



NOTICE

Subject: EXECUTIVE RESOURCES BOARD – EDO SELECTION

Number: N-126.1

Approved: 2/06/2023

Review: 2/06/2024

Certified:

Responsible Office: Office of the General Manager, Division of Human Resources

1. **PURPOSE.** This Notice establishes an Executive Resources Board (ERB) for the purpose of supporting the review of candidates and selection of an individual for the position of Executive Director of Operations within the Defense Nuclear Facilities Safety Board (DNFSB). This ERB is in addition to the ERB created under the provisions of D-126.1. By law, each agency is required to establish one or more ERBs to conduct merit staffing for career entry into the Senior Executive Service (SES) positions. This additional ERB is necessary to avoid the appearance of bias in the review and selection process for the EDO position.
2. **CANCELLATION.** None.
3. **APPLICABILITY.** This Notice is issued by the Chairperson in consultation with the Board and is applicable to all staff and external participants involved in the review and selection process for the EDO position.
4. **EXEMPTIONS.** None. This ERB Notice is intended to be implemented consistent with statutory and regulatory requirements applicable to SES selections, and applicable Office of Personnel Management (OPM) guidance related to the use of ERBs.
5. **POLICY.** The ERB created by this Notice is established under the authority of the DNFSB Chairperson as the head of the agency pursuant to 5 U.S.C. § 3393(b). It is the policy of the DNFSB to ensure its SES merit staffing procedures and other ERB functions are conducted in accordance with applicable federal statutes and regulations. The ERB is established for the limited purposes of supporting the review of candidates and selection of an individual for the EDO position, ensuring that the members of the ERB are objective and free from bias in the review and selection process, and establishing a Qualifications Review Panel (QRP) to assist with the review and evaluation of EDO candidates including its recommendation(s) of a top candidate(s) for selection.
6. **PROCEDURES.** The ERB created by this Notice shall meet the following requirements:

- A. The ERB shall be composed of one Board Member and two members from within the agency in the SES or General Schedule service, whose positions do not currently report, directly or indirectly, to the EDO position within the agency's organizational structure. The Chairperson will set the membership of the ERB in a memorandum and will also, in that memorandum, designate the member that will be the Chair of the ERB.
- B. The ERB shall establish a QRP to review, interview, and recommend in writing to the ERB one or more candidates for final review and selection by the Board.
- C. The Director or Deputy Director, if designated, of the Human Resources Division (HRD), Office of the General Manager will serve as the Secretary to the ERB and QRP and will provide administrative support and human resources expertise and advice. The Director/Deputy Director HRD shall advise on the constitution and functions of the QRP, and will facilitate soliciting persons to serve as panelists and establishing the QRP under the direction of the ERB.
- D. The QRP should be comprised of panelists who have the expertise or experience necessary to effectively judge the executive and technical qualifications of the candidates for the EDO position. The QRP panelists are not required to be DNFSB employees.
- E. The ERB may interview one or more candidates for the EDO position and must review the findings and recommendation(s) of the QRP. The ERB shall forward the QRP's recommendation(s) to the Board, along with its own written recommendation(s) for the Board's review and selection decision.
- F. The ERB shall serve until it transmits the recommendations to the Board, or until dissolved by memorandum from the Chairperson, whichever occurs first in time.
- G. The ERB and QRP proceedings are closed to persons not serving on the ERB or QRP, respectively, other than the Director/Deputy Director HRD. The Director/Deputy Director HRD shall ensure that adequate records of the proceedings are maintained within the HRD.
- H. The ERB and QRP are responsible for ensuring that their proceedings are consistent with the merit system principles prescribed in 5 U.S.C. § 2301, do not allow prohibited personnel practices, and are consistent with the DNFSB equal employment opportunity and anti-discrimination policies.

7. REFERENCES.

- A. 5 U.S.C. § 3393(b): Career appointments

- B. 5 C.F.R. § 317.501: Recruitment and selection for initial SES career appointment to be achieved from the brightest and most diverse pool possible
- C. 5 C.F.R. § 412.401: Continuing Executive Development
- D. OPM Memorandum for Chief Human Capital Officers, *Executive Resources Boards*, dated September 9, 2009. <https://www.chcoc.gov/content/executive-resources-boards>
- E. OPM Senior Executive Service Desk Guide, Dec. 2020, <https://www.opm.gov/policy-data-oversight/senior-executive-service/reference-materials/ses-desk-guide.pdf>



Joyce L. Connery, Chair
Defense Nuclear Facilities Safety Board