ranking

- Applicants are ranked in numeric score order (with veterans' preference points added)
- CP/CPS veterans move to the top of the certificate (except for professional/scientific positions GS-9+).

Selection

- The selecting official considers all referred candidates
- A non-preference eligible cannot be chosen over a equal or higher-ranking preference eligible without an approved pass-over.

Three Considerations

- An eligible who has received three bona fide considerations can be removed from consideration.

Resources

- [OPM's Merit Hiring Plan Resources](#) hub for training, FAQs, and updates.
 - [Rule of Many Overview \(December 4, 2025\)](#)
 - [Rule of Many and Three Considerations \(December 11, 2025\)](#)
- [Creating a Rule of Many Certificate in USA Staffing](#)
- Monster Government Solutions Resource Page: [Rule of Many](#)

USA Staffing and Rule of Many

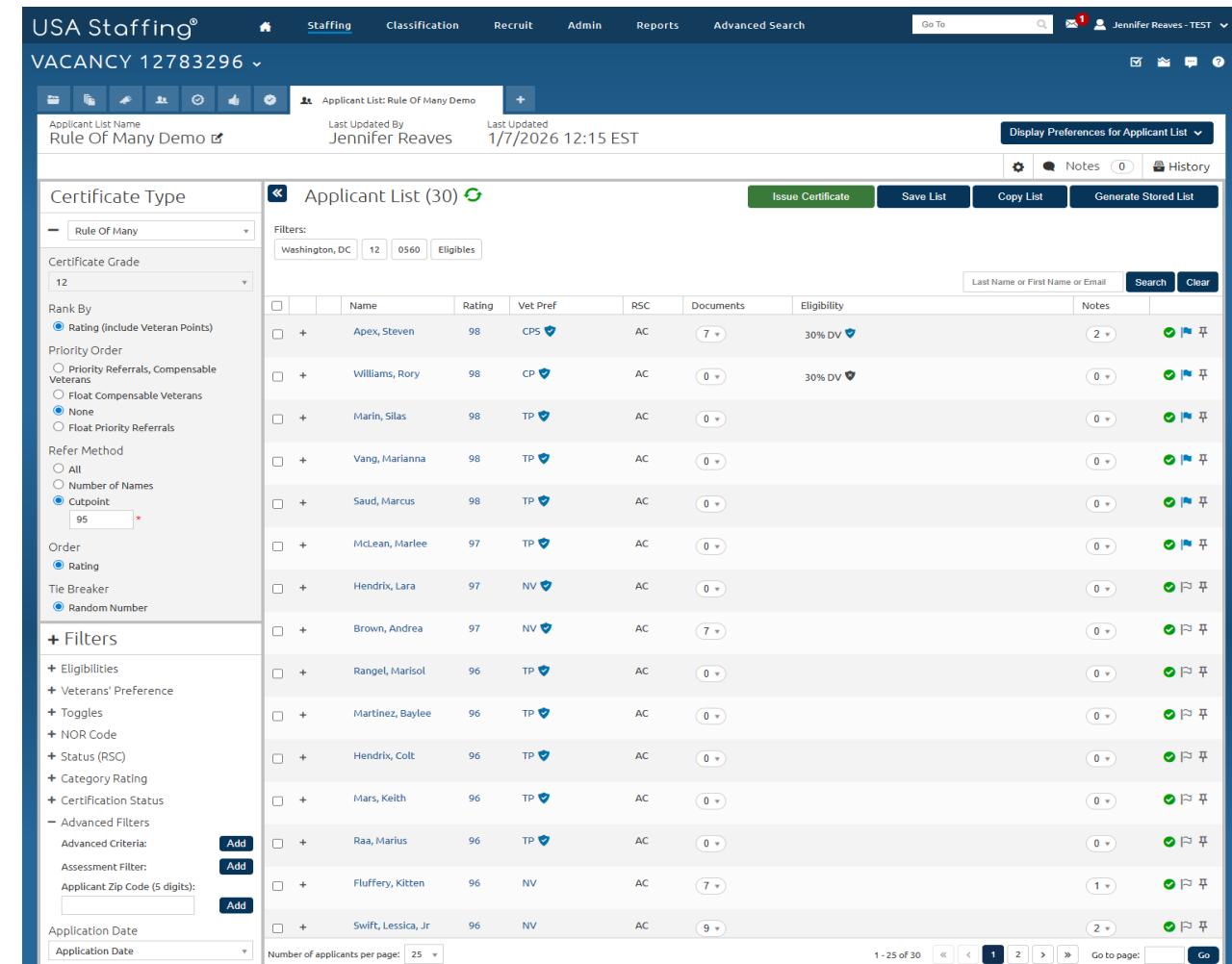
USA Staffing offers a ‘Rule of Many’ certificate type

The Rule of Many certificate type has been available in USA Staffing since November 7, 2025.

This certificate type allows you to refer applicants by **number of names** or **numeric cut score** and define the CTAP/ICTAP ‘Well Qualified’ score.

You may also filter applicants by:

- Eligibilities
- Veterans’ Preference
- Responses to the Announcement or Assessment questionnaires
- Toggles
- Rating/Status
- Application Date



The screenshot shows the USA Staffing software interface with the 'Staffing' tab selected. A banner at the top indicates 'VACANCY 12783296'. The left sidebar shows the 'Certificate Type' is set to 'Rule Of Many'. The main area displays an 'Applicant List (30)' with columns for Name, Rating, Vet Pref, RSC, Documents, and Eligibility. Each applicant row includes a 'Details' icon and a 'Print' icon. The 'Filters' sidebar on the left shows 'Washington, DC' selected. The bottom of the screen shows pagination and a 'Go to page:' input field.

| Name | Rating | Vet Pref | RSC | Documents | Eligibility |
|--------------------|--------|----------|-----|-----------|-------------|
| Apex, Steven | 98 | CPS | AC | 7 | 30% DV |
| Williams, Rory | 98 | CP | AC | 0 | 30% DV |
| Marin, Silas | 98 | TP | AC | 0 | |
| Vang, Marianna | 98 | TP | AC | 0 | |
| Saud, Marcus | 98 | TP | AC | 0 | |
| McLean, Marlee | 97 | TP | AC | 0 | |
| Hendrix, Lara | 97 | NV | AC | 0 | |
| Brown, Andrea | 97 | NV | AC | 7 | |
| Rangel, Marisol | 96 | TP | AC | 0 | |
| Martinez, Baylee | 96 | TP | AC | 0 | |
| Hendrix, Colt | 96 | TP | AC | 0 | |
| Mars, Keith | 96 | TP | AC | 0 | |
| Raa, Marius | 96 | TP | AC | 0 | |
| Fluffery, Kitten | 96 | NV | AC | 7 | |
| Swift, Lessica, Jr | 96 | NV | AC | 9 | |

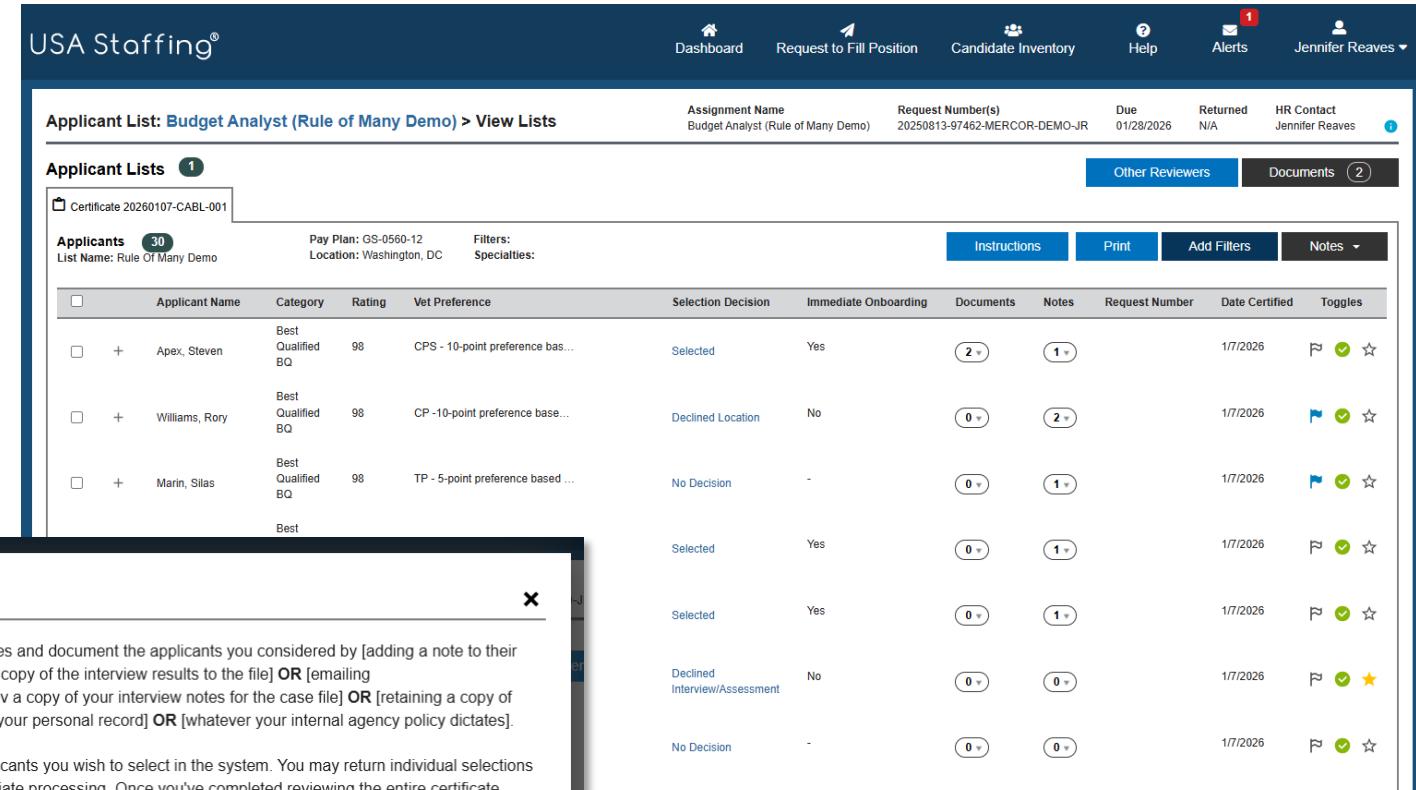
Rule of Many certificate

Hiring Managers review resumes & make selections

Hiring Managers review the certificate with applicants presented in the correct order.

They may review resumes, make notes, collaborate with other managers, and document selection decisions.

HR should provide instructions for how to document considerations that align with their agency's policy.



The screenshot shows the USA Staffing application list interface. At the top, there are navigation links: Dashboard, Request to Fill Position, Candidate Inventory, Help, Alerts (with 1 notification), and a user profile for Jennifer Reaves. The main title is "Applicant List: Budget Analyst (Rule of Many Demo) > View Lists". Below this, the "Applicant Lists" section shows a table of applicants. The table columns include: Applicant Name, Category, Rating, Vet Preference, Selection Decision, Immediate Onboarding, Documents, Notes, Request Number, Date Certified, and Toggles. The applicants listed are Apex, Steven; Williams, Rory; and Marin, Silas. The "Assignment Instructions" modal window is overlaid on the table. It contains the following text:

Please review all resumes and document the applicants you considered by [adding a note to their record] OR [uploading a copy of the interview results to the file] OR [emailing jennifer.reaves@opm.gov a copy of your interview notes for the case file] OR [retaining a copy of your interview notes for your personal record] OR [whatever your internal agency policy dictates].

Please indicate the applicants you wish to select in the system. You may return individual selections directly to HR for immediate processing. Once you've completed reviewing the entire certificate, please return the review to HR.

Contact jennifer.reaves@opm.gov if you have any questions!

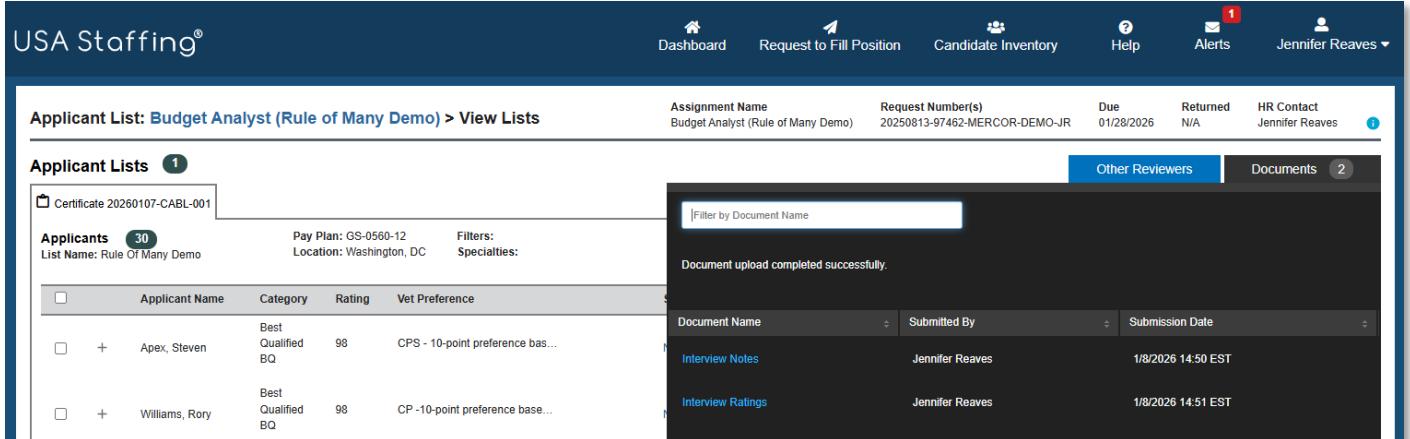
Assignment Instructions

Close

Rule of Many certificate & instructions from the Hiring Manager perspective

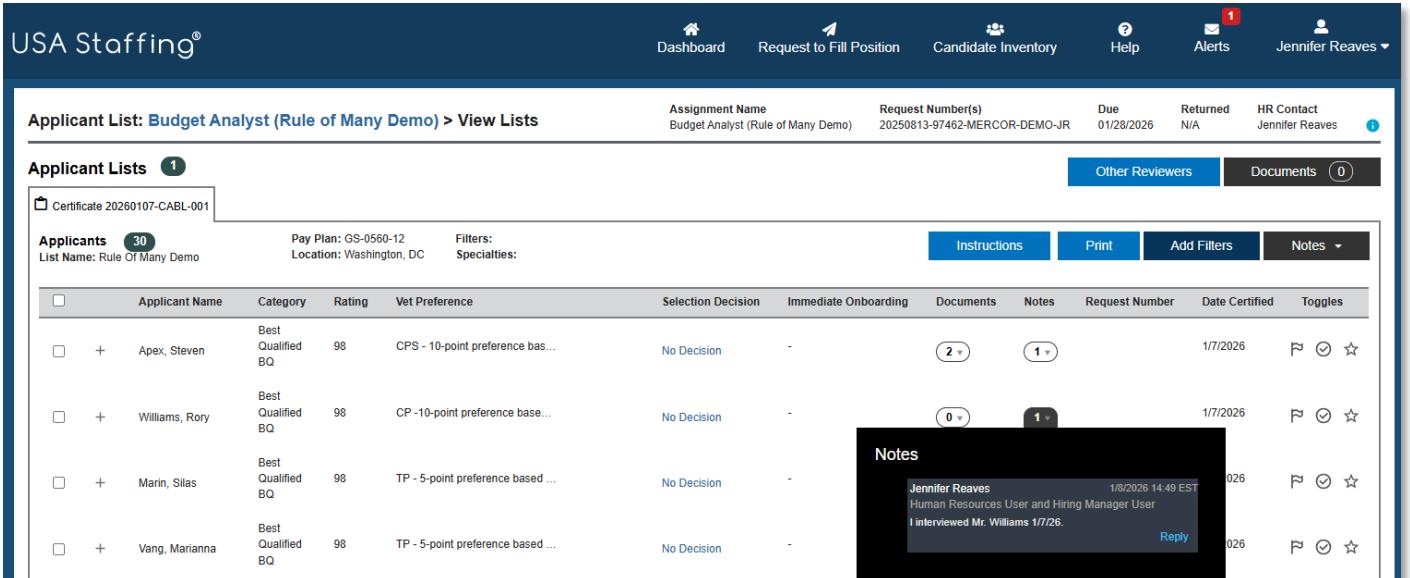
Multiple options exist for documenting considerations

Managers can upload interview documentation to the review for HR to add to the case file.



The screenshot shows the USA Staffing application interface. At the top, it displays the assignment name 'Budget Analyst (Rule of Many Demo)', request number '20250813-97462-MERCOR-DEMO-JR', and a due date of '01/28/2026'. The 'Candidate Inventory' tab is selected. In the center, there is a table of applicants with columns for 'Applicant Name', 'Category', 'Rating', and 'Vet Preference'. To the right of the table, a message box shows a successful document upload with details: 'Document Name: Interview Notes', 'Submitted By: Jennifer Reaves', and 'Submission Date: 1/8/2026 14:50 EST'. Below this, another message box shows 'Document upload completed successfully.'

They may also make notes directly in the applicant record. These notes are visible to HR but not to the applicant.



The screenshot shows the USA Staffing application interface, similar to the previous one but with a different set of data. The table of applicants includes rows for 'Apex, Steven', 'Williams, Rory', 'Marin, Silas', and 'Vang, Marianna'. To the right of the table, a 'Notes' box is open, showing a message from 'Jennifer Reaves' dated '1/8/2026 14:49 EST' stating: 'Human Resources User and Hiring Manager User I interviewed Mr. Williams 1/7/26.' There are 'Reply' and 'Delete' buttons at the bottom of the notes box.

Curated Topics & Questions

Assessments & Rule of Many vs Category Rating

What types of assessments are compatible with Rule of Many?

- Rule of Many works best with validated assessments that produce numerical scores.
- Assessments must be job-related, reliable, and capable of differentiating candidates.
- Examples: structured interviews, simulations, SME resume reviews, and USA Hire assessments aligned with job competencies.

Question:

What's the difference between a self-assessment and a technical or alternative assessment?

Answer:

A self-assessment is subjective and relies on the applicant's own rating of their training and experience.

A technical or alternative assessment is objective, standardized, and validated. It measures actual job-related skills, abilities, knowledge, and competencies rather than simply reporting them.

Question:

If an agency uses a business-necessity cut score, what must be validated for its use?

Answer:

The agency should ensure the cut score is job-related and consistent with business necessity.

This can be validated per UGESB; should avoid disparate impact; and the agency should never use different cut-offs by demographic group.

Questions

Policy, Compliance & Applicability

Question:

Does Rule of Many apply in the excepted service?

Answer:

Yes, when numerical rating procedures are used under 5 CFR part 302, apply the same Rule of Many methods for the competitive service are used.

Question:

Under what circumstances is an agency required to use the Rule of Many?

Answer:

The Rule of Many must be used under delegated examining procedures when an agency is using an assessment that provides numerical scores that are used for rating and ranking to create a certificate of eligibles.

Question:

What must an agency document when selecting from a rule of many certificate?

Answer:

The documentation for a Rule of Many certificate must contain the following information:

- Job opportunity announcement reflecting the use of Rule of Many procedures.
- Certificates of eligibles, including any tie-breaking or ranking justifications.
- Selection and non-selection justifications
- Pass-over requests and decisions;
- Three-Considerations tracking and outcomes.

Question:

Can Rule of Many be used for positions filled via Direct Hire Authority (DHA)?

Answer:

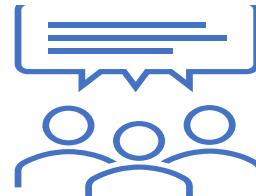
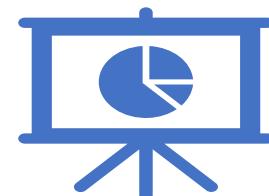
No. Rule of Many does not apply to positions filled using DHA. DHA allows agencies to bypass competitive procedures, including veterans' preference and rating and ranking procedures such as Rule of Many.

Questions

Rule of Many Mechanics, Scoring & Referral Methods

Four Mechanisms

An agency may use **one** of 4 mechanisms for determining the number of applicants to certify for selection:



- A cut-off score based on the assessment(s) used, supported by job analysis data

- A cut-off score based on business necessity; for example, to keep the number of applicants manageable for costly or labor-intensive assessments such as structured interviews

- A set number of names, for example, the top ten names

- A percentage of the highest rated applicants; for example, the top 10 percent will be referred for selection

Question:

When must we define and disclose the mechanism (cut score/number/percentage)?

Answer:

Choose the mechanism before the announcement and identify it in the JOA.

Do not switch mechanisms mid-process; adjust in future announcements if needed.

Follow agency policies for amended certificates if the mechanism doesn't result in a sufficient number of eligibles.

Question:

Can an agency use more than one mechanism to determine the number of candidates referred within a single announcement?

Answer:

No. Choose one mechanism for the announcement.

You may change mechanisms in future announcements based on data and policy.

Question:

How do we handle ties when using a cut score or the top "x" number referred?

Answer:

Include all candidates with the same score as the last candidate within the cut.

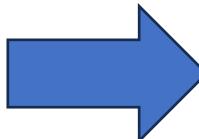
Maintain the ranked order with veterans' preference tie-break rules.

Example of Certificate with Tie Scores

POSITION: ACCOUNTANT, GS-11

AGENCY IS MAKING 4 SELECTIONS, AND USING A SET NUMBER OF CANDIDATES OF 10

| Ranked List | | | | |
|------------------------|----------|--|-----------|----------|
| In score order: | | | | |
| Candidate | Score/VP | | Candidate | Score/VP |
| 1. | 99.0 NV | | 11. | 95.0 XP |
| 2. | 98.0 XP | | 12. | 95.0 XP |
| 3. | 98.0 NV | | 13. | 95.0 TP |
| 4. | 97.0 TP | | 14. | 95.0 TP |
| 5. | 97.0 TP | | 15. | 95.0 NV |
| 6. | 97.0 NV | | 16. | 94.0 TP |
| 7. | 96.0 TP | | 17. | 94.0 NV |
| 8. | 96.0 NV | | 18. | 94.0 NV |
| 9. | 96.0 NV | | 19. | 94.0 NV |
| 10. | 95.0 NV | | 20. | 94.0 NV |



| Certificate of Eligibles | | | | |
|--|----------|--|-----------|----------|
| Created using a set number of 10 eligibles: | | | | |
| Candidate | Score/VP | | Candidate | Score/VP |
| 1. | 99.0 NV | | 11. | 95.0 XP |
| 2. | 98.0 XP | | 12. | 95.0 XP |
| 3. | 98.0 NV | | 13. | 95.0 TP |
| 4. | 97.0 TP | | 14. | 95.0 TP |
| 5. | 97.0 TP | | 15. | 95.0 NV |
| 6. | 97.0 NV | | | |
| 7. | 96.0 TP | | | |
| 8. | 96.0 NV | | | |
| 9. | 96.0 NV | | | |
| 10. | 95.0 NV | | | |

Question:

How large should the referral pool be with multiple vacancies?

Answer:

Large enough to consider at least three candidates per vacancy.

Agencies should consider using a set-number or top-percentage to meet this threshold; consider market conditions and assessment reliability.

Questions

Veterans' Preference & Special Eligibilities

How is Veterans Preference Applied?

- **Veterans Preference Codes**
- **CPS/CP** – 10% or greater disability
- **XP** – less than 10% disability, purple heart, and spouses and parents with derived preference
- **TP** – qualifying military service
- **SSP** – sole survivorship
- **NV** – non-veteran/non-preference

- Applicants are numerically scored; **5- or 10-point** preference is added to passing scores; the list is ordered by score.
- Ties are broken by veterans' preference.
- **CP/CPS (10%+ disabled) veterans** are placed at the top of the certificate (except GS-9+ scientific/professional).
- An agency **may not select** a non-preference eligible **over** a preference eligible with the **same or higher ranking**; pass-over procedures would then apply.

How the Rule of Many Works (Example #1)

POSITION: PROGRAM ANALYST, GS-11

AGENCY IS MAKING 3 SELECTIONS, AND USING A CUT-SCORE BASED ON ASSESSMENT

Veterans Preference Codes

- **CPS/CP** – 10% or greater disability
- **XP** – less than 10% disability, purple heart, and spouses and parents with derived preference
- **TP** – qualifying military service
- **SSP** – sole survivorship
- **NV** – non-veteran/non-preference

| Ranked List in score order, including veterans' preference points | |
|--|-----------|
| Candidate | Score/VP |
| 1. | 94.0 CPS* |
| 2. | 96.0 XP |
| 3. | 96.0 NV |
| 4. | 95.0 TP |
| 5. | 95.0 TP |
| 6. | 95.0 NV |
| 7. | 89.0 TP |
| 8. | 89.0 NV |
| 9. | 84.0 NV |
| 10. | 82.0 NV |



| Certificate of Eligibles | | |
|-----------------------------------|-----------|-------------|
| Created using cut off score of 95 | | |
| Candidate | Score/VP | Action |
| 1. | 94.0 CPS* | Selection 1 |
| 2. | 96.0 XP | Selection 2 |
| 3. | 96.0 NV | Selection 3 |
| 4. | 95.0 TP | |
| 5. | 95.0 TP | |
| 6. | 95.0 NV | |

*CP/CPS veterans “float” to the top, except for scientific and professional positions at the GS-9 and above.

Question:

Do CP/CPS veterans always 'float' to the top of a Rule of Many certificate?

Answer:

Yes, CP/CPS veterans must be listed at the top of the certificate of eligibles for all positions except scientific and professional positions at the GS-9 grade level or higher.

Question:

How are individuals with priority placement eligibility (CTAP/ICTAP/RPL) referred or considered under the Rule of Many?

Answer:

Agencies must give selection priority to well-qualified individuals eligible under CTAP, ICTAP, or RPL before applying Rule of Many procedures. These candidates must be considered first, and only if no such candidates are available or selected can the agency proceed with Rule of Many referrals.

Questions

Three Considerations Rule & Candidate Removal

Applying the Three Considerations Rule

Applying Three Considerations

- Beginning with the fourth selection from a certificate (for the same position), an agency may remove one or more candidates who have received three bona fide considerations.
- The number removed at a given point may not exceed the number of selections remaining; removals may include veterans and non-veterans.
- Document the bona fide consideration (review of the candidate's application) and the rationale for removal. DEU audits apply; OPM will update the DEOH.

Question:

Can applicants be removed from consideration under three considerations if one or more of the considerations were from a different certificate?

Answer:

Yes, within the same agency a bona fide consideration from a previous announcement/certificate for the same position can be used in determining whether three considerations have been received on the current certificate.

Same position = same title, series and grade

Question:

Can a preference eligible be passed over multiple times?

Answer:

Yes, but each pass-over must be separately justified for each selection action.

If removed after three bona fide considerations, a pass-over is not required for that removal.

Question:

Is the hiring agency required to notify a candidate removed after three considerations ?

Answer:

Yes, the agency must provide written notification to any candidate removed from consideration using the three considerations rule.

Question:

When do pass over procedures apply ?

Answer:

Pass over procedures apply when an agency wishes to select a lower ranked non-veteran instead of a preference eligible veteran with an equal or higher ranking. A hiring agency may invoke pass over procedures if the agency determines the preference eligible veteran lacks the qualifications to successfully perform the duties of the position being filled.

Pass Over vs. Three Considerations: When It Applies & What to Document

What Is a Pass-Over Request?

A pass-over occurs when an agency seeks to select a **lower-ranked non-preference eligible** over a **preference eligible** who is within reach.

It is typically justified by **qualification, conduct, or medical** reasons and must be **well-documented**.

When Do Pass-Over Procedures Apply?

When the agency wants to select a **lower-ranked non-veteran** instead of a **preference eligible** who is within reach, and the agency believes the preference eligible **lacks the qualifications** for the position.

Three Considerations vs. Pass-Over

A **pass-over** is not the same as removing a preference eligible after **three bona fide considerations**.

After three valid considerations for the **same position**, the hiring manager may **discontinue** further consideration and should **document** the three considerations on the certificate.

Questions

Other / General

Rule of Many vs. Category Rating

| Feature | Rule of Many | Category Rating |
|--------------------------|---|--|
| Selection Method | Candidates are ranked numerically based on assessment scores | Candidates are grouped into quality categories (e.g., Best Qualified, Well Qualified) |
| Selection Pool | Managers may select from an agency determined range of top-ranked candidates | Managers may select from top quality category only |
| Flexibility | Offers greater flexibility in choosing among top scorers | More limited flexibility —must stay within the highest category |
| Supports EO 14170 | <input checked="" type="checkbox"/> Yes – aligns with merit-based hiring reforms | <input checked="" type="checkbox"/> Yes – still permitted, but not the preferred method |
| Use Together? | <input checked="" type="checkbox"/> No – cannot be used with Category Rating in the same hiring action | <input checked="" type="checkbox"/> No – cannot be used with Rule of Many in the same hiring action |
| Best Used When | You have robust assessments that make fine distinction among candidates, as mentioned in the Merit Hiring Plan | You are filing positions that don't require technical qualifications and applicants have similar competency levels |

Questions

The Merit Hiring Learning Series

OPM Talent Team

The U.S. Office of Personnel Management (OPM) is pleased to provide a free, government-wide learning series to support HR professionals, Talent Team members, hiring managers, and agency leaders in effective implementation of the Merit Hiring Plan.

Must have a .gov or .mil email to register on [Eventbrite](#).

Upcoming Events - Check back at our series collection for updates!

Virtual events are hosted on MS Teams Townhall. Depending on your agency's network, the Teams Townhall features may not be available to you.



Wrap Up: Resources

Thank You

Please take a moment to complete a short survey to provide your feedback on today's session:

<https://surveys.opm.gov/se/5B5534D43F6AB62F>



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Hiring Experience (HX) Group