

## **ROI Sufficiency Review Test -- Student Version**

### **Problem #1:**

Claim:

In or about February 2011, his request for a hardship transfer to New York City was denied

Q: Did Complainant make a request to you or to someone else for a hardship transfer to XX? If not to you, to whom was the request made?

Response: I received and approved the hardship request. I subsequently informed the complainant that the process of hardship transfers depends on vacancies being posted in the target POD. I further suggested that the Agent consider YY POD because at the time I knew of a vacancy at that office. The complainant did not expand his request to include YY POD.

Q: To your knowledge, was Complainant's request for a hardship transfer denied? By whom was it denied?

Response: the request was not denied, but was approved and is pending.

Q: If Complainant's request for the hardship transfer was denied, what was the reason for the denial?

Response: The request was not denied.

Q: If Complainant's request for a hardship transfer was not denied, to your knowledge, was any action taken by you or other members of management which may have been interpreted as a denial?

Response: The only possible time the complainant could interpret denial was a discussion about the process and that the complainant would need to be at a fully successful level for the transfer to take place.

What's wrong with this interview?

### **Problem #2, addressed to a selection panelist:**

Q: For the record, please identify your official name, title, series/grade, and race

Response:

Q: Please provide a specific and thorough explanation of the Complainant's qualifications with the criteria and the qualifications of the Best Qualified applicants.

Response: XX scored well with his qualifications; his resume didn't address all of the KSA's. There were other applicants who scored better due to the criteria we were given to follow when scoring all of the applicants.

What's wrong with this sentence?

Q: Do you have any other comments about your role in the Selection process for the subject position that supports or refutes your stated reason(s) for taking the alleged discriminatory actions? If yes, give dates and explain in detail.

Response: There were no discriminatory actions taken against any of the applicants. There was a [protected class characteristic] on the scoring panel and everyone was scored based on the information that was provided in their resume.

Q: Provide any other documents in your possession that may be relevant to the Case and/or suggest documents to be reviewed.

Response: I have no documents relating to this, all of the documents were sent back to D.C.

What would make this better?

What I found in the record:

Applicants were advised that they would be evaluated on:

1. Ability to supervise staff and coordinate work operations.
2. Ability to install, test, repair and troubleshoot electrical and electronic (analog and/or digital) control systems used in an industrial facility.
3. Ability in interpreting domestic and foreign wiring diagrams and schematics to troubleshoot, repair and/or modify electrical systems and associated equipment in an Industrial facility.
4. Ability to interpret the National Electrical Code (NEC) in order to safely install electrical wiring and equipment.
5. Skill in the safe and proper use of hand tools and test equipment to troubleshoot, repair and/or modify electrical systems and associated equipment in an Industrial facility.
6. Ability to communicate orally and in writing when preparing, reviewing, critiquing and/or directing the preparation of technical/analytical reports on facility maintenance issues and

technologies.

No mention that these are KSAs; nothing identified as KSAs found in record.

**Problem # 3:**

Q: Were you a ranking official in the selection process regarding the position of XX?

Response: No, I was not a Ranking Official, I was only instructed to rate the applications under vacancy announcement #.

Q: If yes, please describe the ranking process. Provide a thorough explanation of the ranking process, ranking criteria and how the candidates were ranked by you. Please state how the cut off score(s) for Best Qualified was decided. *(The articulation should specify the knowledge, skills, abilities, and personal characteristics possessed by the candidates that you considered in conducting the ranking).*

Response: NA

Q: At the time you ranked the applicants, were you aware of Complainant's race and was this a factor in ranking the Complainant's qualifications in this ranking process. Explain

Response: NA

Q: Please explain why the Complainant did not make the BQ. The articulation should be very specific.

Response: I have no knowledge of why complainant did not make the BQ,

Q: The Complainant believes that he should have been ranked higher because he has 30 years of experience as an X. How do you respond?

Response: NA

Q: Did you know any of the applicants that you ranked? (b) If yes, describe your association to each applicant and the duration of that association.

Response: As stated above; I did not Rank any applicant. There were more than one hundred (100) applicants applied for vacancy #; I did not know any of the applicants.

Q: Compare the Complainant's qualifications with the criteria and the qualifications of the Best Qualified applicants.

Response: NA

Q: Did you take the Complainant's race into consideration when assessing his qualifications with regard to the ranking process?

Response: NA

Q: Do you have any other comments about your role in the Ranking process for the subject position that supports or refutes your stated reason(s) for taking the alleged discriminatory actions. If yes, give dates and explain in detail.

Response: NA

Q: Provide any documents in your possession that may be relevant to the case and/or suggest documents to be reviewed in support of your position.

Response: I possess no documents that may be relevant to the case. Candidate Rating sheets were collected by Mr. X and sent to the agency, Washington DC, Personnel Department.

What's wrong with these responses?

#### **Problem #4:**

Q: Please provide a specific and thorough explanation of the Complainant's qualifications with the criteria and the qualifications of the Best Qualified applicants.

Response: First of all, the panel was asked to rate applications for a position at the X in D.C. Applicants were rated according to the information provided to the panel. Mr. X's application demonstrated that he was definitely qualified for the position and he did receive a high score, however, other applicants scored higher based upon the information provided to the panel.

What's wrong with this response?

#### **Problem #5:**

Response: As a HR Specialist, my involvement in processing the Vacancy Announcement # for the X, was drafting the vacancy announcement, posting the vacancy announcement on USA jobs, minimum qualifications of the applications, scheduling the panel to determine those applicants best qualified for the position, creating certificate of eligibles of best qualified candidate to be referred to the selection official.

What's wrong with the underlined words in this sentence?

**Problem #6:**

Same question, 2 different witnesses and their responses.

Q: How and when did you become aware of Complainant's protected activity?

Response: From reading this declaration

Q: How and when did you become aware of Complainant's protected activity?

Response: Reading this complaint.

What's wrong with these answers?

**Problem # 7:**

Q: Did you advise Complainant's supervisor(s) with regard to any actions taken against the Complainant (e.g. placement on a performance improvement plan)? If so, please describe the advice or guidance that you provided for each situation?

Response: When an employee is failing in two or more aspects in a Critical Job Element (CJE), under Article 40 of the National Agreement II and IRM 6.432, it mandates that an employee must be placed on a Performance Improvement Plan (PIP) for a period of sixty days. Prior to being placed on a formal PIP, the employee is given an informal opportunity with guidance from his/her manager and a coach. After the informal period that is determined by the manager, if the employee has not improved his/her performance to at least a minimally successful level, the employee is then placed on a formal PIP. During the PIP period the manager is required to meet with the employee and give advice/guidance on his/her cases. At the end of the PIP period, if the employee has not improved to at least a minimally successful level, the employee is removed.

What's wrong with this answer?

**Problem # 8:**

Q: Please describe the reasons you gave Complainant a 3.2 rating on her appraisal. Describe why the Complainant's performance did not warrant a higher rating than that which was issued. Identify what performance activities might have resulted in a higher rating.

Response: Her annual was due on *03/31/2011*, she was newer to the department and didn't have all the technical background at that point. Also, the information that came out on her quarterly. Being an OJI, knowledge of all the programs, etc.

What's wrong with this response?

**Problem # 9:**

Q: Please explain in detail events which led the RMO to refer to you as "unprofessional."

Response: Supervisor RMO is referring to an e-mail response.

Q: To your knowledge, why did the RMO refer to you as unprofessional?

Response: Supervisor RMO's gratuitous and discrediting statement is another form of demoralizing methodologies.

**Problem #10:**

Q's about rating claim:

Q Please explain why his performance warranted the rating he received.

Response: The Annual Performance Rating (exceeds fully successful) with narratives for the period January 1, 2010 through December 31, 2010, is included as an exhibit. Exhibit # 10

More Q's about Rating:

Q. Did Ms. X ever discuss the Complainant's performance with you? If yes, when and what did she say?

Response: No discussion but I reviewed these documents and am the second level review/approver.

Q. Did you have any involvement in provide the Complainant's performance rating? If yes, please explain your role/responsibility.

Response: Yes, see above: am the second level review/approving official. Tab 6 at p. 535.