

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		NUMBER: 4030-330-001
SUBJECT: Special Placement Program	DATE: August 5, 2005	
	OPI: Office of Human Capital Management	

1 PURPOSE

The purpose of this regulation is to update and set forth the authority, policy and guidelines for managing the Special Placement Program within the United States Department of Agriculture (USDA). The Special Placement Program includes the Career Transition Assistance Plan (CTAP) and the Reemployment Priority List (RPL).

2 AUTHORITY

In 5 CFR Part 330, the Office of Personnel Management (OPM) has established provisions for Executive Branch Agencies of the United States Government that govern when special placement procedures must be used. The Director, Office of Human Capital Management (OHCM), is delegated the authority to set policy and provide overall guidance and direction for the USDA Special Placement Program that implements those procedures. This regulation is intended to provide a general understanding of the special placement authorities and required processes. It is to be used in conjunction with support and advice from human resources offices (HRO). More detailed guidance is set out in 5 CFR Part 330.

3 REFERENCES AND RESOURCES

- a Title 5 Code of Federal Regulations (CFR), Part 330, Recruitment, Selection, and Placement (General)
- b Title 5 United States Code (U.S.C), Section 5724a(g), Travel and Transportation Subsistence
- c Internet sites: <http://www.usda.gov/da/employ/CTAP-website-2a.htm>
<http://www.usda.gov/da/employ/reemployment-priority-list.htm>

4 SPECIAL INSTRUCTIONS/CANCELLATIONS

This regulation supersedes Departmental Personnel Bulletin 330-6, USDA Career Transition Assistance Plan, dated January 3, 2000, and Departmental Personnel Bulletin 330-2, USDA Reemployment Priority List, dated February 25, 1997.

5 RESPONSIBILITIES

The Director, Office of Human Capital Management (OHCM), is responsible for setting policy and providing overall technical guidance and direction for the Department's Special Placement Program. OHCM will provide staff assistance and monitor compliance with Departmental policy and will ensure that information regarding the Special Placement Program is available and accessible to ALL of its employees affected by downsizing, streamlining, reorganization and budget constraints who may ultimately be separated. Management officials have the responsibility for upholding the intent of the Department's Special Placement Plan.

6 COVERAGE

The USDA Special Placement Program covers the following employees:

- a Those in Tenure Groups I and II in both the competitive and the excepted service.
- b Senior Executive Service, ST (scientific/professional), and SL (senior level) who have been identified as surplus; who have received a notice of separation; or who have been separated from their Federal jobs as a result of agency workforce reductions, reorganization, a disability or a compensable injury.

7 AGENCY SUPPLEMENT

Agencies may use the Departmental Regulation (DR) if it meets their organizational needs. If the Departmental Regulation does not meet the agency's needs, the agency is required to establish a supplement to actively assist its surplus and displaced employees. This DR will provide the framework for agency supplements. All supplements must identify types of career transition services to be provided. Supplements will not deviate from the Department's Plan without OHCM approval. All supplements will be forwarded to the Department for review and will not violate collective bargaining agreements.

Each agency is responsible for assuring that the provisions of its supplement is uniformly and consistently applied to all of its employees.

8 DEFINITIONS

- a Affected Employee: Those displaced or surplus employees who are eligible for placement services.
- b Component: Those parts of the Department within a local commuting area that are assigned to a separate agency code for Central Personnel Data File (CPDF) purposes.
- c Displaced Employee: A current career or career-conditional competitive service employee in Tenure Group I or II, at GS-15 or equivalent and below, who has received a specific reduction-in-force (RIF) separation notice or notice of proposed removal for declining a directed reassignment or transfer of function (TOF) outside of the local commuting area; or, a current Executive Branch agency employee in the excepted service, serving on an appointment without time limitation, at grade level GS-15 or equivalent and below, who has been given noncompetitive appointment eligibility and selection priority by statute for positions in the competitive service, who is in receipt of a RIF separation notice or notice of proposed removal for declining a TOF or directed reassignment outside the local commuting area.
- d Eligible Employee: A surplus or displaced employee who meets conditions set forth in 5 CFR §330.605(a).
- e Local Commuting Area: The geographic area that usually constitutes one area for employment purposes as determined by the agency. This includes any population center and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment.
- f Mission Area: The term used within USDA to denote one or more agencies that report to an Under Secretary.
- g Reduction-In-Force (RIF): The process used in the Federal government to identify one or more employees who will be separated or downgraded for a reason such as reorganization, lack of work, shortage of funds, insufficient personnel ceiling, or the exercise of certain reemployment or restoration rights.
- h Reorganization: The planned elimination or redistribution of work function within an agency, normally announced in writing.
- i Special Selection Priority: Except as provided in 5 CFR 330.606(d), the process used to select surplus and displaced employees over any other candidate for vacancies in the local commuting area for which they applied and were found “well-qualified”.

- j Surplus Employee: A current agency employee serving under an appointment in the competitive service employee in Tenure Group I or II, at GS-15 or equivalent and below, who has received a certificate of expected separation or other official certification issued by the agency indicating that the position is surplus, for example, a notice of position abolishment, or a notice that the employee is eligible for discontinued service retirement; or at the agency's discretion, a current Executive Branch employee serving on a Schedule A or B excepted appointment without time limit, at grade levels GS-15 or equivalent and below, who has been issued a certificate of expected separation or other official certification issued by the agency indicating that the position is surplus, for example, a notice of position abolishment, or an official notice stating that the employee is eligible for discontinued service retirement; or an employee at grade levels GS-15 or equivalent and below, who has received a RIF notice of separation, or a notice of proposed removal for declining a transfer of function or directed reassignment outside of the local commuting area.
- k Vacancy: A position which will be filled for 121 days or more.
- l "Well-Qualified" Employee: An eligible employee who possesses the knowledge, skills and abilities that clearly exceeds the minimum qualification requirements for the position.

9 CAREER TRANSITION ASSISTANCE PLAN (CTAP)

a Eligibility

To be eligible for the special selection priority, an individual must meet all of the following criteria:

- (1) Is a displaced or surplus employee (still on agency rolls).
- (2) Has a current performance rating of record of at least fully successful or equivalent.
- (3) Applies for a vacancy that is at or below the grade level that has no greater promotion potential, than the position from which the employee may be or is being separated.
- (4) Occupies a position in the same local commuting area as the vacancy.
- (5) Files an application for a specific vacancy within established time frames by the agency and provides proof of eligibility as required under 5 CFR §330.608(a)(2).

- (6) Is determined by the agency to be “well-qualified” for the specific vacancy.
- (7) Eligibility begins on the date the agency issues the employee a RIF separation notice, certificate of expected separation, or notice of proposed separation for declining a directed reassignment or TOF outside the local commuting area, or other official agency certification.

b Expiration of Eligibility

Eligibility expires on the earliest of:

- (1) The RIF separation date, the date the employee resigns, retires or separates from the agency.
- (2) Cancellation of the RIF separation notice, certificate of expected separation, notice of proposed removal for declining a directed reassignment or TOF outside the commuting area or other agency certification identifying the employee as surplus.
- (3) The eligible employee receives a career, career conditional, or excepted appointment without time limit in any agency at any grade level.
- (4) The eligible employee declines a career, career conditional, or excepted appointment without time limit within the agency for which the employee has applied and has been rated “well-qualified”.

c USDA Transition Services

A minimum level of services will be available to ALL employees affected by downsizing, streamlining, budget reductions, reorganization, or similar events.

The minimum level should encompass the following:

- (1) Government job vacancy information.
- (2) Job preparation and search information.
- (3) Career transition workshops, training, and skills development.
- (4) Employee Assistance Program (EAP). These programs are staffed by professional counselors who provide free, confidential assistance to employees on a number of issues. Employees may contact their EAP provider directly for assistance. Agencies will provide information on how to contact EAP counselors.

- (5) Mission Area human resources offices will have a specific point-of-contact for those employees who have been displaced or have been identified as surplus.
- (6) Agencies are reminded they must reasonably accommodate employees with disabilities who are entitled to services under this plan.

d Use of Excused Absence

Each affected employee who requests it, will be granted at least 40 hours of administrative leave to make use of the service and facilities provided. Additional time may be provided, as warranted by individual situations. Consideration should be given to grant official time for job interviews.

Interviews within USDA that are within the commuting area should be considered as other official functions, agencies must be prepared to reimburse individuals for travel expenses to activities which the agency makes available. Supervisors should verify that time granted for these purposes is used appropriately.

e Use of Services and Facilities

Displaced employees will have access to career transition services and facilities for 90 days after being separated.

f Training for Employees, Managers, Supervisors and Union Representatives on the Use of Services and Eligibility for Selection Priority

OHCM will coordinate the development of any shared-cost services for Mission Areas. Each Mission Area will provide information to its employees on the use of transition services, and the supervisors and managers on the meaning of selection priority. They will also provide a specific orientation session for surplus and displaced employees as specified in 5 CFR §330.602(a)(1)(iv), at the time they become eligible for services and selection priority. Agencies must ensure that both training and materials are suitable for employees with disabilities and alternative formats are to be provided upon request.

g Retraining Efforts

Mission Areas will, to the extent possible, retrain surplus/displaced employees for other occupations needed by their organizations before hiring external candidates to fill a USDA vacancy. Managers should make every effort to provide training to internal employees who lack specialized knowledge in a specific program area, but who are basically qualified to perform the job. However, to ensure that all affected employees receive adequate training opportunities, prudence should be used in the number of courses authorized, including such considerations as budget

constraints, training costs, the parity of spending and the likelihood of making placements.

Those employees who begin training before the effective date of separation may complete their training after separation from the service. Selections for training that is governed by merit promotion regulations must be from those in the best-qualified grouping.

h Availability of information on federal, state, or local assistance to support career transition for employees with disabilities

Mission Areas will designate a coordinator to make available information on or provide contacts for federal, state or local availability of persons to support career transition for persons with disabilities. Upon employee request, printed materials will be provided in suitable formats.

i CTAP Placement Services

(1) Notification of Surplus and Displaced Employees.

Employees receiving a surplus certification, or a separation notice due to RIF or failure to accept relocation to a different commuting area, must be informed through documentation of their eligibility for priority placement and career transition services. Similarly, when an agency identifies a former employee as displaced under §330.703(b), they will be notified of their eligibility under Subpart G of 5 CFR Part 330.

(2) Tracking of Affected Employees.

Each Mission Area will establish a method of tracking its affected employees and furnishing information on current eligibility. In addition, each human resources office employing a displaced employee on a basis that affects their eligibility under CTAP shall notify the former employing office of the action taken.

j USDA CTAP Website

OHCM has developed a website to post contact information on current USDA CTAP letter issuances, including location, contact names (one primary contact and one alternate contact) phone numbers, and current grade. OHCM has the responsibility of updating and maintaining the website. The Mission Area agency has the responsibility of submitting the contact information when a surplus letter is issued.

Additionally, cancellations and changes to information on the CTAP website must be provided to OHCM. Information may be obtained from the website address at:

<http://www.usda.gov/da/employ/CTAP-website-2a.htm>.

k CTAP Vacancy Announcements

A vacancy announcement must be issued if there are any affected employees in the local commuting area that are eligible for selection priority. Vacancy announcements may be initially restricted to applicants in the commuting area who are affected employees of USDA. The initial area of consideration may be set as desired, provided it is consistent with the order of consideration in the applicable CTAP plan.

Vacancy announcements must contain information on how eligible employees can apply, proof of eligibility and the definition of “well-qualified”.

Mission Area human resources offices must take reasonable steps to ensure eligible employees are notified of all vacancies to be filled in locations where there are CTAP eligibles and what is required for them to be determined “well-qualified”.

l Order of Selection

- (1) Mission Areas must decide the specific order of selection of its CTAP eligible employees within the provision set forth in 5 CFR §330.606(a) (e.g., to select displaced employees before surplus employees or select surplus and/or displaced employees from within a particular component of the agency rather than another component of the agency).
- (2) If two or more eligible employees apply for a vacancy and are determined to be “well-qualified,” any of those employees may be selected.
- (3) Surplus and displaced employees must be advised in writing the results of their application, and whether or not they were determined to be “well-qualified” for specific vacancy announcements within the local commuting area. If an applicant is found to be “well-qualified” and another “well-qualified” applicant is selected, the applicant must be informed of his/her non-selection. If they were not found to be “well-qualified”, such notification should include results from an independent, second review, consistent with 5 CFR §330.609.
- (4) When the obligation to select employees under CTAP has been met, priority selection may be provided to surplus and displaced employees from another commuting area.
- (6) If no eligible employees apply or none are deemed “well-qualified,” then another agency employee may be selected consistent with

5 CFR §330.708(b)(3). Selections cannot be made from within or outside the agency if “well-qualified” employees are available for the vacancy or vacancies.

m Qualification Reviews

Mission Areas will ensure that documented, independent second review is conducted whenever an otherwise eligible employee is determined to be not “well-qualified”. The applicant must be advised in writing of the results of the second review.

10 REEMPLOYMENT PRIORITY LIST (RPL)

In accordance with 5 CFR §330.201(a), Mission Areas may consider RPL registrants already separated prior to consideration of other USDA employees not eligible for priority consideration under CTAP. RPL registrants must be given priority consideration over certain outside job applicants. Employees eligible for such consideration will be notified if they are required to apply for a vacancy.

a General Provisions

Mission Area human resources offices are responsible for ensuring that USDA employees separated by RIF or those who are fully recovered from a compensable injury after more than 1 year receive reemployment priority consideration to positions for which qualified and are available. The reemployment priority consideration requires careful review of the basic qualifications of the RPL eligible, followed by contact to determine interest and availability. Eligibility for RPL is limited to competitive service employees in Tenure Groups I and II in accordance with 5 CFR §330.203 and §330.204 respectively. Human resources officials are expected to liberally interpret OPM’s qualification standards, minimum educational requirements and selective placement factors to find basically qualified RPL eligibles for the positions they are filling.

Mission Area human resources offices need to determine when to check the RPL for any permanent or temporary vacancy. For example, in conducting external and internal recruitment, they may want to consider RPL eligibles at one of the following stages of the process:

- (1) Prior to announcing the vacancy or requesting a certificate issued by OPM or a delegated examining unit.
- (2) Prior to referring a certificate of eligibles or prior to making an offer of employment.

b Establishment of the RPL List

The Recruitment and Employee Development Division (REDD) is required to establish and maintain the RPL for the Department. The USDA RPL lists each duty station for which an employee has been separated by RIF or who is fully recovered from a compensable injury after more than 1 year.

c Commuting Area

According to 5 CFR §330.604(d), commuting area is defined as the geographic area that usually constitutes one area for employment purposes. It includes any population center (of two or more neighboring ones) and surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment. The Washington, D.C., metropolitan area includes the District of Columbia; Prince George's, Montgomery and Charles counties in Maryland; the cities of Alexandria, Fairfax, and Falls Church in Virginia; and Arlington, Fairfax, Loudoun, Prince William, Stafford, and King George counties in Virginia.

d Application

An RPL eligible must request reemployment consideration by submitting an application within 30 calendar days after the date of the RIF separation action or 30 calendar days after the date compensation ceases for a work related injury. An employee who fails to submit a timely application is not entitled to placement on the RPL. The application form will be submitted to the mission area human resources office, specifying the grade(s), occupation(s) and work schedule(s) for RPL registration. The Mission Area human resources office is responsible for faxing the completed Registration Sheet to REDD no later than 10 calendar days after receipt of an application or request. They may contact REDD for any additions/deletions to RPL information. A list of Duty Station codes can be obtained from REDD. RPL eligibles may apply for designated population centers within a commuting area. However, RPL eligibles cannot be removed from the list for refusing an offer outside of designated population centers for which they have registered. At any time, an RPL eligible may further expand or reduce their availability within a commuting area. Servicing human resources offices are responsible for tracking each registrant's registration period to advise them of their options. Information can be obtained from the web site address at: <http://www.usda.gov/da/employ/reemployment-priority-list.htm>.

e Filling Positions

All offers to RPL eligibles will be in writing and contain the Agency; official title, pay plan, series, grade, salary; duty station; type of appointment and work schedule; position description; effect of acceptance or declination on RPL status; and candidate acceptance or declination.

f Selection in Priority Order

When an agency hires from the RPL, it must make selections in tenure group and subgroup order with Group I eligibles being considered before Group II eligibles.

Tenure Group I are career employees eligible for 2 years from date entered on RPL; Tenure Group II are career-conditional employees eligible for 1 year. In each tenure group, veteran preference eligibles are given priority over non-preference eligibles. Within each tenure group, subgroup AD is veterans who have a compensable service-connected disability of 30 percent or more. Agencies may select RPL eligibles in a subgroup without regard to retention standing within the subgroup. Subgroup A is other veterans, and subgroup B is non-veterans. If there are no qualified and available RPL eligibles whose last work schedule matches that of the vacancy, they may consider RPL eligibles with other work schedules.

g Use of Qualification Standards

Selecting officials and human resources officials are encouraged to use the flexibilities in the qualification standards including modification of qualification standards, which will result in the greatest possible leeway in finding RPL eligibles qualified for vacancies.

h Termination of Eligibility

The period of eligibility expires when a RIF eligible:

- (1) Resigns, retires or separates from USDA.
- (2) Requests in writing removal from RPL.
- (3) Accepts a career or career-conditional position.
- (4) Declines an offer of career, career-conditional, or excepted appointment without time limit or fails to reply to an inquiry.
- (5) Declines an interview or fails to appear for a scheduled interview when advance notification is given.
- (6) The period of eligibility for RPL has elapsed.

i Payment of Travel and Relocation Expenses

A former employee separated under RIF or TOF who, within 1 year after the separation is reemployed under a non-temporary appointment at a different geographical location other than that from which separated, may be authorized travel and relocation expenses under 5 U.S.C. 5724a(g).