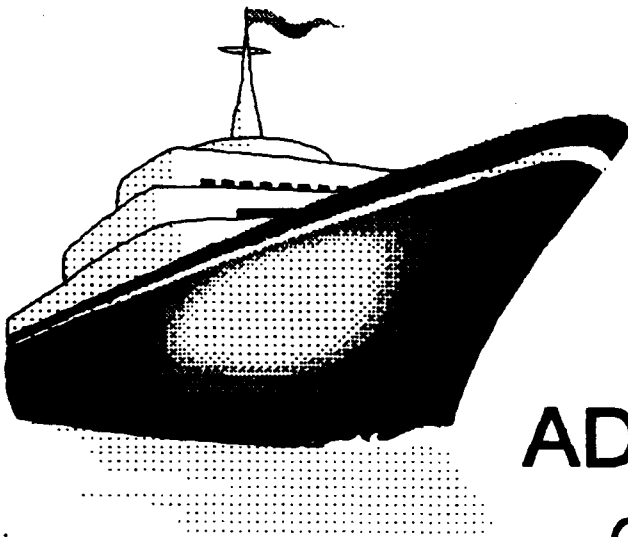




# MERIT ASSIGNMENT PROGRAM HANDBOOK

**A GUIDE FOR  
EMPLOYEES  
AND  
SUPERVISORS**



U.S. DEPARTMENT OF  
TRANSPORTATION

**MARITIME  
ADMINISTRATION**

OFFICE OF PERSONNEL

*Issued under the authority of  
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U.S. DEPARTMENT OF TRANSPORTATION  
MARITIME ADMINISTRATION  
MERIT ASSIGNMENT PROGRAM HANDBOOK  
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## MERIT ASSIGNMENT PROGRAM HANDBOOK

### Section 1. Purpose.

1.01 This handbook outlines the Maritime Administration's (MARAD) Merit Assignment Program (MAP) which implements uniformly throughout MARAD a merit assignment policy, in accordance with Maritime Administrative Order (MAO) 730-335, Merit Assignment Program, and MAO 720-250, Authorities to Administer Personnel Management Activities.

1.02 Employees covered by collective bargaining agreements will not be covered by the MAP policies until appropriate negotiations with employee representatives under 5 U.S.C. 7117(d)(2) have occurred.

### Section 2. Policy.

2.01 In conformance with the Civil Service Reform Act of 1978 (Reform Act), it is MARAD's policy to provide an opportunity for qualified individuals to compete equitably for its jobs and to maximize concurrent consideration of external and internal candidates, whenever feasible, in staffing positions.

2.02 All vacancies subject to competition under MARAD's MAP shall be filled from among the best qualified candidates available on the basis of merit and qualifications without regard to race, color, religion, national origin, marital status, sex, sexual orientation, age, nondisqualifying physical or mental handicap, political or labor organization affiliation or nonaffiliation, personal favoritism, or other nonmerit grounds, except as may be authorized or required by law, regulations, or bona fide qualification requirements.

Section 3. Authority. This handbook is issued under authority of MAO 730-335 and conforms to 5 U.S.C. Chapter 33, Subchapter V and 5 CFR Part 335.

### Section 4. Definitions.

Area of Consideration. A geographic location and/or organizational unit within which MARAD conducts a search and considers candidates. Areas of consideration apply only to actions for which competition is required.

Best Qualified. A designator for those qualified candidates who rank the highest when compared with other qualified candidates using job-related criteria.

Career Ladder. The successive grade levels through which an employee may advance to the full performance level within an occupation or group of like positions in an organization. A career ladder is established based on a classification decision that sufficient work exists at the full performance level to support the grade. A career ladder provides progressively more responsible experience and non-competitive promotion potential up to the designated full performance level. Incumbents may be promoted non-competitively when they demonstrate the ability and readiness to perform at the next higher level in the career ladder where the higher level work exists and when legal requirements (e.g., time-in-grade) are met.

Career Ladder Position. A position at any grade within a career ladder. MARAD career ladder positions are identified in the appendix at the end of this handbook.

Career Promotion. The promotion of an employee without current competition when (1), competition was held at an earlier stage satisfying the requirements of merit principles, or (2), the employee's position is reclassified at a higher grade because of additional duties and responsibilities.

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Change to Lower Grade or Demotion. The change of an employee (1) to a lower grade when both the old and the new positions are under the General Schedule or under the same wage grade schedule, or (2) to a position with a lower representative rate when both the old and new positions are under the same type ungraded wage schedule or in different pay method categories.

Competing Candidates. Candidates who, because of the requirements of paragraph 5.03a., are subject to the competitive evaluation and ranking procedures in this handbook.

Crediting Plan. A plan, usually consisting of ranking factors, weights, and descriptive benchmarks, that is used to determine the relative standing of qualified candidates by providing the basis on which they are rated and ranked.

Detail. The temporary assignment of an employee to a different position or set of duties for a specified period of time with no change in basic pay.

Job Analysis. A process of examining the duties and responsibilities of a position to determine the knowledge, skills, and abilities essential to or enhancing performance.

Known Promotion Potential (KPP). The potential for promotion to the pre-designated full performance level of a position without further competition.

Merit Assignment Panel. A group of employees gathered for the purpose of evaluating and/or ranking competing candidates to identify those best qualified for the position being filled.

Merit Program Certificate. A document containing the list of candidates sent to a selecting official for consideration and for documenting selection decisions.

Merit Program Vacancy Announcement. The document which informs potential candidates about the position being filled, its qualification requirements, and the procedures to follow to receive consideration.

Minimum Area of Consideration. An area designated by this handbook within which an operating unit should reasonably expect to locate an adequate number of well-qualified candidates to fill vacancies in positions covered by this handbook.

Non-competitive Eligibles. Candidates who, because of the exclusions in paragraph 5.03b(3), are not subject to the competitive evaluation and ranking procedures in this handbook but who are referred to the selecting official.

Operating Unit. A MARAD organizational element charged with carrying out specified substantive functions (i.e., programs) of MARAD.

Panel Interview. An interview of a candidate to assess the candidate's qualifications as they relate to the requirements of the position to be filled.

Position Change. A promotion, change to lower grade, or reassignment made during an employee's continuous service within the same agency.

Priority Consideration. The referral of an individual to a selecting official, in advance of advertising a position, for non-competitive selection consideration. Eligibility for priority consideration is based on provisions of law, regulation, court order, settlement, or other special orders or authorities including those indicated in paragraph 17.03 of this handbook.

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**Promotion.** The change of an employee to a position at a higher grade level within the same job classification system and pay schedule or to a position with a higher representative rate in a different job classification system and pay schedule.

**Qualified.** A designator for candidates who meet the established qualification requirements (including selective factors) for a particular position.

**Quality Ranking Factor.** A knowledge, skill, ability or other characteristic which is considered important, though not essential, for successful performance in a particular position. Use of quality ranking factors permits further qualitative distinctions among basically qualified candidates.

**Reassignment.** The movement of an employee, while serving continuously with the same agency, from one position to another without promotion or change to lower grade.

**Selecting Official.** A management official who has the authority to select a candidate for assignment to a position, subject to the final approval of an official with appointing authority.

**Selective Factor.** A knowledge, skill, ability, or other characteristic which is essential for satisfactory performance in a particular position. A selective factor, sometimes referred to as a selective placement factor, is an addition to the basic qualifications for a position and is therefore part of the minimum qualifications requirements that candidates for the position must meet.

**Time-Limited Promotion.** A promotion of an employee for a period of up to five years (or more, with OPM approval) to fill temporary positions, accomplish project work, fill positions temporarily, pending reorganization or downsizing, or meet other temporary needs.

### Section 5. Coverage.

5.01 Organizations. This handbook applies to all organizational elements of MARAD.

#### 5.02 Positions/Employees.

- a. Positions/Employees Covered. The provisions of this handbook apply to:
- (1) Career, career conditional, and term employees occupying positions in the competitive service in grades GS-1 through GS-15 and wage grade equivalent positions.
  - (2) Positions for which selection or assignment under merit assignment procedures is required by law, regulation, or paragraph 5.03 of this handbook.
  - (3) Positions identified as Career Opportunities Training Program positions.
- b. Positions/Employees Excluded. The provisions of this handbook do not cover:
- (1) Senior Executive Service (SES) positions.
  - (2) Positions excepted from competitive procedures such as those in the excepted service, for example, attorneys. However, employees on (or

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eligible for) excepted service appointments under 5 CFR 213.3102(t) or (u) or under the Veterans Readjustment Act may apply for advertised positions and be considered as described in this handbook.

(3) Faculty positions at the U.S. Merchant Marine Academy.

c. Other Positions. The Director, Office of Personnel, has the option of following the procedures of this handbook when filling:

(1) Positions in the excepted service.

(2) Other positions not specifically covered by this handbook but included under merit procedures by the Director, Office of Personnel to allow for increased publicity or competition.

### 5.03 Personnel Actions.

a. Actions Covered. The provisions of this handbook apply to the following:

(1) Promotions.

(a) Any personnel action which actually results in a promotion, except those excluded in paragraph 5.03b of this handbook.

(b) A time-limited promotion for more than 120 days. Prior service during the preceding 12 months under all details to higher-graded positions or time-limited promotions (whether competitive or noncompetitive, official or unofficial) is included in determining whether competition is required.

(c) Promotion by transfer from another Federal agency or by change of appointing office, except as provided in paragraph 5.03b(2)(d) of this handbook.

(2) Assignments.

(a) Selection for detail for more than 120 days to a higher-graded position or to a position with greater known promotion potential.

(b) Selection for training which is part of a promotion program (such as the Career Opportunity Training Program (upward mobility program)), internships, apprenticeships, and other short- or long-term programs, leading to promotion, or required before an employee may be considered for promotion.

(c) Transfer from another Federal agency to a position at the same or lower grade with greater promotion potential than the current grade or highest grade previously held (except as permitted by reduction-in-force regulations).

(d) Reinstatement to a permanent position at a higher grade than the highest grade previously held in a non-temporary position in the competitive service or to a position with greater promotion potential than the highest grade previously held in a nontemporary position.

(3) Other Actions Covered. The Director, Office of Personnel, has the option of following the procedures of this handbook for other actions, for example, to increase publicity or competition.

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- b. Actions Excluded. The provisions of this handbook do not apply to the following actions:
- (1) Career Promotions under the following circumstances provided the employee was originally selected from an Office of Personnel Management register (or equivalent competitive examining mechanism) or through competitive merit assignment procedures, and the fact that the initial selection could lead to promotion was made known to potential candidates:
    - (a) Promotion of an employee to an intermediate or full performance level in a career ladder if the employee is one of a group in which all employees receive grade building experience and are promoted as they demonstrate ability and readiness to perform at the next higher level. Career ladders must be documented in an operating unit supplement to this handbook, and the intention to prepare employees for each higher grade must be made a matter of record. Although advancement to the full performance level of a career ladder is intended and expected, promotions within career ladders are neither automatic nor mandatory. There is no guarantee that an employee in a career ladder will be promoted nor a commitment that a promotion will be made at a set time.
    - (b) Promotion of an employee whose position is reclassified at a higher grade because of additional duties and responsibilities. Non-competitive promotion may be made if the "old" position has been absorbed into the new position; the employee continues to perform the same basic functions and the duties represent an outgrowth, over a period of time, of the "old" position.
    - (c) Promotion to a target or full performance level position from an apprentice, trainee, or understudy position.
    - (d) Promotion of an individual from one grade to the next in a position advertised and filled below its full performance level.
    - (e) Promotion of an individual who satisfactorily completes training under a formal training agreement.
  - (2) Other Promotions.
    - (a) Promotion of an employee resulting from the upgrading of responsibilities due to the issuance of a new classification standard or the correction of an initial classification error.
    - (b) A time-limited promotion made permanent without further competition provided it was originally made under competitive procedures and the fact that it might lead to a permanent promotion was made known to all potential candidates.
    - (c) Time-limited promotions of 120 days or less.
    - (d) Promotion (or promotion by transfer) to a position at any grade up to the full performance level of the current position or to the highest grade previously held on a permanent basis under career or career-conditional appointment, provided the employee was not demoted or separated from that grade because of deficiencies in performance or "for cause" reasons.

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- (e) A time-limited promotion for more than 120 days to a position having no higher known promotion potential than the position currently held or the highest grade previously held.

### (3) Other Actions Excluded.

- (a) Position change of a MARAD employee from a position having known promotion potential to a position having no higher known promotion potential than that of the employee's current position or the highest actual grade the employee previously held.
- (b) Non-competitive conversions of employees in the Work Study Component of the Student Educational Employment Program, Veterans Readjustment Act, 30 Percent Disabled Veterans, Presidential Management Interns, and other authorized programs, and their subsequent promotions in career ladder positions or positions with higher known promotion potential.
- (c) Selection of an employee from MARAD's Mandatory Placement Programs which include the Career Transition Assistance Placement Program (CTAP) and the Interagency Career Transition Assistance Placement Program (ICTAP).
- (d) Selection of a candidate from the Department's Reemployment Priority List.
- (e) Selection of an individual afforded priority consideration under paragraph 17.03 of this handbook (or related statutory or regulatory authority) as a result of a finding that he or she was not properly considered for a position covered by the competitive requirements of this handbook.
- (f) Transfer from another Federal agency to a position at the same or lower grade with no higher known promotion potential than the position currently held or the highest grade previously held.
- (g) Selection of a candidate from an OPM register, under a delegated examining or direct hire authority, or similar competitive appointing mechanism.
- (h) Selection of an individual under a special authority for non-competitive appointment (e.g., Schedule A or B, Veterans Readjustment Act, or qualifying disabilities, etc.)
- (i) Position change permitted by reduction-in-force regulations.
- (j) Selection for detail to a higher-graded position or to a position with greater known promotion potential for 120 days or less.
- (k) Reinstatement to a position at any grade up to the highest grade previously held on a permanent basis under career or career-conditional appointment, provided the employee was not demoted or separated from that grade because of deficiencies in performance or "for cause" reasons.
- (l) Reassignment from a non-supervisory position to a supervisory position.



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### Section 6. Responsibilities.

#### 6.01 Director, Office of Personnel. The Director:

- a. Issues MARAD policy on the Merit Assignment Program.
- b. Issues, with Director, Office of Management Services concurrence, this handbook and amendments as necessary to comply with new statutory or regulatory requirements, to maintain the integrity of the program, or to improve the efficiency of the service.
- c. Decides on requests for exceptions to this handbook.
- d. Provides technical assistance to servicing personnel representatives on matters not addressed in this handbook or in unusual situations that arise in applying its provisions.

#### 6.02 Division of Personnel Operations. The Division of Personnel Operations and personnel representatives in the field are responsible for implementing and administering this handbook for the organizational units served. Specific responsibilities include, but are not limited to:

- a. Training supervisors and informing employees of the requirements of this handbook.
- b. Documenting career ladders for the organizations served as a supplement to this handbook, as required by paragraph 5.03b(1)(a).
- c. Establishing and maintaining required files and records to permit reconstructions of actions at a later date and to answer inquiries.
- d. Providing information to employees and management concerning actions covered by this handbook.
- e. Reviewing requests for filling vacancies and working with management officials in identifying qualification requirements, including selective factors and/or quality ranking factors.
- f. Preparing and publicizing vacancy announcements.
- g. Screening and evaluating qualifications of candidates against Office of Personnel Management and civil service requirements and standards.
- h. Assisting managers in establishing systems for evaluating candidates.
- i. Advising merit assignment panel members and selecting officials of their duties and responsibilities and serving as the technical advisor to panels.
- j. Developing and administering a system which ensures that all candidates who apply under a vacancy announcement are notified of the outcome of their consideration.
- k. Ensuring compliance with and enforcement of applicable civil service laws, rules, and regulations.
- l. Assisting management in establishing upward mobility opportunities.
- m. Keeping employees informed about the Merit Assignment Program and reminding them where they may review or obtain a copy of this handbook.

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- n. Ensuring that absent employees are considered for promotion in accordance with section 19 of this handbook.

6.03 Supervisors. Supervisors are responsible for:

- a. Creating and maintaining an atmosphere of equal opportunity and a spirit of fair and open competition for vacancies within their units.
- b. Anticipating staffing needs and initiating action to allow for timely recruitment or selection in accordance with this handbook.
- c. Working with the servicing personnel office in conducting job analyses and developing selective factors and/or quality ranking factors and rating criteria which will then be used by rating panel as the Crediting Plan.
- d. Giving due weight to candidates' performance appraisals and incentive awards in making selection decisions.
- e. As selecting officials, conducting necessary reference checks with candidates' previous employers prior to making final selections.
- f. Making selections in accordance with the principles of this handbook and consonant with the affirmative employment goals of their operating units and documenting employment decisions appropriately.
- g. Complying with applicable civil service laws, rules and regulations.

6.04 Employees. Employees are responsible for:

- a. Reading instructions on vacancy announcements, contacting the servicing personnel office if additional information is needed, and submitting application materials in accordance with those instructions.
- b. Following the procedures prescribed in section 19 of this handbook if they want to be considered for vacancies that occur during authorized temporary absences.

6.05 Panel Members. Merit assignment panel members are responsible for:

- a. Disqualifying themselves from serving on a merit assignment panel if, for any reason, they cannot be completely objective. Under no circumstances may an employee serve on a panel when that employee's relative is a candidate for the vacancy.
- b. Considering only relevant information provided by the candidates screened by the servicing personnel representative.
- c. Assessing the degree to which qualified candidates possess the knowledge, skills, and abilities that enhance successful performance in the position.
- d. Evaluating and ranking competing candidates and then determining which are the "best-qualified" candidates to be referred for selection consideration.
- e. Maintaining the confidentiality of personal information about candidates obtained as a result of panel service.
- f. Not disclosing the details of the crediting plan and/or other evaluation

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and ranking methodology used by the panel, if doing so could result in unfair advantage to a current or future candidate or might otherwise compromise the utility of the selection process.

Section 7. Identifying Position Requirements. Before a vacancy is advertised in accordance with this handbook, the servicing personnel office must:

7.01 Classify the position, or confirm its existing classification.

7.02 Identify any job-related selective factors and quality ranking factors to be used, through formal job analysis or consultation with the supervisor of the position or other subject matter experts having knowledge of the position.

Section 8. Locating Candidates and Soliciting Applications.

8.01 Priority Consideration Eligibles. Prior to issuing a Merit Promotion Announcement under this handbook, the servicing personnel office must identify and refer employees who are entitled to priority or other special consideration accorded by law, court order, Government-wide regulation, settlement, or Department policy. This includes, but is not limited to, individuals eligible for restoration to duty from military service or compensable injury, employees assigned overseas or to international organizations who exercise reemployment rights, employees eligible for priority consideration and placement under the Reemployment Priority List, and individuals covered by section 17 on corrective actions. These candidates are referred in accordance with paragraph 12.01.

8.02 Absent Employees Desiring Consideration. The servicing personnel office must ensure that the applications of employees who have sought consideration under section 19 are included with those submitted by other candidates in response to a vacancy announcement.

8.03 Non-competitive Eligibles. The servicing personnel office may identify non-competitive eligibles with applications already on file and refer them in accordance with paragraph 12.02a.

8.04 Vacancy Announcements.

- a. Numbering. Vacancy announcement numbers will consist of the letters "MA", the last two digits of the calendar year issued, and the sequential number of issuance in that order (e.g., MA 95-01,). Suffixes such as the servicing personnel specialist's initials may be used.
- b. Open Periods.
  - (1) Minimum Open Period. The minimum open period for vacancy announcements in the commuting area is 5 work days; otherwise it is 10 workdays. Longer open periods may be used to increase the likelihood of generating additional well-qualified candidates.
  - (2) Open Continuous Announcements. Servicing personnel offices may use vacancy announcements without specific closing dates to advertise recurring vacancies or where recruitment is expected to be difficult. When a sufficient number of candidates apply for consideration, servicing personnel offices may establish a register for a period of no greater than six months, from which they may consider candidates for applicable vacancies.
- c. Areas of Consideration. In general, a decision as to the area of consideration for a vacancy announcement is based on consideration of the occupation and grade level of the vacancy; the knowledge, skills,

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abilities, and other characteristics required for the position; the likelihood that a given area will produce an adequate number of well-qualified candidates; the need to provide opportunities for promotion within the organization; Federal Equal Opportunity Recruitment Program (FEORP) plans and affirmative employment outreach efforts; and budget or ceiling constraints.

### (1) Minimum Areas of Consideration.

(a) General Requirements. The following minimum areas of consideration apply.

- (i) Positions at GS-7 through GS-12 or equivalent: Headquarters, or Region (including individual Region commuting areas), or U.S. Merchant Marine Academy commuting area.
- (ii) Positions at GS-13 and equivalent: MARAD Nation-wide.
- (iii) Positions at GS-14 and GS-15 or equivalent: Department of Transportation-Wide.
- (iv) Positions advertised under the Career Opportunities Training Program: Headquarters, or Region (including individual Region commuting areas), or U.S. Merchant Marine Academy commuting area.

(b) Exceptions.

- (i) The servicing personnel office may designate an area of consideration that is less than the minimum above in the case of an officially declared hiring freeze within the organization in which the vacancy is located. If this exception is used, a copy of the official declaration of the freeze must be made a part of the Merit Assignment Program File.
- (ii) Broader areas of consideration (initially or through an extension or series of extensions) may be chosen if there is a shortage of well-qualified candidates within the minimum area and broadening the area is likely to produce additional well-qualified candidates.

### d. Relocation Expenses.

- (1) General Rule. Reimbursement of travel and relocation expenses will not be paid when filling vacant positions at the GS-14 grade level and below. Positions at the GS-15 grade level and above will require the approval of the Associate Administrator for Administration or the Director, Office of Ship Operations, as applicable.
- (2) Exceptions. Exceptions to the general rule must be approved by the Associate Administrator for Administration or the Director, Office of Ship Operations, as applicable.

### e. Format and Content.

- (1) A standardized "MARAD Vacancy Announcement Form," is used, except in situations in which opening a vacancy to non-status candidates may require the use of a recruiting bulletin that meets OPM specifica-

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tions. The Standardized Vacancy Announcement then need not be used but the bulletin must meet the minimum content requirements in this paragraph. The Vacancy Announcement must contain the following:

- (a) The vacancy announcement number.
- (b) Opening and closing dates.
- (c) Name of the operating unit.
- (d) The area of consideration.
- (e) Title, pay plan, series, grade.
- (f) The known promotion potential, if any.
- (g) The organizational and geographic location of the position.
- (h) A description of the duties.
- (i) The qualification requirements, including selective factors, if any. The announcement must specify the OPM qualification requirements or, if open to status candidates only, may refer to the Qualifications Handbook for General Schedule Positions or Handbook X-118C for Wage Grade Positions. If the latter, the servicing personnel office must provide the specific handbook(s) requirements to potential candidates upon request. If qualification requirements are modified as permitted by OPM, the modified requirements must be stated on the announcement.
- (j) Basis for evaluating candidates, including quality ranking factors.
- (k) How and where to apply.
- (l) Telephone number for additional information and the number of the telephone equipped with a Telecommunication Device for the Deaf (TDD).
- (m) Statement on payment or non-payment of relocation expenses, if applicable. (See paragraph 8.04d above.)
- (n) Notice of drug-testing requirements, if applicable.

### f. Distribution and Posting.

- (1) Distribution. Servicing personnel offices must ensure distribution of vacancy announcements to the following:
  - (a) Within the area of consideration, to:
    - (i) Organizations within their own servicing area;
    - (ii) Servicing personnel offices serving other MARAD and DOT organizations;
    - (iii) Representatives of organizations established to serve the interests of women, minorities, or people with disabilities (e.g., MARAD EEO Committee, MARAD Women's

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Council, veteran organizations, and institutions that assist individuals with disabilities); and

(iv) State employment services, if the announcement is also serving as a recruiting bulletin issued in connection with an OPM examining or appointing authority.

(b) The Department of Transportation's DOT Connection.

(c) Potential candidates who request copies of announcements.

(2) Posting. The servicing personnel office must display copies of vacancy announcements that it issues for positions within the commuting area. Any additional posting, including posting at MARAD and DOT locations outside the commuting area, is the responsibility of the organizations situated at those locations.

### Section 9. Accepting Applications for Advertised Positions.

9.01 Who May Apply. Applications must be accepted from candidates within the area of consideration, and individuals who qualify for an appointment under a special appointment authority, i.e., disabled veterans, veterans who qualify for an appointment under the Veterans Readjustment Act, individuals with disabilities and individuals eligible for consideration under CTAP and ICTAP.

#### 9.02 Timeliness Standards.

- a. General Rule. Applications must be received in the servicing personnel office by the closing date (or, if mailed, must be postmarked by the closing date).
- b. Exceptions. Applications submitted by individuals with disabilities, disabled veterans, or Veterans Readjustment Act must be accepted and referred in accordance with the terms of this handbook, if received prior to the issuance of the certificate.

#### 9.03 Use of Facsimile Transmission Equipment and Postage Paid Envelopes.

- a. An application sent by a candidate using a Government-owned facsimile machine will not be accepted. Transmitting application materials is considered personal business and not an officially approved activity. The use of Government property for other than officially approved activities is prohibited. Violation of this regulation could result in disciplinary action.
- b. Applications from privately-owned or commercial facsimile machines will be accepted. However, if a facsimile machine is used, candidates who avail themselves of the service must be told that they must also submit an application bearing an original signature if they are selected for the advertised position. The servicing personnel office is not responsible for the legibility of the facsimile transmission nor is receipt guaranteed.
- c. An application sent by a candidate using postage-paid government envelopes is in violation of Federal Law and regulation, and will not be accepted. Applications received in such envelopes will be discarded.

### Section 10. Determining Basic Eligibility and Applying Qualification Standards.

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10.01 Competing candidates must meet all the eligibility (e.g., time-after-competitive-appointment requirement, time-in-grade requirement) and qualifications requirements by the closing date of the vacancy announcement (or each interim cut-off date for open continuous announcements) in order to receive further consideration.

### 10.02 Qualification requirements consist of:

- a. The minimum standards prescribed by the Department or the Office of Personnel Management, including authorized written tests or physical qualification requirements, and
- b. Appropriately developed selective factors published on the vacancy announcement. (See paragraph 7.02)
- c. Applicants must submit a supplemental experience statement addressing each of the specialized requirements listed as well as the selective placement factor(s) listed. Failure to submit the supplemental statements as well as other required forms will result in disqualification.

10.03 The results of the review for eligibility and qualifications will be recorded on each candidate's application or on a separate rating sheet.

## Section 11. Evaluating Competing Candidates and Identifying the Best Qualified.

11.01 General. Federal merit principles provide for selection from among a group of best-qualified candidates. Best-qualified candidates are those who rank at the top when compared with other qualified candidates for a position. Job-related criteria, which go beyond the standards for determining basic qualifications, must be used to permit the meaningful comparison and ranking of candidates

11.02 First Consideration to MARAD/DOT/Federal Employees who have status. If there is a reasonable number of well-qualified MARAD/Department of Transportation/other Federal employees who have status, they may be evaluated first and the best qualified of those referred to the selecting official. If there is no selection, all candidates from other sources may be evaluated and the best qualified of those referred to the selecting official.

### 11.03 Evaluating Competing Candidates.

- a. Basis for Evaluation. Qualified competing candidates are evaluated on such factors as written tests (when authorized), experience, education and training, self-development, outside activities, performance, panel interviews, and recognition (e.g., commendations, awards, contributions to a profession, and significant suggestions). Use of length of experience or service or level of formal education may be used only when it can be shown to be a valid, job-related factor for the position being filled. Evaluation criteria in the form of a crediting plan will be established prior to the review of any applications.
- b. Minimum Evaluation Requirements. The following minimum requirements are established for determining the relative qualifications of competing candidates. For vacancies advertised at more than one grade, the requirements are applied individually to each advertised grade.
  - (1) Regardless of the grade of the vacancy, when there are 10 or fewer qualified competing candidates for an advertised grade, the

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servicing personnel office evaluates them and identifies the best qualified.

- (2) For a vacancy at grades GS-12 and below (or equivalent), when there are more than 10 qualified competing candidates, the servicing personnel office evaluates them and identifies the best qualified.
- (3) For a vacancy at grades GS-13 and above (or equivalent), when there are more than 10 qualified competing candidates, a merit assignment panel evaluates them and identifies the best qualified.

c. Evaluation by the Servicing Personnel Office. A servicing personnel office staff member evaluates the relative qualifications of competing candidates using job-related criteria. A merit assignment panel may be established to assist in these evaluations when the selecting official determines that panel judgments would be desirable.

- (1) Ten or Fewer Candidates. When there are 10 or fewer qualified competing candidates for a vacancy, they do not have to be formally assigned a numerical score and ranked. However, the servicing personnel office must use an appropriate job-related procedure to distinguish well-qualified candidates from those who are minimally qualified (i.e., meet minimum qualification requirements). The process may be as simple as assigning each candidate to one of these two quality levels at the time initial qualifications determinations are made, using job-related criteria that exceed the minimum qualification requirements for the position.
- (2) Vacancies at Grades GS-12 and Below With More than Ten Candidates. Competing candidates are assigned a numerical score or quality level according to a crediting plan or other uniform evaluation standard and arrayed in alphabetical order.

d. Evaluation by Merit Assignment Panel.

- (1) Panel Composition.
  - (a) The panel for a particular position usually consists of at least three members, one of whom should be from an organization other than the one in which the vacancy is located.
  - (b) Panel members must be at the same grade or higher than the position to be filled.
  - (c) Whenever feasible, panel members should be drawn from the commuting area in which the evaluation and ranking process is to take place.
  - (d) Panel membership should be rotated frequently to obtain the benefits of broad participation and to afford maximum opportunity to management officials to increase their understanding of the merit program.
  - (e) Whenever practicable, panel composition should be reflective of the cultural diversity in the workforce.
  - (f) A servicing personnel office staff member designated as a technical advisor should be present throughout the evaluation process, but when this is not possible, must be readily available. When serving as a technical advisor to a panel, a



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servicing personnel office staff member is not a voting panel member.

- (2) Panel Responsibilities and Procedures. The responsibilities of panel members are listed in paragraph 6.05. Additional instructions to panel members on the use of job-related evaluation criteria, uniform application of crediting plans, completion of forms, the means of determining which candidates to refer to the selecting official, etc., are provided by the servicing personnel office.

### 11.04 Identifying the Best Qualified.

- a. When competing candidates have been evaluated in accordance with paragraph 11.03c(1), only those candidates who are considered well-qualified may be designated for referral to the selecting official. When there are no well-qualified candidates available and the area of consideration is as broad as practicable, the servicing personnel office may refer the basically qualified candidates. Candidates referred under this paragraph become the "best-qualified" candidates for the position being filled.
- b. The best qualified five to ten candidates will be referred to the selecting official in alphabetical order. Additional candidates may be certified where meaningful distinctions cannot be made. For positions advertised at multiple grade levels, up to 10 candidates for each grade may be normally referred to the selecting official.

### Section 12. Referring Candidates to the Selecting Official.

12.01 Eligible for Priority Consideration. As required by paragraph 8.01, priority consideration eligibles are referred in advance of issuing a merit promotion announcements. When there is more than one priority consideration eligible, they are referred in order of precedence conveyed by their respective entitlements.

### 12.02 Merit Program Certificates.

- a. Certificate Preparation. Candidates in the following categories are referred, in alphabetical order by consideration code, to the selecting official using a "Merit Program Certificate."
  - (1) Best-qualified candidates identified in accordance with section 11 of this handbook.
  - (2) Non-competitive eligibles.
- b. Certificate Life.
  - (1) A Merit Program Certificate is valid for 30 calendar days from the date of issuance.
  - (2) Certificates may be extended for as much as an additional 60 calendar days with the approval of the servicing personnel specialist. Any further extensions must be approved by the Director, Office of Personnel. Extensions must be documented and made a part of the MAP file.
  - (3) If a selectee declines the position before reporting for duty, the original certificate may be reissued for a period of not more than 90 days from the date it was initially issued, to permit an

## MERIT ASSIGNMENT PROGRAM HANDBOOK

additional selection. In this event, the MAP file must be sufficiently documented to permit reconstruction of this action at a later date.

- c. Use of Certificate for Additional Vacancies. A Merit Program Certificate may be used to make selections for additional, unadvertised vacancies if (1) the selective and quality ranking factors are substantially the same as those for the advertised vacancy; (2) priority placement lists are checked and found clear; and (3) the additional selections are made within 90 days of the date the certificate was initially issued. A memorandum from the Director, Office of Personnel, explaining how these conditions are met must be retained in the MAP file.

12.03 Instructions to Selecting Officials. Personnel representatives must inform selecting officials of the rules and procedures that apply to consideration of candidates and the use of merit program certificates. At a minimum, instructions must address the matters covered in section 13 and paragraphs 14.01a and 14.01b.

### Section 13. Considering Candidates and Making a Selection.

13.01 Management Discretion. It is management's right to select or not select from among a group of best-qualified candidates. It is also management's right to select from other appropriate sources, such as referrals of priority consideration or priority placement eligibles, non-competitive eligibles, or non-status candidates within reach on an appropriate listing of eligibles (or equivalent competitive examining mechanism). In deciding which source(s) to use, management must determine which is most likely to best meet the mission objectives of the organization and meet the agency's affirmative employment goals.

13.02 Interviews. Except as provided in paragraph 13.02(a), candidate interviews are optional. However, selecting official or designee must interview any candidate on the Merit Program Certificate whose qualifications are not known through direct working knowledge. Interviews may be conducted by telephone when necessary.

- a. A panel interview must be held for candidates who apply for vacant positions advertised under the Career Opportunity Training Program (upward mobility program) and are considered to be among the best qualified.

13.03 Reference Checks. Selecting officials or their designees are responsible for conducting reference checks with candidates' previous employers prior to making final selections.

13.04 Due Weight. Selecting officials must give due weight to candidates' performance appraisals and incentive awards to the extent that they are relevant to the requirements of the position being filled.

13.05 Certificate Completion. Selecting officials are responsible for recording the results of consideration on merit promotion certificates according to instructions provided and for signing and returning certificates to the servicing personnel office.

### Section 14. Communicating Results and Effecting Personnel Actions.

#### 14.01 Selected Candidates.

- a. Job Offers. A selecting official's decision to select a particular candidate is subject to the approval of the Director, Office of Personnel, or designated representative, and other approvals required by

## MERIT ASSIGNMENT PROGRAM HANDBOOK

law, regulations, or policy. Only appointing officers to whom authority has been delegated may advise a selectee to report for duty.

- b. Release Dates. The Office of Personnel arranges for release of the selected candidate from the current employing organization. Normally, employees should be released within one full pay period of receipt of the request for release.
- c. Relocation Expenses. Relocation expenses must be paid unless the vacancy announcement states that they are not authorized (see paragraph 8.04d above). Under no circumstances may relocation expenses be paid if the vacancy announcement states they will not be paid.

14.02 Non-selected Candidates. The servicing personnel office must notify all candidates who apply under a vacancy announcement of the outcome of their consideration.

### Section 15. Establishing and Maintaining Records.

15.01 A "Merit Assignment Program File" must be established for each action (or group of actions from a merit assignment program certificate) effected under this handbook.

15.02 Each file must contain sufficient information to allow reconstruction of the case, including the method by which candidates were rated and ranked. At a minimum, the file must contain the following, if applicable:

- a. The "Merit Assignment Program (MAP) File Content Check List," completed to reflect the actual contents of the Merit Assignment Program File.
- b. Copy of the vacancy announcement.
- c. Rating schedule or crediting plan.
- d. Applications for all candidates for the vacancy.
- e. Each rating form and the form used to document total points or quality levels assigned to candidates.
- f. The selective factors and quality ranking factors for the position being filled.
- g. Job analysis worksheets and other job analysis documentation, if any.
- h. The "Merit Program Certificate."
- i. Copies of certificate extension approvals.
- j. Documentation of Reemployment Priority List and Priority Placement List clearances.
- k. The official position description.
- l. Required documentation on nonpayment of relocation expenses, if applicable (see paragraph 8.04d above).
- m. Required documentation of exceptions to the areas of consideration specified in this handbook.

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provided the time limit for any grievance, complaint or appeal has also lapsed, or any active proceeding related to the records has been closed.

### Section 16. Release of Information.

16.01 In addition to the outcome of their consideration (see section 14), candidates considered for positions under this handbook may, upon request, be given:

- a. The name of the individual(s) selected.
- b. Information on whether the candidate was found to be qualified.
- c. Information on whether the candidate was among those referred to the selecting official.
- d. The candidate's rating or score.
- e. The name of the selecting official.

16.02 Candidates may not be given:

- a. Ratings or other information about other candidates.
- b. The names of panel members.
- c. Information about panel deliberations.

16.03 A candidate's rating or score must not be made known to any person who does not have an official need to know the score.

16.04 Crediting plans, rating schedules, or other candidate evaluation and ranking methodology may not be disclosed if doing so might result in unfair advantage to a current or future candidate or might otherwise compromise the utility and validity of the selection process and prevent fair competition.

### Section 17. Complaints, Grievances, and Corrective Actions.

17.01 Complaints and Grievances.

- a. MARAD/DOT Employees. Employees have the right to file an EEO complaint or grievance relating to a promotion action under this handbook. Complaints and grievances are to be resolved under any of the following procedures, as appropriate:
  - (1) Grievance procedures prescribed in MAO 770-771; however, non-selection from among a group of properly ranked and certified competitors is not a grievable matter.
  - (2) Negotiated labor union grievance procedures, where applicable.
  - (3) Equal opportunity complaint procedures prescribed in DOT Order 1000.8A, Procedures for Processing Complaints of Discrimination.
- b. Non-MARAD/DOT candidates. A non-MARAD/DOT candidate may request a review of his or her case, as appropriate. Equal employment opportunity complaint procedures are also available to non-DOT/MARAD candidates.
- c. Adjudication Standards. The standards for adjudicating complaints are set forth in 5 CFR Part 300.

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**17.02 Corrective Actions.** When there is a failure to adhere strictly to the provisions of laws, OPM regulations and instructions, Department policy and guidelines, or this handbook, servicing personnel offices must promptly effect corrective measures. The nature and extent of these measures are determined by the facts of each case with due regard to the circumstances surrounding the violation, the legal rights of the parties concerned, the principles of fairness and equity, and the interests of the Government.

### **17.03 Priority Consideration.**

- a. Unless otherwise specified in law, regulation, court order, or other authority, an employee who is found to have not received proper selection consideration in an action covered by this handbook must be given bona fide, priority consideration for the next vacancy that:
  - (1) is in any organization served by the same servicing personnel office;
  - (2) has the same grade, title, series, and duty station as the vacancy for which consideration was lost; and
  - (3) occurs no later than a year from the date the entitlement to priority consideration was conveyed.
- b. Individuals entitled to this priority consideration are referred in advance of the issuance of a merit promotion announcement in accordance with section 12.01 of this handbook. However, other individuals whose entitlement to priority consideration is under a law, court order, regulation or Department policy that takes precedence over this provision must first be considered.
- c. An employee is entitled to only one instance of priority consideration for each instance of selection consideration lost.

### **Section 18. Placement Follow-up.**

**18.01** Managers should have a follow-up system on placements to determine an employee's adjustment to his/her position and identify any performance deficiencies.

**18.02** Performance deficiencies sometimes occur because an employee lacks certain knowledge, skills, or abilities. When this is the case, servicing personnel offices should examine the selection criteria used to fill the position and modify them, if warranted, to improve the quality of future selections.

### **Section 19. Consideration of Absent Employees.**

**19.01 Eligibility.** Employees who are absent because of military duty, service with public international organizations, or compensable injury of one year or less are eligible for consideration in absentia for promotion under the terms of this program. Employees who are absent for other legitimate reasons (e.g., service on detail, on leave for more than 10 consecutive workdays, at training courses, on Intergovernmental Personnel Act assignments) are also eligible for promotion consideration.

**19.02 Procedure.** Eligible employees must submit advance written notice to their servicing personnel offices, of their desire to receive consideration for positions advertised in their absence, along with copies of required application materials.

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Section 20. Periodic Reminders. The servicing personnel office will periodically remind employees of:

20.01 Where employees may review or obtain a copy of this handbook.

20.02 The importance of submitting an up-to-date application when applying for consideration under this handbook.


20.03 The procedures in section 19 for seeking consideration for vacancies that occur while they are absent for authorized reasons.

20.04 The means provided to resolve complaints about the operation of this handbook.

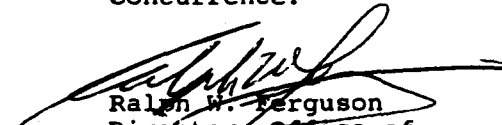
Section 21. Exceptions and Unusual Situations.

21.01 Operating units should consult with the staff of the Office of Personnel on any matters not addressed in this handbook or in unusual situations that arise in using it.

21.02 Within the limits of administrative discretion, the Director, Office of Personnel, may grant exceptions to the provisions of this handbook to alleviate undue hardship or to promote the efficiency of the service. Requests for exceptions must be submitted in writing, in advance, and provide a full statement of justification for the request.

  
Sherry Gilson  
Director, Office of  
Personnel

Concurrence:

  
Ralph W. Ferguson  
Director, Office of  
Management Services

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APPENDIX

ENTRANCE LEVEL AND CAREER LADDER POSITIONS  
GS-05 through GS-12

POSITION TITLE	SERIES
Economist	0110*
Personnel Management Specialist	0200*
Multi Titles in this Series	0301**
Computer Specialist	0334
Management/Program Analyst	0343
Logistics Management Specialist	0346
Accountant/Auditor	0510
Budget Analyst	0560
Engineer/Naval Architect	0800*
Transportation Industry Analyst	2110
Trade Specialist	1140
Operations Research Analyst	1515
Statistician	1530
Trade Route Analyst/Examiner	2101
Transportation Specialist	2101

\* Includes all series in the job family

\*\* There are other titles found in the 301 series