

Merit Hiring

Rule of Many Overview

December 2025

The Merit Hiring Plan (MHP) Learning Series

Hiring Experience (HX) Group

Workforce Policy and Innovation

U.S. Office of Personnel Management

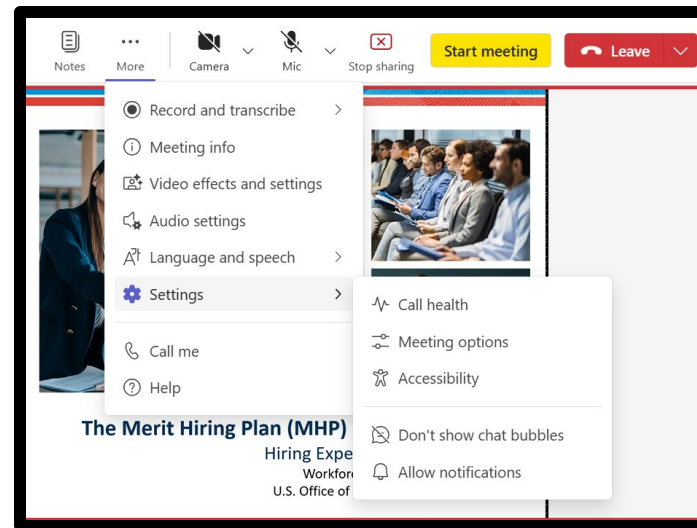
Enabling Live Captions (Closed Captioning)

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>.

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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
- Key Terms
- Evolution of the Competitive Hiring Process
- Using Rule of Many
- Wrap-up: Final Questions & Resources

Overview

Overview

- This presentation will discuss new certification and selection procedures that can be used in competitive hiring.
- National Defense Authorization Act for FY19 eliminated the “rule of three” in numerical rating and ranking and instead, authorizes agencies to certify a sufficient number of names, not less than three, using a cut-off score or other mechanism established by OPM
- Does not change the application of veterans’ preference in competitive hiring
 - Preference eligibles are granted points under numerical ranking procedures
 - Receive preference over non-preference applicants with the same or lower numerical score
- The elimination of the rule of three also affect how selections are made in the excepted service under 5 CFR part 302
 - The same methods used for competitive service hiring are used for excepted service hiring when using numerical hiring procedures
- Three considerations rule has been modified to provide agencies with greater flexibility for removing applicants beginning with the fourth selection from the certificate

Merit Hiring Plan

- Rule of Many supports E.O. 14170 and is mentioned in the joint EOP/OPM memo titled, “Merit Hiring Plan” of May 29, 2025 (Section II Reforming the Candidate Ranking, Assessment and Selection Process to Emphasize Merit and Competence)
- Expands the talent pool available to hiring managers
- Rule of Many is a key foundational step in effectively implementing merit-based hiring using validated, skills-based assessments, and rigorous candidate ranking

Benefits of The Rule of Many

- Combines the advantages of both category rating and rule of three to allow agencies to make finer distinctions among candidates in terms of their relative qualifications for the position being filled, while at the same time expanding the range of candidates for selection
- May lead to a more balanced and diverse Federal workforce by providing a wider base of candidates from which agencies may choose.

Key Terms

Explanation of Key Terms

Competitive Service:

- Civil service positions in the Executive branch not specifically excepted by statute; made by nomination for Senate confirmation; or in the Senior Executive Service

Excepted Service:

- Positions not in the competitive service or Senior Executive Service such as Schedule A, B, C appointments.

Delegated Examining:

- Authority granted by OPM to federal agencies to evaluate candidates for competitive service jobs.

Category Rating:

- A method of assessing and grouping candidates into quality categories instead of assigning numerical scores.

Veterans' Preference Eligible:

- A veteran who meets criteria for hiring preference under federal law (e.g., disabled veterans).

Pass Over:

- The act of selecting a non-preference eligible candidate over a preference eligible; requires justification and OPM approval under certain conditions.

Certificate of Eligibles:

- A list of candidates referred to a hiring manager for consideration.

What is...

Category Rating

- Qualified candidates are grouped into two or more quality categories (e.g., Best-Qualified, Well-Qualified) based on job-related assessments,
- Selection is made from the highest quality category

Rule of Many

- A numerical referral and selection procedure that ranks candidates using valid assessments and refers a “sufficient number” of top-ranked candidates
- Selection is made from among all of the referred candidates.

How to Rank...

Category Rating

- Qualified applicants are placed into two or more pre-defined quality categories, with preference eligibles listed ahead of non-preference eligibles;
- CP/CPS veterans move to the top of the highest category (except for professional/scientific GS-9+).

Rule of Many

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

How to make selections...

Category Rating

- All eligibles in the highest quality category are referred to the selecting official
- Within each quality category, preference eligibles are listed ahead of non-preference eligibles,
- A non-preference eligible cannot be chosen over a preference eligible without an approved pass-over.

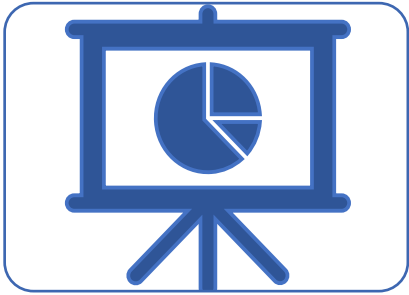
Rule of Many

- The selection official considers all referred candidates
- A non-preference eligible cannot be chosen over a higher-ranking preference eligible (i.e. higher score) without an approved pass-over, or
- Unless an eligible has been considered three time (i.e., given 3 bona fide considerations)

Choosing the Many

Four Mechanisms

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



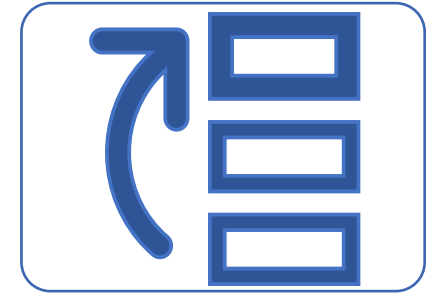
A cut-off score based on the assessment(s) used, supported by job analysis data



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

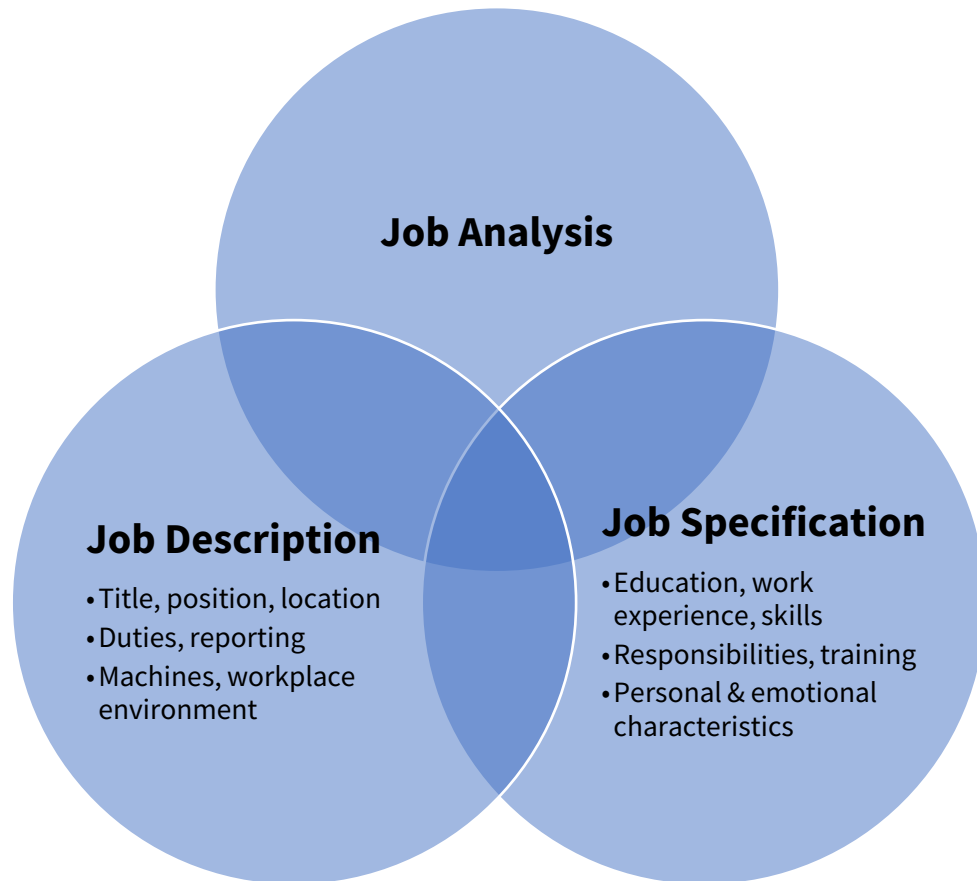


A set number of names, for example, the top ten names



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

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



Resources

- <https://www.opm.gov/policy-data-oversight/assessment-and-selection/job-analysis/>
- Learn more about how to conduct a job analysis with this [presentation.\(PDF file\)](#)
- Need help getting started? This checklist goes over [six steps to conducting a job analysis.\(PDF file\)](#)
- Need to conduct a job analysis for multiple grades of the same series? You can save time by following the steps in this checklist for [conducting job analysis across multiple grades](#)

A cut-off score based on business necessity

XYZ Assessment Strategy Example

The U.S. Department of XYZ provides a practical example:

- Subject Matter Experts (SMEs) set a cut-off score of 90 (minimum passing was 70) to determine who advances to the structured interview phase.
- This approach aligns with Executive Order 13932, which emphasizes valid, competency-based assessments over self-reported qualifications.

EEOC Legal Framework: Business Necessity & Disparate Impact

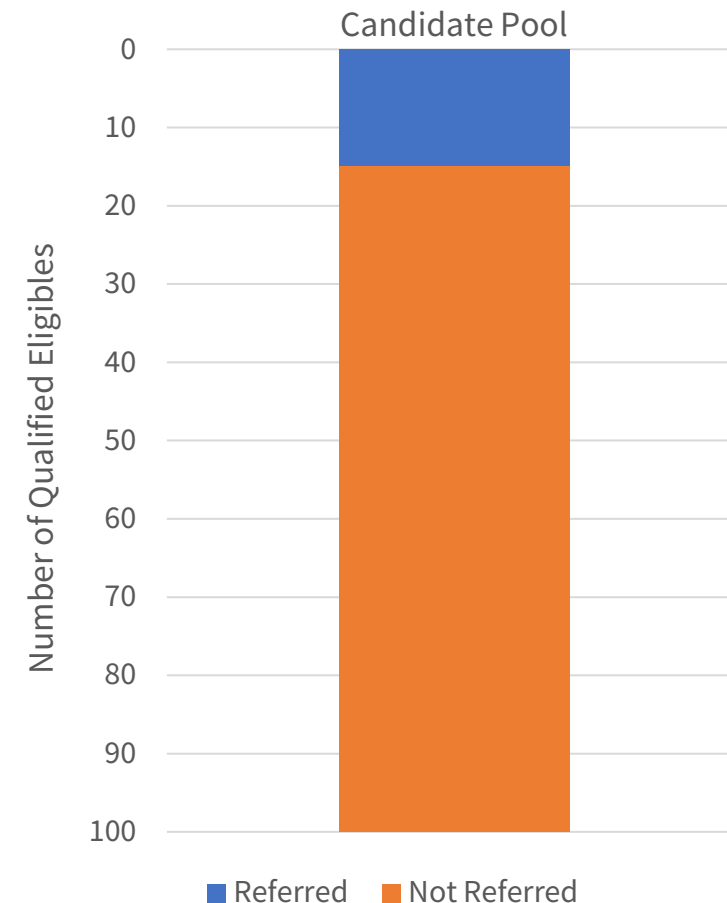
The Equal Employment Opportunity Commission (EEOC) outlines that:

- Employers must not use different cut-off scores for different demographic groups.
- If a cut-off score disproportionately excludes a protected group, it must be job-related and consistent with business necessity.
- Employers should validate assessments using one of three methods under the [Uniform Guidelines on Employee Selection Procedures \(UGESP\)](#)
- [Uniform Guidelines on Employee Selection Procedures \(1978\)](#)

Set Number of Candidates:

- A predetermined number from the top of the ranked list.
 - Example: Top 15 candidates
- When using a set number of names or top percentage of candidates, ALL candidates with the same score as the last candidate in the cut will also be certified.

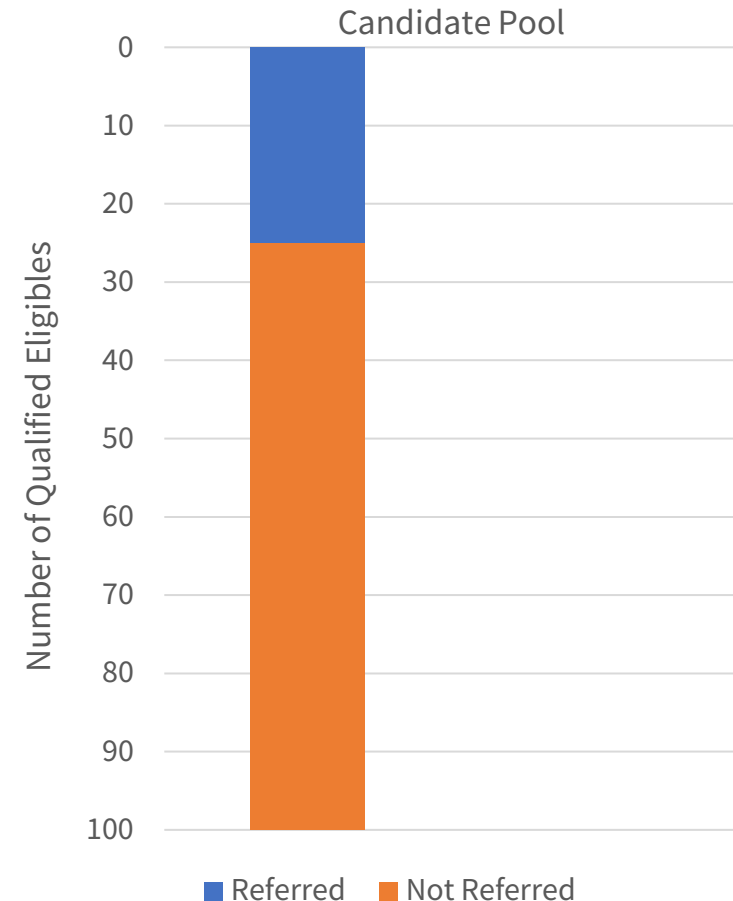
Program Analyst, GS-11



Percentage of Top-Ranked Candidates:

- A predetermined percentage of the highest-ranking eligible candidates.
 - Example: Top 25% of qualified candidates
- When using a set number of names or top percentage of candidates, ALL candidates with the same score as the last candidate in the cut will also be certified.

Program Analyst, GS-11



Considerations for Choosing a Method

- When choosing the appropriate mechanism, agencies should consider:
 - The assessment(s) used
 - Historical applicant data
 - Current labor market conditions
 - And/or other factors appropriate for the hiring action
- The mechanism must be chosen before announcing the vacancy and be identified in the job opportunity announcement.
- The mechanism chosen should allow for a sufficient number of names to allow an agency to consider at least three candidates for each vacancy.

Questions

Certification and Selection Process

How the Rule of Many Works (Example #1)

POSITION: PROGRAM ANALYST, GS-11

AGENCY IS MAKING 3 SELECTIONS, AND USING A CUT-SCORE OF 95

Veterans Preference Codes

- **CPS/CP** – greater than 10% 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	

How the Rule of Many Works (Example #2)

POSITION: ACCOUNTANT, GS-11

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

Veterans Preference Codes

- **CPS/CP** – greater than 10% 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		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.	96.0 NV		20.	94.0 NV



Certificate of Eligibles		
Created using set number of eligibles - 10		
Candidate	Score/VP	Action
1.	99.0 NV	Selection 1
2.	98.0 XP	Selection 2
3.	98.0 NV	
4.	97.0 TP	Selection 3
5.	97.0 TP	Selection 4
6.	97.0 NV	
7.	96.0 TP	
8.	96.0 NV	
9.	96.0 NV	
10.	96.0 NV	

Questions

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	✅ Yes – aligns with merit-based hiring reforms	✅ Yes – still permitted, but not the preferred method
Use Together?	❌ No – cannot be used with Category Rating in the same hiring action	❌ 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 filling positions that don't require technical qualifications and applicants have similar competency levels

How the Rule of Many Works

Comparison between Category Rating and Rule of Many (Ranking)

POSITION: PROGRAM ANALYST, GS-11

AGENCY IS MAKING 2 SELECTIONS, AND USING A CUT-SCORE BASED ON ASSESSMENT

Applicants in Alphabetical Order

Applicant	Vet Pref	Score	Adjusted Score
Adams	NV	100	100
Banks	XP	89	99
Chase	NV	79	79
Dennis	TP	93	98
Everton	NV	80	80
Franks	XP	78	88
Gregory	NV	99	99
Houston	NV	92	92
James	TP	93	98

Rule of Many

“Many” = Score of 90 or better			
Adams*	NV	100	Selection 1
Banks*	XP	99	
Gregory*	NV	99	
Dennis*	TP	98	Selection 2
James*	TP	93	
Houston	NV	92	

Category Rating

Best Qualified Category (90 - 100)		
Banks*	XP	
Dennis*	TP	Selection 1
James*	TP	Selection 2
Adams	NV	
Gregory	NV	
Houston	NV	

**Indicates applicants who can be selected on the certificate.*

Questions

Getting Started with the Rule of Many

1. Read the Regulatory Updates

Review the final rule published in the Federal Register (RIN 3206-AN80).

Understand how Rule of Many aligns with Executive Order 14170 and the Merit Hiring Plan.

2. Review Your Assessments

Determine which assessments are best suited for **ranking candidates** under Rule of Many.

3. Stay Tuned for DEOH Updates

OPM will release updates to the **Delegated Examining Operations Handbook (DEOH)**.

These updates will provide detailed guidance on implementing Rule of Many.

4. Plan for Implementation

Begin internal discussions and training.

Coordinate with HR specialists and hiring managers to prepare for transition.

Wrap Up: Resources and Final Questions

Merit Hiring Plan Resources for Agencies

- [Merit Hiring Resources Page](#)
 - [Merit Hiring Plan](#)
 - [Answers to Frequently Asked Questions](#)
 - [Agency Guidance on the Two-Page Limit on Resume Length](#)
 - [Applicant Guidance on the Two-Page Resume Limit](#)
 - [Job Titling Guidance in Alignment with Executive Order 14170 and the Merit Hiring Plan](#)
 - [Guidance on Using the Four Short Essay Questions](#)
 - [Fact Sheet: OPM Launches Merit Hiring Plan to Modernize Federal Workforce and Restore Accountability](#) (May 29, 2025)
 - [Merit Hiring Learning Series](#) (Eventbrite collection)
- [Executive Order 14170 - Reforming the Federal Hiring Process and Restoring Merit to Government Service](#)
- [Public Law 118-188 – Chance to Compete Act](#)
- [Reinvigorating Merit-Based Hiring Through Candidate Ranking in the Competitive and Excepted Service \(Rule of Many\)](#)

Call to Action — Join the Full Training

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!

December 11 – Rule of Many and Three Considerations: This session will discuss the use of the three considerations rule and how it works when using the rule of many selection procedures. We recommend that all attendees read the [Rule of Many regulations](#) and view the [Rule of Many Part 1](#) webinar prior to attending this event.

Virtual events are hosted on MS Teams Townhall.

Depending on your agency's network, the Teams Townhall features may not be available to you. Slides and recordings, if/when available, are posted on [OPM's Merit Hiring Plan Resources](#) page.

Thank You

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

<https://surveys.opm.gov/se/5B5534D4035FFB3A>



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