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September 29, 2023

Office of Personnel Management
Office of the Executive Secretariat
1900 E Street NW, Room 7H31
Washington, DC 20415-1000

Docket Number: RIN 3206-AO25

Dear Director Ahuja:

I am writing to share the comments of the Partnership for Public Service on the Office of Personnel Management's (OPM) proposed changes to the Pathways Programs released on August 15, 2023.

The Partnership is a nonprofit, nonpartisan organization committed to building a better government and a stronger democracy through the promotion of and support for public service. We have a longstanding interest in promoting changes to federal law, regulations, policies and programs that improve the government's ability to attract, hire and retain a talented and diverse workforce. In 2011, we advocated for the implementation of the Pathways Programs established by Executive Order 13562.

The Partnership commends OPM for continuing to seek ways to strengthen the Pathways Programs, especially in identifying ways to expand eligibility for conversion into the federal service. The Pathways Programs are just one option for entry into federal service. While the proposed rules address some of the areas for reform, in addition to Pathways, OPM should also consider the entirety of federal internships. Areas of needed focus include:

- Improved onboarding efforts to ensure all interns (whether Pathways Programs or otherwise), Recent Graduates and Presidential Management Fellows (PMFs) have a clear understanding of their responsibilities and program requirements. OPM should provide guidance and set standards defining successful onboarding programs to ensure program participants have a strong initial entry experience into government. Onboarding is a critical time to engage employees and set them up for success.
- A standardization of program quality criteria (such as defined work plans, opportunities for professional development and a clear supervisory structure) for Pathways Programs and other internship programs.
- Allowing agencies to offer full-time positions to high-performing interns who have successfully completed internships through high-quality third-party providers.
- Increased strategic planning at agencies for the recruitment, hiring and retention of entry-level talent.

We believe these recommendations will help strengthen the early career talent pipeline and build a more robust workforce that will benefit the federal government—and the public—for years to come. Below we further outline suggestions and considerations for OPM regarding the proposed rule.



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Cross-Cutting Recommendations

While some of our recommendations apply only to certain Pathways Programs, there are several areas of recommendations that apply to all three programs (Presidential Management Fellowships, the Recent Graduates Program and the Internship Program).

- OPM should require Agency PMF Coordinators, internship coordinators and other relevant staff to implement exit interviews, surveys and/or other similar processes to ensure that agencies capture information about participant program experiences and use it to improve Pathways Programs in the future. OPM should consider how to collect aggregate results of these interviews or surveys to identify agencies most in need of OPM support and guidance to improve their programs.
- Host agencies should have the right to make the first offer of a permanent position to successful Pathways participants where this option is available, but there should be a deadline for making such an offer so that participants do not miss out on opportunities at other agencies due to delays. For PMFs and Recent Graduates, we recommend this deadline be 90 days prior to the end date of their term of work. If a host agency is unable to make this first full-time offer for conversion to a permanent position at the end of a program, then that agency may be hesitant to take part in the program in the first place. If a host agency is unable to make an offer due to budgetary or other constraints or misses a deadline to notify a participant of an appropriate opportunity, or if the participant does not want to be converted at that specific agency for any reason, then the participant should retain an ability to convert to other agencies. The Partnership supports flexibility to ensure that qualified Pathways participants find employment in the federal service and that the federal enterprise does not lose out on qualified talent because of changes in agency priorities or personal and career circumstances of participants.
- To enable Pathways participants to seek alternative agency opportunities, OPM should create a mechanism for conversion-eligible individuals and agencies to find each other. It is unclear from this rule how Pathways alumni could search for alternative agency opportunities or how agencies could access a list of conversion-eligible candidates. If a participant would prefer to convert at a different agency than their hosting agency, OPM should establish a way for the individual to reflect their conversion eligibility on their resume and application. This could include a checkbox on USAJobs that states an applicant is eligible for conversion. This would also help create a list of all conversion-eligible candidates and allow OPM to better track hiring outcomes for these individuals.
 - As an alternative, OPM could build on an existing idea developed during the COVID-19 pandemic when Peace Corps volunteers were called back to the U.S. At that time, there was a database established to help agencies identify and recruit these volunteers. It is unclear whether that database still exists and whether it can be updated to develop a more comprehensive database of individuals eligible for conversion through the Pathways Programs and people with noncompetitive eligibility.
- We support the decision to replace the Memorandum of Understanding (MOU) requirement with a requirement for agencies to establish Pathways policies. However, OPM should encourage agencies to connect Pathways Programs to strategic workforce planning in these policies, not just address day-to-day program administration. By being more intentional with their talent strategy,



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agencies can be better prepared to bring on and benefit from the contributions of PMFs, Recent Graduates and interns.

- We encourage OPM to collect and publicly share trend data on the utilization of Pathways Programs and authorities, including data on schools or institutions that program participants come from, which agencies they work for and where they are geographically located. OPM should then use this data to help prioritize future participant outreach and otherwise make program adjustments as needed. Better data on all early career talent programs will help ensure OPM, federal agencies and Congress can accurately track program outcomes and performance.

Presidential Management Fellows (PMFs)

Presidential Management Fellows are an excellent talent source for the federal government, and we want to continue to help OPM find ways to support them. Notably, we support OPM's efforts to bolster and clarify the roles of PMF Coordinators who support fellows at each agency. In our experience, PMF Coordinator roles are inconsistent across government. We have heard from several agencies that Coordinators would benefit from more training, materials and guidance to provide a better framework for their roles and ensure a much more consistent program experience for PMFs. We recommend the following regarding the PMF program:

- OPM should provide clarification on how PMF Coordinator positions interact with other agency internship coordinator positions. It is unclear if these are intended to be separate positions. Some agencies may be better served by an early career talent office, with separate support staff for PMFs, Pathways interns, Recent Graduates and third-party interns (depending on agency size).
- PMF Coordinators should play a more hands-on role in onboarding new PMFs to agencies and focus on the employee experience. This will create stronger engagement from the very start, before a PMF even walks through the door of an agency.
- OPM should require annual training and development for PMF Coordinators, to ensure that PMFs are getting the same quality of program coordination regardless of which agency employs them.
- PMF Coordinators should be empowered to work across agencies to help PMFs identify and take advantage of appropriate detail opportunities through the rotational program. This will ensure the PMFs are supported in their detail assignments and equipped with clear guidelines on how to transition to a different office or agency.
- We encourage OPM to implement user-centered design to collect feedback from current PMF Coordinators and program applicants to better understand pain points and to develop the tools and resources needed to strengthen the PMF experience.
- There should be additional clarity around who is responsible for ensuring each PMF has a mentor and an Individual Development Plan (IDP) at the employing agency. Whether this is up to the PMF Coordinator or the PMF's supervisor, there should be a clear delineation of responsibilities to ensure that this requirement doesn't fall through the cracks.



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Recent Graduates

Recent graduates could be a key source of talent to support the federal government's mission. Yet only approximately 7% of the federal workforce is under the age of 30 – well below the private sector. The Partnership recommends the following changes to strengthen the Recent Graduates section of the proposed rule:

- Currently, not all Recent Graduates job postings allow applications from candidates who expect to have graduated by the time a job starts but have not yet graduated at the time of application. OPM should allow candidates to apply for any Recent Graduate role if they are on track to fully graduate before a job begins.
- OPM should clarify why AmeriCorps and Peace Corps are included in the definition for career and technical education programs because AmeriCorps VISTA and Peace Corps alumni already benefit from noncompetitive eligibility (NCE) under existing law. We are concerned that this could add confusion for both Pathways applicants and HR professionals. OPM should more clearly explain how the new authorities interact with and differ from the existing authorities and train HR professionals on the difference. In our experience, many agencies are unaware of the existing authorities for hiring AmeriCorps and Peace Corps volunteers and HR offices across government would benefit from additional training to make better use of these existing authorities.
- The Partnership supports the inclusion of Registered Apprenticeship Programs and Job Corps in the definition of career and technical programs. However, we believe requiring other career and technical education programs to be “administered” through a federal agency is unclear and likely unnecessarily restrictive. Private sector, local and state-run programs all contribute to growing and developing strong talent and the federal government should seek to recruit from those pools as well.

Interns

If OPM's desired outcome is to recruit and retain qualified early career talent based on demonstrated skills, then compliance with an hours-based requirement is not the best way to achieve this goal. Outside of the federal government, hours worked are not typically a qualifier towards conversion to a full-time position. Agencies can provide meaningful experiences for interns, as well as reach a more diverse set of candidates, if they focus on skills, performance objectives and accomplishments instead of a rigid 16-week, full-time working requirement. Moreover, even if an hours requirement is maintained, 640 hours is unrealistic, arbitrary and burdensome. Many interns are part-time students as well and the hours requirement is therefore almost impossible to meet. Moreover, this amount of time is longer than typical summer full-time internships and OPM should look to industry best practices when considering feasible requirements for conversion.

If OPM seeks to maintain a minimum hours of service requirement for intern conversion, the agency should reduce the amount to 420 hours, to better align with a typical summer internship period for students. Given our recommendation to move away from counting hours toward conversion eligibility in general, we are also concerned about the creditable hour provision in the proposed changes. We urge OPM to focus on reducing the total number of hours needed to convert. However, if minimum hours of



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service are maintained, then at least half of those hours should be able to come from other creditable service.

It is important that OPM provide support to all federal interns, regardless of their entry point into the government and develop a system that supports federal and third-party interns for conversion. Instead of an hours requirement, OPM should ensure agencies are providing clear performance objectives and feedback throughout an intern's tenure in the position. This would allow agencies to make conversion decisions based on performance and skills, rather than an arbitrary hour requirement.

In addition to changes to internship hour requirements, the Partnership recommends the following to continue developing a robust internship pipeline:

- Intern coordinators at colleges and universities across the country have shared with us that students struggle to use USAJobs. We appreciate OPM addressing this issue by allowing agencies to post internship information on their own webpages. OPM should clarify that an agency can post an internship opportunity both on its own site and on USAJobs, not just one or the other. OPM should work with agencies to ensure applicants know how to identify openings at individual agencies versus only by searching USAJobs, to allow for the widest possible applicant pool.
- Intern postings should stay open for at least 3-4 weeks to ensure a qualified and diverse applicant pool. Some students are unable to apply when an application is only open for a short period, limiting the flow of qualified talent into government. Further, OPM should provide guidance to agencies to help them better recruit for positions before they are posted, so applicants are aware of upcoming job postings and can have their resumes ready.
- OPM should extend the time frame for intern conversion eligibility beyond 180 days. 180 days is not a realistic amount of time for students to apply and complete the federal hiring process. Clearances can take months to process, and we believe 180 days is not enough time for many interns to find an opportunity for conversion.
- OPM should provide further guidance, tools and resources for intern training and professional development. Anecdotally, the Partnership has heard that Pathways interns note that their opportunities for growth and development vary greatly by agency. All interns should have the same chance to be set up for success in their careers. Robust development opportunities are one clear way to achieve this goal.

Conclusion

The Partnership received positive feedback about many of OPM's proposed changes to the Pathways Programs from college and university career services staff and intern coordinators across the country who help students find Pathways opportunities. However, they also shared that OPM could do even more to bolster the federal government's entry-level talent pool. In addition to the suggestions noted in our comments, the Partnership has a few additional recommendations that would do even more to support early career talent in the federal government:

- While this is outside of the scope of Pathways, we want to take this opportunity to again highlight that agencies often use third-party internships to develop and identify qualified early career talent. However, these programs are hobbled when agencies cannot strategically convert interns

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from high-quality third-party programs into full-time positions. We encourage OPM to use demonstration project authority to pilot a third-party internship conversion program. It is important to underscore that in order to align with the expected quality of the Pathways Programs, these third-party programs should meet rigorous requirements.

- We encourage OPM to pursue legislative changes to the Competitive Service Act to allow Pathways certificates to be shared. It should be further clarified why OPM cannot delegate the authority for a Pathways pooled hiring action to another agency to facilitate the sharing of certificates across the government.
- Ten states have taken steps towards skills-based hiring. This is a method of recruiting employees that prioritizes a candidate's competencies over more "traditional" qualifications like formal degrees. It is important that OPM consider candidates who did not have the opportunity to attend a four-year institution or those who prioritized other responsibilities over a formal degree. This hiring strategy removes barriers and brings a more diverse range of perspectives into the workforce. OPM should include skills-based hiring provisions in these proposed changes.

We commend OPM for updating a key program that strengthens the government's entry-level talent pipeline. Pathways participants gain a deep understanding of the federal government through their work experience and benefit from federal investments in their professional development throughout their time in these programs. By taking part in Pathways, they demonstrate a strong interest and commitment to public service. OPM should strive for broad outreach to attract a deep and diverse applicant pool for these opportunities and subsequently convert as many successful participants to federal service as possible in order to maximize the return on investment in developing early career talent for the government.

Thank you for the opportunity to share recommendations. We welcome the opportunity to work together in the future on our shared goal of strengthening the federal workforce and the early career talent pipeline.

Sincerely,



Max Stier

President and CEO