

Headquarter (HQ), Joint Readiness Training Center (JRTC) &  
Fort Polk, Louisiana

Army Regulation 690-11

14 June 2016

Civilian Personnel


**Merit Promotion and Placement Plan**

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**\*This regulation supersedes JRTC & FP Regulation 690-11, 8 Jan 1997.**

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FOR THE COMMANDER:

  
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Commanding



OFFICIAL:

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**Summary.** This regulation provides policy and procedures for promotions and other competitive placement actions of U.S. citizens to appropriated fund positions in the competitive and excepted services serviced by Civilian Human Resources Agency (CHRA), Civilian Personnel Advisory Center (CPAC). This regulation is consistent with statutory and regulatory guidance issued by the Office of Personnel Management (OPM), Department of Defense (DoD), and Department of the Army (DA).

**Summary of Change.** This regulation has been substantially changed. A full review of its contents is required.

**Applicability.** This regulation applies to the HQ JRTC, its subordinate commands and assigned units located at Fort Polk and joint positions occupied by Army employees, and all other Army activities at Fort Polk unless otherwise addressed by appropriate agreements or understandings authorized by another Army Regulation.

**NOTE:** This plan applies to all other activities that are serviced by the CHRA, CPAC Fort Polk in the absence of applicable command-specific merit promotion and placement criteria.

**Supplementation.** Further supplements to this regulation by subordinate commands or other Army and non-Army activities are prohibited unless prior approval is obtained from the Commander, ATTN: Civilian Personnel Advisory Center (CPAC), Fort Polk.

**Records Management.** Identification, maintenance and disposition of records created as a result of processes prescribed by this regulation is accordance with AR 25-400-2. Record titles and descriptions are available on the Army Records Information System website at: <https://www.arims.army.mil>.

**Suggested Improvements.** The proponent of this regulation is the Civilian Personnel Advisory Center. Users are invited to send comments and/or suggestions for improvements on a DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, Joint Readiness Training Center and Fort Polk, ATTN: Civilian Personnel Advisory Center (CPAC), Fort Polk, LA 71459.

**Distribution.** Electronic Media Only (EMO).

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## **Chapter 1**

### **General**

#### **1-1. Purpose**

This regulation establishes policy, assigns responsibilities, and prescribes procedures for promotions and other competitive placement actions of U.S. citizens to appropriated fund positions in the competitive and excepted services. This regulation complies with the requirements of applicable OPM, DoD, DA, and other higher headquarter regulations. Higher-level regulations and authority must be used for policy on areas not included in this plan.

#### **1-2. References**

Related publications are listed in appendix A.

#### **1-3. Explanation of Terms and Abbreviations**

Terms and abbreviations used in this regulation are explained in the glossary of this plan.

#### **1-4. Responsibilities**

a. CHRA, Civilian Personnel Advisory Center (CPAC) will —

- (1) Administer the merit promotion and placement program to ensure that the provisions of this plan and intent of the United States Code, Title 5, are met.
- (2) Advise, assist, and provide information and guidance to management officials on recruitment methods, sources, strategies, appropriate areas of consideration, supervisory and employee responsibilities, regulatory requirements, and the provisions of this plan, including outreach and/or other special emphasis programs or requirements.
- (3) Provide information to the workforce on the merit promotion and placement program.
- (4) Participate in job fairs and provide information to the applicant pool or labor market on recruitment processes and application procedures.
- (5) Assist management or subject matter experts (SMEs) with job analysis to identify the necessary knowledge, skills and abilities required or desired for successful job performance.
- (6) Prepare and distribute vacancy announcements through electronic means.
- (7) Evaluate applicant qualifications as required by the recruitment method used.
- (8) Issue referral lists to selecting officials or designated representatives, as appropriate.
- (9) Advise, assist, and provide information and guidance to applicants regarding access to information on the status of their resumes and applications for employment or placement

consideration through the Agency Central Resume Processing Center job announcement applicant help link.

(10) Respond to inquiries regarding rating determinations timely.

(11) If there are specific affirmative employment program goals required, will coordinate selections with the appropriate Equal Employment Opportunity officer.

(12) Make tentative job offers, as applicable, and obtain additional documentation from selectees, to finalize confirmation of selection, make allowances and benefits determinations, make final job offers, coordinate employment effective dates, and process selections to the CHRA, North Central Processing Center (CivPRC) in accordance with (IAW) applicable laws, rules, and regulations and within established timeframes. Job offers will be made in writing via e-mail with a requirement that the selectee respond to the CPAC within 3-5 workdays. If no response is received within this timeframe, an effort will be made to contact the applicant by telephone to obtain a response. Applicants who cannot be reached by phone after having failed to notify their CPAC HR representative within a reasonable time period of 7 workdays will be considered to have declined the job offer, unless the situation requires additional time as approved by the selection manager.

(13) Fully document all actions taken under this plan IAW all applicable laws, rules, regulations, and/or Standing Operating Procedures (SOPs).

(14) CPAC will provide reasonable assistance to dependents and DoD civilians, to include referring them to local agencies and/or local organizations to assist in resume building and navigating USA Jobs and USA Staffing.

(15) CPAC will maintain a binder of open vacancy announcements issued by the Fort Polk CPAC.

b. CHRA, NC Processing Center (CivPRC) will —

(1) Process selections in the Defense Civilian Personnel Data System (DCPDS) IAW applicable laws, rules, and regulations and within established timeframes.

(2) Establish, request, maintain, and/or transfer employee electronic Official Personnel Files (eOPFs).

(3) Periodically audit personnel actions to ensure compliance with applicable laws, rules, and regulations.

c. Managers will —

(1) Familiarize themselves with this plan and provide information on its provisions to employees.

(2) Apply the principles and procedures established in this plan including positive support of the Equal Employment Opportunity (EEO) and Affirmative Action Programs (AAPs).

- (3) Ensure all candidates referred are considered without regard to discrimination or favoritism based on personal relationship, kinship, or patronage.
- (4) Anticipate personnel requirements and initiate appropriate action sufficiently in advance to allow for effective recruitment.
- (5) Provide all required information on the Request for Personnel Action (RPA) and confirmation of a discussion to CPAC via the Strategic Recruitment Discussion (SRD) for recruitment actions.
- (6) Participate in the job analysis and development of required/desired skill or other placement criteria.
- (7) Serve or release subordinates to serve as subject matter experts (SMEs) and raters for job analysis and rating/ranking or selection panels.
- (8) Assist employees in applying for vacancies. Managers will help employees who are absent from work for legitimate reasons (for example, approved leave, detail, military duty, deployment, training, etc.) with the application process if the employee requests this support in writing.
- (9) Schedule interviews with candidates referred for selection, if desired. Interviews and reference checks are highly recommended. The selecting official may elect to interview all, some, or none of the candidates referred; however, job-related criteria must be used to determine which candidates to interview.
- (10) Review and monitor selection procedures to ensure compliance and intent of affirmative action program goals and objectives and the merit principles of the USC, Title 5. EEO goals and commitments require the coordination with local EEO Chief.
- (11) Obtain any required organizational or higher-level approvals for selections.
- (12) Make primary and alternate selections, when feasible, from any appropriate candidate source and return selections to the CPAC in a timely manner (normally within 14 calendar days).
- (13) Annotate the referral selection documentation to explain the merit-based reasons for selection and/or non-selection of individuals, as applicable.
- (14) Notify employees in writing of the conditions of time-limited appointments and temporary promotions.
- (15) Provide assistance and counseling to employees on self-development opportunities, application procedures, and non-selection.

d. Employees will—

- (1) Submit and maintain active resume(s) via the USAJOBS online employment system. Resumes must be submitted online via USAJOBS and must comply with the guidance specified in each vacancy announcement posted to USAJOBS.

(2) Regularly review job announcements and apply (self-nominate) for positions for which they are within the prescribed area of consideration, interested, available, and qualified by following the instructions specified in the announcement within required timeframes. Self-nominations must be submitted not later than midnight Eastern Time on the closing date of the vacancy announcement.

(3) Inform the CPAC Human Resources (HR) representatives within 3-5 workdays after being offered a job whether they accept or decline the offer. Applicants who cannot be contacted by phone after failing to notify their HR representatives within 7 workdays without an approved extension will be considered to have declined the job offer.

(4) Notify their supervisor or manager in writing of job opportunities for which they are interested in applying during periods of legitimate absences (see paragraph 1-4c (8) above). This is so the supervisor or manager can make contact to ensure you are made aware if interested in applying to vacancy being filled during absence.

(a) The employee should have an active resume in USAJOBS to quickly apply.

(b) The employee's written request must provide specific titles, series, and grades for which he or she wants to be considered and include all information required for the supervisor or manager to ensure proper notification is made in their absence.

(5) Seek advice and assistance from supervisors and CPAC representatives on the provisions of this plan.

e. EEO Offices will—

(1) Review actions taken under the merit promotion and placement plan to ensure opportunities for all candidates are consistent with affirmative action plans and programs.

(2) To the extent practicable, work in conjunction with supervisors, managers, and HR representatives to assure recruitment efforts reach potential employment sources that include minorities, women, persons with disabilities, and other special emphasis groups.

### **1-5. Policy**

a. All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age (40+), disability (physical or mental), genetic information, reprisal, or handicapping condition, and with proper regard for their privacy and constitutional rights. This plan does not conflict with U.S. Laws, International Agreements, OPM, DoD, or DA regulations or employment policy, including limitations on overseas employment, family member employment, military spouse employment, and the DoD Priority Placement Program.

b. Military spouses shall be given preference when filling vacancies competitively through either internal or external placement in all positions designated for U.S. citizen occupancy IAW the

Civilian Personnel Manual, DoD 1400.25-M. Preference applies to positions at or equivalent to the GS-15 level and below.

c. Applicants who apply for consideration as Veteran's Recruitment Act (VRA) eligibles will compete against other VRA eligibles for appointment. Applicants who currently hold a VRA or other permanent career or career-conditional appointment will not compete for new VRA appointments. Applicants in this category will be considered as —Current In-service Army Eligibles and/or any other applicable eligibilities reflected under "Who May Apply" in the vacancy announcement posted to USAJOBS.

d. Candidates will be referred for all applicable appointing authorities and, if selected, will be appointed using the authority most advantageous to the applicant subject to any regulatory or other restrictions, however to do so requires the applicant to ensure all supporting documentation for that eligibility is provided at the time they self-nominate to the vacancy announcement posted to USAJOBS.

## **Chapter 2**

### **Prohibited Personnel Practices and Nepotism**

#### **2-1. Prohibited Personnel Practices**

Federal employees with personnel authority must observe the merit system principles in 5 USC 2301 and may not commit prohibited personnel practices. A Federal employee has personnel authority if they can take, direct others to take, recommend, or approve any personnel action. This includes appointments, promotions, discipline, details, transfers, reassignments, reinstatements, or any decisions concerning pay, benefits, training, and any decision to order psychiatric testing or examination. A personnel action also includes any significant change in duties, responsibilities, or working conditions which is inconsistent with the employee's salary or grade. People with personnel authority -- managers and supervisors - are charged with avoiding prohibited personnel practices. Any official who commits a prohibited personnel practice is subject to immediate disciplinary action.

#### **2-2. Nepotism—Employment of Relatives and Personal Favoritism**

No official may, in recommending or selecting candidates for positions show or give preference to any candidate based upon factors not pertinent to their qualifications including personal friendship, kinship, or political connections. A public official may not appoint, employ, promote, or advance one of his relatives (by blood or marriage) to a position in his/her agency, nor may he/she advocate a relative for appointment, employment, promotion, or advancement in the agency. These provisions apply to all individuals involved in the rating, ranking, evaluation, and/or selection processes for actions under this plan.

## **Chapter 3**

### **Exclusions and Coverage**

#### **3-1. Exclusions**



Competitive procedures do not apply to—

a. Promotion resulting from the upgrading of a position without significant change in the duties and responsibilities due to the issuance of a new classification standard or the correction of an initial classification error.

b. Placement made during or in lieu of a reduction-in-force (RIF) as permitted by applicable regulations.

c. Action involving statutory, regulatory or administrative placement, including actions directed by higher command levels, arbitration decisions, court decisions, the Merit Systems Protection Board, negotiated settlements, and discrimination complaint decisions.

d. Promotion without further competition of an employee who was appointed from a civil service register, by direct hire, by non-competitive appointment or non-competitive conversion, or under the competitive promotion procedures of this plan for an assignment intended to prepare the employee for the position being filled. (The intent of the career ladder must be made a matter of record and be documented.)

(1) In accordance with DA policy, a non-competitive career-ladder promotion will be made effective the first full pay period after the employee becomes eligible for promotion. Eligibility requires management's certification that the employee is performing satisfactorily, that all training and qualification requirements have been met, and that funds are available.

(2) The manager is required to initiate a Request for Personnel Action (RPA) for career promotion 30 days before the effective date of the action.

e. Promotion to a grade previously held on a permanent basis in the competitive service (or in another merit system with which OPM has an interchange agreement) from which the employee was separated or demoted for other than performance or conduct reasons.

f. Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having no greater promotion potential than that of a position the employee currently holds or previously held on a permanent basis in the competitive service from which the employee was separated or demoted for other than performance or conduct reasons.

g. Temporary promotions or details to a higher-graded position of 120 days or less, or up to 179 days to maintain continuity of essential functions during base closures and major draw downs. Prior service during the preceding 12 months under non-competitive, time-limited promotions and non-competitive details to higher-graded positions counts toward the 120-day total. An employee need not meet time-in-grade or minimum qualification requirements (other than positive education requirements) to be detailed to another position.

h. Placement of employees who have re-promotion or reemployment eligibility through special consideration programs.

i. Promotion resulting from the employee's position being reclassified at a higher grade because of additional duties and responsibilities. These actions represent the upgrade of the employee's

existing position when no vacancy exists and, in addition to the new higher graded duties, the employee continues to perform the same basic duties of his or her former position.

j. Promotion or placement of an employee entitled to non-competitive priority consideration as a corrective action for failure to be given proper consideration under the requirements of this plan.

k. Non-competitive appointment of an eligible veteran with a 30-percent or more disability from a time-limited provisional appointment and promotion after conversion to a competitive appointment provided the position occupied has an established full performance level (career ladder).

l. Non-competitive appointment of a VRA eligible, with a 10 percent or greater VA compensable disability and promotion after conversion to a competitive appointment provided the position occupied has an established full performance level (career ladder).

m. Non-competitive conversion of severely disabled individuals and promotion after conversion provided the position occupied has an established full performance level (career ladder).

n. Non-competitive appointment of an OPM interchange agreement eligible to the same or lower representative rate of pay or a reinstatement eligible to a grade no higher or with no more promotion potential than previously held on a permanent basis in the competitive service.

o. A grade-band promotion, either temporary or permanent, of a Defense Civilian Intelligence Personnel System (DCIPS) employee to a position serviced by the CPAC at a higher grade level within the employee's current grade band and within the employee's current line of work. Positions are generally in the same line of work if they permit the movement of employees from one position to another without significant differences in the knowledge, skills, and abilities (KSAs) required for successful performance. The determination that two positions in different series are in the same line of work will be documented in the case file. This authority may not be used to promote an employee from a non-supervisory to a supervisory position.

p. Promotion or detail of a DCIPS employee to a grade no higher than previously held on a permanent basis in either the competitive or the excepted service.

q. Placement in senior executive service or equivalent-grade position.

r. Reassignment or changes to lower grades in excepted service, including the to-position with promotion potential, when the grades are no higher than currently or previously held on a non-temporary basis.

s. Other types of actions not specified above that are permitted by OPM.

### **3-2. Covered Competitive Actions**

a. Permanent promotion to a higher-graded position or to a position with more promotion potential than any position previously held on a permanent basis.

- b. Reassignment or demotion to a position with more promotion potential than any position previously held on a permanent basis (except as permitted by reduction-in-force regulations).
- c. Appointment, transfer, or reinstatement to a position at a higher grade or with more promotion potential than previously held on a permanent basis.
- d. Time-limited promotion and detail for more than 120 days (or more than 179 days to maintain continuity of essential functions during base closures and major draw-downs) to a higher-graded position.
  - (1) Prior service during the preceding 12 months under non-competitive, time-limited promotions and non-competitive details to higher-graded positions counts toward the 120-day total.
  - (2) A temporary promotion may be made permanent without further competition provided that—
    - (a) The temporary promotion was originally made under competitive procedures.
    - (b) The fact that the promotion may be made permanent was made known to all potential candidates in the area of consideration.
  - (3) Competitive, time-limited promotions and details will not be considered when computing the 120-day limit.
  - (4) Competitive, time-limited promotions may be made for up to 5 years.
- e. Selection for training that is part of an authorized training agreement, part of a promotion program, or required by regulation before an employee may be considered for a promotion.
- f. Appointment of an employee under an OPM interchange agreement to a higher representative rate position.
- g. Temporary promotions must be made for a definite period of 2 years or less, but may be extended for additional periods of up to 1 year at a time at the discretion of the local commander.

## **Chapter 4**

### **Competitive Procedures**

#### **4-1. Locating Candidates**

- a. Merit promotion announcements are the primary means used to locate candidates within the area of consideration when filling positions under the competitive procedures of this plan. The area of consideration must—
  - (1) Be broad enough to ensure the availability of a reasonable number of high-quality candidates.

(2) Take into consideration the nature and level of the position being filled, merit principles, equal employment opportunity affirmative-action goals and objectives, and applicable regulations.

b. The area of consideration must be identified in the vacancy announcement.

c. Except as stated in 4-1e below, the minimum area of consideration must include—

(1) Persons with military spouse preference (MSP) living within the commuting area of the vacancy, whether or not on leave without pay (LWOP).

(2) Current DA employees with competitive status regardless of location.

(3) Veterans Employment Opportunity Act (VEOA) applicants regardless of location.

(4) Interagency Career Transition Assistance Plan (ICTAP) eligibles within the commuting area.

(5) Military Spouses eligible for appointment under Executive Order 13473 - Noncompetitive Appointing Authority for Certain Military Spouses, who reside in the commuting area of the sponsor, or the commuting area of the sponsor's future duty location based on PCS orders

(6) Non-Appropriated Fund Interchange (NAFI) – required for IMCOM/Garrison only.

d. The minimum area of consideration may be expanded to include other sources, such as—

(1) Family members, E.O. 12721 eligibles.

(2) Transfer eligibles (DoD and Non-DoD).

(3) Reinstatement eligibles.

(4) VRA eligibles.

(5) 30-percent disabled veteran (30% DAV) eligibles.

(6) Non-Appropriated fund (NAF) employees eligible for appointment under the DOD/OPM interchange agreement (unless IMCOM/Garrison as noted in para c(6) above).

(7) DCIPS interchange agreement employees.

(8) Applicants eligible for appointment under other interchange agreements.

(9) Individuals eligible under other special appointing authorities, as appropriate.

(10) All U.S. citizens eligible for competitive appointment through DE/External procedures

e. For competitive details and temporary promotions of more than 120 days but not to exceed 1 year, managers may limit the area of consideration to in-service employees in the organization or directorate with the vacancy.

f. Only U.S. citizens may be placed in U.S. appropriated fund positions overseas.

g. Employees on term appointments may not be promoted to, or noncompetitively placed in, permanent positions unless otherwise eligible for a 30% DAV, VRA, family-member appointment, or other appropriate appointment eligibility.

h. Announcements must be opened for at least five workdays. Approval to open announcements for less than the minimum time must be obtained from the servicing CPAC Director, who will coordinate with the bargaining unit representative.

#### **4-2. Candidate Evaluation and Referral**

a. The CPAC uses an automated rating and referral system called USA Staffing (USAS) for filling positions under this plan. To apply for vacant positions, applicants will be required to submit a resume via USAJOBS that links to USAS for processing. Once the resume is submitted online, applicants can self-nominate for open vacancy announcements posted to USAJOBS. Resume and self-nominations must be received by the closing date of the vacancy announcement opened.

b. To be eligible for promotion or placement under this plan, applicants must meet all eligibility requirements and minimum qualification requirements prescribed by OPM at the time job announcement closes. Applicants for promotion or placement into a job having greater growth potential than their current job (or one previously held) must have a rating of fully successful or higher in their most recent annual performance appraisal. In the absence of an appraisal, applicants will be presumed to be fully successful.

c. The resume of applicants who are self-nominated will be matched against the required and desired KSAs as defined by the selecting official under the approved job analysis. To be eligible for referral, candidates must generally be among the best qualified groups of applicants. In addition, candidates must meet the OPM minimum qualifications, any special placement requirements, time in grade, and other applicable criteria for referral. Requests from selecting officials to waive the best qualified determination process and refer all qualified candidates will be denied.

d. When an analysis of the candidate pool suggests the manager will be better served by separately providing the names of candidates eligible for non-competitive referral without implementing competitive procedures, the CPAC HR representative should consult with the manager regarding this decision and option to fill during the SRD. If non-competitive candidate meets all eligibility and qualifications and no priority candidates blocks such appointment, appointment can be made without regard to the presence of military spouse eligibles.

e. A referral list is considered valid if it includes at least three available candidates. A referral list with fewer than three available candidates is also valid when the selecting official chooses to accept the list and make a selection from it based on low numbers of qualified candidates

eligible for referral. Generally, no more than 25 applicants will be referred. In determining the maximum number of applicants to refer, CPAC will refer all applicants with the same score as those individuals who are referred.

f. When fewer than three candidates are referred, management may request a supplemental referral list or request re-announcement.

g. The CPAC Director or his/her designee will consider all requests for supplemental referral lists based on the facts of the case and determine if a subsequent referral is warranted. A request for an additional referral because a known applicant did not apply in a timely manner or a name request did not appear on the referral list will not be approved. When reviewing requests for subsequent referrals, the CPAC Director or his/her designee will ensure the integrity of the Merit Promotion Program. Examples of additional reasons and justification procedures that may support a supplemental referral request are as follows:

(1) After working the referral list, management determines that there are fewer than three available candidates remaining on the referral list. The selecting official must document the referral list annotating reasons candidates are not available. The CPAC will review the documented referral list.

(2) Management provides justification that identifies reasons that candidates are minimally, but not highly qualified for the position. If sustained by the CPAC Director or his/her designee that the desired or required KSAs were not appropriate to produce a high-quality referral list, the CPAC will assist the selecting official by identifying the KSAs that will help produce high-quality candidates, even if lowering the cut-off score.

(3) Poor reference checks.

(4) Other reasons as determined on a case-by-case basis that are justified by management and approved by the CPAC Director or his/her designee.

h. The selecting official should make selections within 14 calendar days after the date the referral is issued. Extensions to the 14 calendar day referral suspense may be granted by the CPAC for compelling reasons (e.g., selecting official absence, change in selecting official, rating/ranking or selection panels, higher level approvals, etc.). A selecting official will make their selection from a properly issued referral list within 180 calendar days from the date the job announcement closed. After 180 days the referral will have expired.

i. Selecting officials may make additional selections from referral lists up to 90 days after initial issue for additional, identical vacancies (e.g., same title, series, grade, promotion potential and skill requirements).

## **Chapter 5 Selection**

### **5-1. Selection**

- a. Management has the right to select candidates from any appropriate source before, during or after competitive procedures are applied. Management also retains the right to select or not select from a properly constituted list of competitive candidates.
- b. Selection rules applied to Military Spouses with preference (MSP) will be observed as appropriate.
- c. Military Spouses with preference referred for selection will block selections of non-MSP candidates when a selection is made from a competitive source. This policy applies whether the MSP candidate is on LWOP or is an external candidate. MSP does not contravene existing statutes or regulations on veterans' preference or nepotism.
- d. Military Spouses with preference candidates, who are within 6 months of their sponsors' tour rotation dates may be non-selected for permanent (continuing) positions without regard to preference.
- e. Non-Competitive sources may be used to fill positions without regard to available MSP (for example, 10 pt or higher compensable disabled veteran that is name requested and determined to be eligible and qualified for grade being filled).
- f. When conducting interviews, the selecting official will not give written performance or job related tests. Selecting officials should structure interviews to include only questions which are job related. Interviewers will not ask questions of a personal or private nature in order to solicit information from applicants.

## **5-2. Effective Dates**

- a. CPACs will notify selected candidates, make tentative and/or final job offers, and establish entrance on duty or proposed effective dates.

(1) A selecting official is not to advise a candidate of his or her tentative selection prior to returning the referral list to the CPAC. The responsibility for extending the tentative job offer and final job offer will remain with the CPAC. The commitment is not firm until such time as the CPAC makes the final job offer. In order to mitigate any risks associated with advising candidates, the selecting official is advised not to discuss selections made. CPAC must ensure that the selected candidate thoroughly understands that the selection is "tentative," subject to verification of employment documents and completion of all pre-appointment requirements. The CPAC must also advise the selected candidate at the time the tentative job offer is made not to take any irrevocable actions, such as resigning, giving notice to employer, selling/renting home, signing realtor contract, etc., prior to receiving the official, "final" job offer from the CPAC.

(2) Some of the conditions that the CPAC HR Rep should be aware of when advising a candidate of his or her tentative selection that could potentially affect the ability to proceed with the final job offer are:

- (a) Validation of any required employment documents such as college transcripts, licenses/certifications, credentialing documents; receipt of DD Forms 214; completion of all pre-

employment requirements (i.e. physicals, drug test, security clearance determinations, credentialing, etc., if required).

(b) Clearance of DoD Priority Placement Program (PPP);

(c) Final verification to ensure candidate appointment eligibility is supported; and

(d) Salary determination rules and conditions.

b. Employees selected for promotion, reassignment, or change to lower grade will be released by managers after serving the remainder of the pay period during which the offer is made and another full pay period. Exceptions may be made if the releasing official and the gaining official both agree.

c. If a geographic move is involved, the selected employee will normally be released within 30 days of receipt of a firm job offer. For PCS moves from an overseas area, the selected employee will have 45 days or longer. Same principal applies in b above regarding coordination of the final release date.

d. Actions normally will be effective on the first day of the pay period, unless the position being filled is critical and request is made to place selectee in the middle of pay period. Such requests must be made by selecting official when such situations are required. Actions that return an employee to pay status may be effective earlier, especially if a delay would cause a break in service.

### **5-3. Missed Consideration**

a. Applicants who miss consideration for a vacancy because of administrative or other error will be granted priority consideration for the next like vacancy. The CPAC will provide written notification to the applicant and selecting official explaining the reason(s) priority consideration is being afforded and, again, when priority consideration has been afforded.

b. Priority consideration does not mandate selection and will be granted only once when it can be determined that the applicant would have been on the referral list had the error not occurred.

c. A like vacancy is typically one with the same position title, series, and grade, and at the same geographic location as the vacancy for which consideration was missed. Based on a written request by the applicant to the CPAC, this may be modified on a case-by-case basis. The CPAC will give a written approval or disapproval to the applicant regarding any modifications to the terms of the priority consideration.

### **5-4. Order of Consideration**

The order of consideration for employee placement is as follows:

a. Statutory, reemployment, or restoration placements.



- b. Directed placements (for example, those directed by a court, the Equal Employment Opportunity Commission, or the Merit Systems Protection Board) or other corrective actions.
- c. RIF actions or placements in lieu of a RIF.
- d. Local repromotion eligibles.
- e. Certain actions permitted under the DoD Program for Stability of Civilian Employment (for example, job swaps, medical accommodations).
- f. Reemployment priority list (RPL) registrants for positions at or below the grade last held by the registrant.
- g. DoD Priority Placement Program registrants and RPL candidates other than those in subparagraph f above.
- h. Special considerations after failure to receive consideration under the Merit Promotion Plan.
- i. ICTAP eligibles.
- j. All other competitive and non-competitive placement actions subject to the rules and regulations governing military spouse preference and veterans' preference.

## **Chapter 6**

### **Program Effectiveness and Integrity**

#### **6-1. Program Effectiveness and Integrity**

- a. The CPAC will ensure that this MPP is readily accessible to employees. In addition to the information in this plan and information provided in vacancy announcements, the CPAC will publish special announcements, articles, and/or guidance whenever there are changes directed by higher authority or when program reviews mandate a change in policies, principles, or procedures.
- b. The CPAC will maintain a complete electronic case file on each promotion/placement action made under this plan for a period of two years. These records will be used for such purposes as evaluating the merit promotion program, providing assurance and evidence that placement actions are being made IAW established merit principles and procedures, and responding to questions about the program or specific actions. Sufficient documentation will be available within the placement records to provide a clear audit trail and permit a complete reconstruction of any action.
- c. Failure to adhere strictly to laws, OPM regulations and instructions, DoD/DA policies and guidelines, and provisions of promotion plans constitute violations as follows:
  - (1) Procedural violation. Not in conformance with the requirements of this regulation.

(2) Program violation. Failure of local merit promotion plan to conform with OPM requirements or DoD/DA merit promotion guidelines.

(3) Regulatory violation. Actions in which the employee did not meet legal OPM or other eligibility requirements at the time of the action.

d. Erroneously promoted employees may or may not be retained in the position, depending upon the facts surrounding the violation. Employees not promoted or given proper consideration may be given priority consideration for promotion to the position concerned or to the next appropriate vacancy, depending upon the circumstances of the case. In any event, OPM, DoD, and Army regulations will be strictly adhered to in taking any corrective actions.

e. Violations of the promotion program can have a serious impact on personnel management that goes beyond the particular cases involved. Proper promotion actions are essential to ensure that the agency is being staffed with the best persons available and employees are receiving fair consideration. Thus, management officials have a special responsibility for seeing that violations do not occur either by error or design.

## **6-2. Employee Grievances and Complaints**

a. If a candidate believes that the provisions of this plan were not followed in filling a particular position, or that qualifications were not correctly evaluated in determining eligibility for consideration, he or she should immediately refer any questions to his or her supervisor or servicing CPAC. Inquiries regarding qualification determinations should be submitted IAW the procedures described in the vacancy announcement to the Agency Central Resume Processing Center job via the applicant help link. Appropriate grievance procedures may be followed if this does not satisfy the employee. Grievances are to be filed with CPAC, Staffing Chief at the Step 2 level under the requisite CBA or Step 1 under the Administrative Grievance procedure.

b. Non-Selection from a properly constituted referral list is not grievable.

c. The EEO complaint procedures are covered under 29 CFR 1614 and AR 690-600. Employees who allege discrimination based on political affiliation, race, color, religion, national origin, sex, marital status, age (40+), disability (physical or mental), genetic information or reprisal or handicapping condition, should contact their servicing EEO office.

## **Appendix A References**

### **Section I. Publications**

United States Code, Title 5, Government Organizations and Employees  
5 CFR 213, Excepted Service  
5 CFR 300, Employment (General)  
5 CFR 315, Career and Career-Conditional Employment  
5 CFR 335, Promotion and Internal Placement  
29 CFR 1614, Federal Sector Equal Employment Opportunity  
DoD Directive 1400.25, DoD Civilian Personnel Management System  
DoD Civilian Personnel Manual 1400.25-M, Subchapter 315, Employment of Spouses of Active Duty Military  
DoD Priority Placement Program Operations Manual  
AR 25-400-2, The Army Records Information Management System (ARIMS)  
AR 690-300, Employment  
AR 690-335-1, Evaluation of Employees for Promotion and Internal Placement  
AR 690-600, Equal Employment Opportunity Discrimination Complaints

### **Section II. Forms**

DA Form 2028, Recommended Changes to Publications and Blank Forms

## **Glossary**

### **Section I. Abbreviations**

30% DAV 30 Percent Disabled Veteran

AAP Affirmative Action Programs

AEP Affirmative Employment Plan

CFR Code of Federal Regulations

CHRA Civilian Human Resources Agency

CPAC Civilian Personnel Advisory Center

DA Department of the Army

DCIPS Defense Civilian Intelligence Personnel Management System

DoD Department of Defense

EEO Equal Employment Opportunity

FWS Federal Wage System

GS General Schedule

HR Human Resources

IAW In Accordance With

ICTAP Interagency Career Transition Assistance Plan

FWS Federal Wage System

LWOP Leave Without Pay

MPP Merit Promotion Plan

MSP Military Spouse Preference

NAFI Non-Appropriated Fund Interchange

OPM Office of Personnel Management

PCS Permanent Change of Station

RIF Reduction-in-force

RPA Request for Personnel Action

RPL Reemployment Priority List

SME(s) Subject Matter Expert(s)

SOP Standing Operating Procedures

TDY Temporary Duty

VEOA Veterans Employment Opportunities Act

VRA Veterans Recruitment Appointment

WG Wage Grade

## **Section II. Terms**

**Area of Consideration.** The area in which a focused search is made for eligible candidates for a specific competitive placement action. The area of consideration typically describes both the geographic coverage and appointment eligibilities for those eligible to apply. With the exception of current DA employees with competitive status and VEOA eligibles, candidates who are outside of the area of consideration will not be considered.

**Best Qualified Candidates.** Candidates in this category possess the knowledge, skills, and competencies comparable to or greater than others who meet the competitive referral criteria and/or skills for the specific position.

**Career Promotion.** The promotion of an employee without current competition when competition was previously conducted at an earlier stage. Promotion to a higher grade may be made noncompetitively provided the intention was made a matter of record at the time of competitive announcement.

### **Change-to-Lower Grade.**

**GS** - Change of an employee, while continuously employed, from one GS grade to a lower GS grade, with or without a reduction in pay.

**FWS** - Change in the position of an employee who, while continuously employed—

(1) Moves from a position in one grade of a prevailing rate schedule to a position in a lower grade of the same type prevailing rate schedule, whether in the same or different wage area;

(2) Moves from a position under a prevailing rate schedule to a position under a different prevailing rate schedule (e.g., WL to WG) with a lower representative rate; or

(3) Moves from a position not under a prevailing rate schedule to a position with a lower representative rate under a prevailing rate schedule.

**Commuting Area.** The geographic area that is normally considered one area for employment purposes. For military spouses, it includes the military sponsor's duty station and the surrounding localities where people reasonably can be expected to travel daily to and from work.

**Detail.** The temporary assignment of an employee to a different position for a specified period of time. The employee returns to his/her regular duties at the end of the detail. While detailed, an employee still officially occupies his/her permanent position of record.

**Employee-Initiated Reassignment.** Reassignment at the employee's request, normally initiated by the employee applying for a vacant position through an advertised vacancy announcement.

**Highly Qualified Candidates.** Candidates in this category possess the knowledge, skills, and competencies comparable to others who meet the competitive referral criteria and/or KSAs for the specific position to a degree that indicates they have the potential to perform in the job in an above average manner.

**Job Analysis.** The analysis of the major job requirements, specialized experience, and associated knowledge, skills, and abilities required to perform the work of a position. Related required and/or desired skills are identified for use in the evaluation process to distinguish highly qualified candidates.

**Management-Directed Reassignment.** Reassignment initiated or directed by management. While the employee may agree to be reassigned, this action normally does not include the employee applying through an advertised vacancy.

**Military Spouse.** The wife or husband of an active duty member of the U.S. Armed Forces, including the U.S. Coast Guard and the full-time National Guard or Reserves.

**Military Spouse Preference Eligible.** A military spouse who relocates via a PCS move to the military sponsor's new permanent duty station. Eligible spouses must have married the military sponsor prior to his/her reporting date to the new geographic area; be on the sponsor's PCS orders (e.g., command-sponsored), meet all pre-employment criteria and be immediately appointable under the applicable recruitment procedures; and meet basic qualifications and be among the best qualified for referral.

**Minimum Area of Consideration.** The minimum area in which a focused search is made for eligible candidates for a specific competitive placement action. Normally, the minimum area of consideration will include the categories of candidates identified in paragraph 4-1c above.

**Panel.** A group of subject matter experts (SMEs) who are appointed by the selecting official or his/her designee to review and/or rank applications and when appropriate, interview some or all of the certified candidates for a vacant position, and make recommendations to the selecting official. Whenever possible, minorities and women will be represented on panels and panel

members will occupy positions at grade levels equal to or higher than the target grade of the position being filled.

#### **Promotion.**

**GS employee's** movement from one GS grade to a higher GS grade while continuously employed (including such a movement in conjunction with a transfer);

**FWS employee's** change in the position who, while continuously employed—

(1) Moves from a position in one grade of a prevailing rate schedule to a position in a higher grade of the same type prevailing rate schedule, whether in the same or different wage area;

(2) Moves from a position under a prevailing rate schedule to a position under a different prevailing rate schedule (e.g., WG to WL) with a higher representative rate; or

(3) Moves from a position not under a prevailing rate schedule to a position with a higher representative rate under a prevailing rate schedule.

**Rating.** The evaluation of each candidate against the OPM Qualification Standards for GS positions or the OPM Job Qualification System for Trades and Labor Occupations for FWS positions.

#### **Reassignment.**

**GS/FWS** – The change of an employee from one position to another, within the same agency, without promotion or change-to-lower grade.

**Reduction-in-Band.** Movement to a lower pay band on a permanent basis.

**Relative.** Father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

**Repromotion.** Non-Competitive promotion of an employee within the area of consideration who has been demoted without personal cause to a position at his/her former grade, or any intervening grade, for which he/she meets the basic eligibility requirements.

**USA Staffing.** A commercial approved HR software application used throughout DoD and Army in the candidate evaluation process to scans resumes and match best qualified applicants based on the KSAs required of the position being filled.

**Temporary Promotion.** Promotion made on a temporary, time-limited basis.

**Time-in-Grade Restriction.** 5 CFR 300, Subpart F, restricts advancement to certain positions with the GS by placing a time-in-grade restriction on position changes involving promotion. As a general rule, to be promoted to positions above the GS-5 level, current employees must have

served for one year at the next lower grade. This restriction does not apply to filling positions outside of the GS.

**Transfer.** The movement of a career or career-conditional employee in the competitive service from one Federal government agency to another.