

ARS □ CSREES □ ERS □ NASS

Policies and Procedures

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Distribution: All REE Employees

This Policy & Procedure (P&P) describes the procedures and requirements for promotion and internal placement within the REE Agencies and covers all REE employees GS-1 through GS/GM-15 in the competitive service and those in the Federal Wage System.

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1. Introduction

This P&P complies with and supplements the USDA Merit Promotion Plan; outlines when competition must be held for promotion, reassignment, and reinstatement; and states the responsibilities of management and employees in the administration of the Plan under merit promotion policy issued by the Office of Personnel Management (OPM).

The objectives in filling positions through merit promotion are to identify and bring the best qualified candidates from diverse groups to the attention of selecting officials; provide opportunities for employees to improve their performance and develop their knowledge, skills, and abilities; and provide equal opportunity for advancement to all qualified applicants with competitive status.

Employees and supervisors are responsible for familiarizing themselves with the contents of this Plan. Any questions should be referred to the appropriate Human Resources Division (HRD) servicing personnel management specialist.

This P&P provides guidance on the Research, Education and Economics (REE) mission area Merit Promotion Plan. Alternative Merit Promotion (AMP) Plan procedures and requirements are addressed in a separate operating document.

2. Policy

Filling positions by using the Merit Promotion Program means that the identification, qualification, evaluation, and selection of candidates must be made without regard to political, religious, or labor organization affiliation, marital or family status, race, color, gender, age, national origin, sexual orientation, or nondisqualifying disability. **The competitive process is based solely on job-related criteria as described in this Merit Promotion Plan.**

3. Authorities

5 Code of Federal Regulations (CFR) 335
Department Personnel Manual (DPM) 335

4. Personnel Actions

All personnel actions are initiated by the SF-52, Request for Personnel Action. The supervisor or selecting official prepares and signs the SF-52 and submits it with the AD-332, Position

Description Cover Sheet, and the position description to the HRD servicing personnel management specialist.

Competitive Procedures Apply to all of the following actions in the competitive service:

- Temporary promotions lasting more than or expected to last more than 120 calendar days. Prior service during the preceding 12 months under noncompetitive time-limited promotions and noncompetitive details to higher graded positions counts toward the 120-day total. A temporary promotion may be extended or made permanent without further competition provided the original promotion was made under competitive procedures and the fact that it might be extended or lead to a permanent promotion was specified in the original announcement.
- Term promotions, i.e., promotions in excess of 1 year but not more than 4 years.
- Selection for details to a higher grade position or to a position with known promotion potential for more than 120 days. Prior service during the preceding 12 months under noncompetitive time-limited promotions and noncompetitive details to higher graded positions counts toward the 120-day total.
- Selection for training which is part of an authorized training agreement, part of a promotion program, or is required before an employee can be considered for promotion.
- Reassignment or demotion to a position with a promotion potential to a grade higher than the grade of a position previously held on a permanent basis in the competitive service, except when permitted by reduction-in-force regulations.
- Transfer to a higher grade position or one with more promotion potential than a position previously held on a permanent basis in the competitive service.
- Reinstatement to a permanent or temporary position at a grade higher or with more promotion potential than a position previously held on a permanent basis in the competitive service.
- Selection of a candidate from the Reemployment Priority List for a position at a higher grade than the one last held in the competitive service.

Competitive Procedures Do Not Apply to the following:

- Promotion of an employee who was selected for a position with an established full performance level (FPL). The employee must have been selected from an OPM, delegated examining, or a USDA Demonstration Project (a non-traditional method of recruitment

and hiring authorized for use in ARS only) certificate or under competitive merit promotion procedures. These are also referred to as career ladder promotions.

- Repromotion, reinstatement or transfer of an employee to a position having promotion potential no greater than the potential of a position an employee currently holds or previously held on a permanent basis under a career or career-conditional appointment, including interchange agreements for movement between the competitive service and another merit system. The employee must not have been demoted or separated from that grade because of deficient performance, or "for misconduct". Additionally, the employee may be given a temporary or term promotion, reassignment, change to lower grade and/or a temporary or term appointment based on reinstatement eligibility.
- Reassignment or demotion to a position with a higher full performance level permitted by the reduction-in-force regulations.
- Repromotion to a grade or a position from which an employee was demoted without personal cause within USDA and not at his/her request, or repromotion of an employee who was demoted in lieu of reduction-in-force or relocation in a transfer of function. The employee must receive noncompetitive consideration before any competitive procedures are used.
- Temporary promotion or a detail to a higher grade position that is projected to last 120 calendar days or less.
- Selection of a candidate not given proper consideration in a previous competitive promotion action, e.g., due to misranking, noncertification, or nonconsideration.
- Original conversion to a competitive appointment from Veterans Readjustment Act, Student Career Experience Program (cooperative education), disabled, or other excepted service appointment which provides for noncompetitive conversion to career-conditional or career status.
- Promotion resulting from the upgrading of a position without a significant change in duties and responsibilities when the action results from the issuance of a new classification standard or the correction of an initial classification error.
- Promotion which results from impact of the person-on-the-job.
- Promotion resulting from a position being reclassified at a higher grade due to the assignment of additional duties and responsibilities by the supervisor when all the following provisions are met:

- The employee continues to perform the basic functions of the former position and the duties of the former position are absorbed into the new position;
- The new position has no known promotion potential;
- The addition of duties and responsibilities does not adversely affect the grade level of another position;
- The action does not promote a nonsupervisory employee to a lead or supervisory position; and
- The new position is not a reclassification from a one-grade interval to a two-grade interval position.

5. Locating Candidates

Vacancy Announcements

The vacancy announcement informs employees of immediate promotion opportunities, outlines areas of consideration, duties of the position, qualifications required and any selective factors and/or quality ranking factors.

For positions advertised under competitive procedures, opportunities must be publicized with sufficient information and time for employees to apply. Announcements will remain open **at least** five workdays. The vacancy announcement format and content must meet the requirements of the Department's Merit Promotion Plan.

Required Referrals

The HRD servicing personnel management specialist and/or the selecting official must give consideration to the following:

- USDA surplus employees.
- USDA employees on the Reemployment Priority List.
- Displaced employees.
- Applicants who failed to receive proper consideration for a previous competitive promotion action within the REE mission area.

- REE employees on military furlough.

Supervisory Referrals

Supervisors will encourage employees to apply for advertised vacancies.

National Agricultural Statistics Service (NASS) management, as a result of their relocation and training policies, can recommend employees for consideration for non-supervisory professional vacancies advertised NASS-wide.

Voluntary Applications

Employees who are temporarily absent, e.g., on detail, on leave, attending training courses, participating in Federally sponsored interchange or fellowship programs or serving with a public international organization with return or reemployment rights, may submit voluntary applications in order to be considered for vacancies which might occur during their extended absence. These employees must be referred along with other qualified candidates for specific positions or types of positions in which they are interested and meet eligibility requirements.

To receive consideration, employees must send an OF-612, Optional Application for Federal Employment, resume, curriculum vitae or other format, and a copy of their most recent performance appraisal, to their HRD servicing operations branch indicating the specific position or type of position and location(s) for which they wish consideration.

Applications from Certain Veterans

Under the Veterans Employment Opportunities Act of 1998, veterans who are preference eligibles or who have been separated from the armed forces under honorable conditions after 3 years or more of continuous active service and are within the commuting area indicated in the merit promotion announcement may apply and be referred for vacancies open to individuals **outside** USDA's own workforce. While these veterans must be allowed to apply, they do not receive any priority over other candidates. If selected, the veteran will be given a career-conditional appointment in the competitive service.

Filling Like Vacancies

When like vacancies, i.e., same title, series, grade, promotion potential and essentially similar duties and knowledge, skills, and abilities (KSAs) occur within the life of a certificate of eligibles, the new vacancies may be filled by selections from the existing Merit Promotion Certificate. This option may be used by the selecting official, but it does not extend the life of the certificate.

6. Area of Consideration

The area of consideration is the organizational and/or geographic area in which a search is conducted for eligible candidates for a specific vacancy. The supervisor and HRD servicing personnel management specialist should select this area based on their knowledge of the Federal work force and the position to be filled. The minimum area of consideration for a competitive action is the Agency's local commuting area where the vacancy exists.

The following is the minimum area of consideration for specific vacancies in the REE Agencies:

- NASS - Positions at the Grade 13 and above levels will be advertised NASS-wide.
- ARS - Administrative Officer, GS-341, positions will be advertised ARS-wide.
- ARS - Research Leader positions will be advertised ARS-wide. Exceptions must be approved by the Associate Administrator.

If the established area of consideration does not result in at least 3 best qualified candidates being referred, the selecting official may request the position be reannounced with a broader area of consideration.

Applications from qualified status applicants outside the area of consideration will be accepted provided the applicants are not required to compete, i.e., applicants are eligible for non-competitive reassignment, transfer, or reinstatement and appropriate clearances (e.g., Career Transition Assistance Program, etc.), if required, have been obtained.

7. Payment of Relocation Expenses

Relocation expenses will only be authorized if indicated on the vacancy announcement.

8. Evaluation Criteria

Jobs must be analyzed to identify those characteristics needed by employees to perform the major duties. The analysis, conducted by the personnel management specialist and the selecting official, provides the basis for developing the criteria used to evaluate candidates and is stated in terms of the KSAs which would be predictive of highly successful performance.

The job-related KSAs identified through the job analysis process will be used in evaluating candidates for the position. The importance of these evaluation criteria to the position being filled

must be identified as well as the degree to which the KSAs must be present in the candidate's background.

The next step is to define qualifications and types or levels of performance which would constitute satisfactory demonstration of each KSA. In the competitive process, evidence is considered and evaluated on the following:

- Successful performance of a task or duty is the best indicator of an employee's ability to perform the same task or duty in a new position.
- Due weight is given to training, incentive awards and performance appraisals that are KSA related. Less than proficient performance may be cause for a lower rating.
- Recent accomplishments may receive more credit than earlier accomplishments.
- Potential is less reliable than experience, education, training, or demonstrated possession of a KSA to predict success in a new position.

Applicants must meet qualification and performance rating level requirements, and time-in-grade restrictions, as appropriate, within 30 days of the closing date of the vacancy announcement.

9. Evaluating Candidates

Usually the HRD servicing personnel management specialist will be responsible for evaluating applications to determine the best qualified candidates. A rating, scoring and/or ranking process is used.

An alternative to the rating, scoring and/or ranking process can be used when there are ten or fewer qualified applicants. With ten or fewer basically qualified applicants, the evaluation may be based on overall quality level using predetermined evaluation criteria. Applicants rated well qualified on all criteria will be referred for consideration.

Applications may also be evaluated by merit promotion panels. Merit promotion panels may be used when:

- Technical expertise and knowledge of the KSAs are necessary to assign scores; or
- The HRD servicing personnel management specialist or the selecting official determines that a panel is necessary to ensure the candidates' qualifications are adequately assessed.

Merit promotion panels will consist of two to four members, one of whom will be a nonvoting member with experience or training in the administration of the Plan. At a minimum, an HRD

representative (the nonvoting member) and one member can constitute a panel. If there are three or more members, one will be selected by the panel to serve as the chair. To the extent feasible, all promotion panels will have ethnic, racial, and gender balance. Panel members must be at or above the grade level of the position being filled.

Selecting officials or others participating in the final selection process by recommending or advising on final selection may not serve as panel members. An immediate relative of a candidate being evaluated may not serve as a panel member. Equal Employment Opportunity (EEO) representatives and union representatives are only permitted to observe the panels.

Panel members will receive instructions and a copy of the crediting or rating plan. Voting panel members will review and rate each application on the KSAs. After rating, scoring and/or ranking each application, the panel will establish or identify a natural breaking point that ensures a reasonable number (i.e., at least three) of the best-qualified candidates are referred to the selecting official.

The nonvoting panel member will be responsible for:

- Ensuring the panel members use the same evaluation criteria to evaluate all eligible applicants.
- Answering any technical questions concerning the evaluation process.
- Ensuring the process is consistent with this Merit Promotion Plan and other competitive and application procedures.
- Instructing the panel members on their responsibilities and the procedures to follow.
- Ensuring panel members are not relatives of the candidates to be evaluated.
- Maintaining a record of the panel meeting.
- Preparing forms documenting the actions taken by the panel.
- Ensuring the panel chair signs the final rating sheet.
- Explaining the panel decisions in any complaint or grievance process arising from the action.
- Signing the certificate to reflect that the panel was conducted as required by the Plan and the action is legal and proper.

If there is evidence that the panel improperly conducted the evaluation and rating process, the nonvoting member will correct the process or withhold certification. When the panel process cannot be certified by the nonvoting member, the responsible HRD servicing personnel management specialist must prepare a report describing the situation and decide to either cancel the panel action, reconvene the panel, certify the panel's action, or refer the applications to a different panel. The decision and the report describing the circumstances must be attached to the certificate.

10. Certification

The best qualified candidates will be referred in alphabetical order. If the position was advertised at more than one grade level, the best qualified candidates will be referred alphabetically by grade.

Selecting officials are to review the qualifications of the certified candidates and conduct interviews, if desired. Interviews are encouraged, but not required. The selecting official may choose to interview one, some, none, or all candidates.

Selecting officials can select any candidate on the certificate. Selecting officials also have the right to select or not select from the certificate so long as the nonselection is not in violation of merit principles.

The selecting official must complete the certificate to indicate selection(s) and the desired entrance on duty date. If the certificate is returned without a selection or a candidate declines the position or declines further consideration for the position, an appropriate remark must be entered on the certificate.

The certificate must be signed and dated by the selecting official and returned to the HRD servicing personnel management specialist.

A certificate expires 90 calendar days from the date of issuance unless specific authority is obtained from the HRD servicing personnel specialist. The certificate may be extended up to an additional 30 calendar days.

11. Documentation Requirements

Each merit promotion case file must contain sufficient information to enable HRD to reconstruct the promotion action. This information must be retained for a period of 2 years or until reviewed by OPM or USDA's Office of Human Resources Management, whichever comes first.

The Merit Promotion case file must contain:

- Copy of the SF-52, Request for Personnel Action.
- Copy of the position description.
- Copy of the Request and Justification for Recruitment Action form which includes: the KSAs used in evaluating candidates; justification for all selective factors; and the crediting or rating plan.
- Copy of the vacancy announcement.
- Application materials and any other documents used in evaluating candidates.
- Names of panel members.
- Candidate scores assigned by panel members.
- A list of the names of **all** candidates who applied and a clear indication of the disposition of each.
- Identification of repromotions, priority referrals, and other similar eligibles and the action taken on each.
- Certificate from which selection was made showing the name(s) of selectee(s).

12. Employee Questions and Grievances

Employees having questions and/or complaints about the Merit Promotion Program or specific merit promotion actions should be directed to the HRD servicing operations branch, or to their supervisor who will, in turn, refer the questions and/or complaints to HRD.

Employees may request the following information from HRD about the Plan:

- Explanation of any part of the Plan.
- Regulatory references.

Employees may request the following information from HRD about the specific action:

- Qualifications required for the position.

- If the employee was considered.
- If the employee was basically qualified.
- If the employee was among the best qualified.
- Number of applications referred to the selecting official.
- Name of selectee.
- What the employee might do to improve their application.

Efforts will be made to informally resolve questions and complaints resulting from the application of this Plan.

Grievances over the interpretation and proper application of the Merit Promotion Plan will be handled under Agency grievance procedures.

Failure to be selected is not grievable.

EEO complaints regarding the application or interpretation of the Merit Promotion Plan will be handled in accordance with USDA EEO complaint processing procedures.

13. Summary of Responsibilities

All REE supervisors and management officials are responsible for adhering to merit principles and the principles of EEO, including the departmental and Agency commitment to achieving work force diversity in filling positions. Managers and supervisors will be held accountable for actions that violate law or regulations as stated in this Plan.

REE Managers and Supervisors

- Assure each employee under their supervision has a current annual performance evaluation.
- Ensure that each new permanent employee has access to a copy of the Plan.
- Ensure that employees selected for promotion will ordinarily be released from their present assignments as soon as possible but no later than 2 pay periods after selection. Exceptions to this requirement may be made only with the concurrence of the employee, the current supervisor and the gaining supervisor.
- Ensure that employees have access to vacancy announcements at each location in either hard copy or electronically.

REE Selecting Officials

- Prepare, sign, and submit form SF-52, Request for Personnel Action, form AD-332, Position Description Cover Sheet, and the position description.
- Determine, in conjunction with the HRD servicing personnel management specialist, the KSAs to be published in the vacancy announcement.
- Review qualifications of candidates and conduct interviews, if desired.
- Select any candidate(s) on the certificate.
- Complete the certificate to indicate selectee(s) and the desired entrance on duty date.
- Annotate the certificate if no selection is made or if an applicant declines the position or declines further consideration for the position.
- Sign, date, and return the certificate and all accompanying applications to HRD within 90 calendar days of the issue date.

HRD Employment Officer

- Develop and implement the Merit Promotion Plan and assure its proper administration.
- Annually review and appraise the operation of the Merit Promotion Plan to determine its effectiveness and recommend changes needed to resolve problem areas and to ensure compliance with requirements outlined in the Plan.

HRD Servicing Personnel Management Specialist

- Provide guidance to management officials and employees on all merit promotion matters.
- Document the classification decision of title, series, and grade(s) of the position.
- Determine eligibility requirements for the classified position.
- Prepare the Request and Justification for Recruitment Action form.
- Assist selecting official in writing KSAs.
- Select the appropriate area of consideration and method of identifying eligible candidates with input from the selecting official.
- Prepare the vacancy announcement and ensure its distribution.
- Ensure and document that applicants meet all requirements as specified in the vacancy announcement.
- Review applications to determine if applicants are qualified.
- Rate, rank, and refer the best qualified candidates.
- Secure release of selectee(s) from present organization.
- Notify all applicants of the outcome.
- Retain the fully documented merit promotion case file.

REE Employees

- Keep informed of current merit promotion vacancy announcements.

- File an up-to-date application and required forms in response to a specific vacancy announcement. Applications submitted in Government chain envelopes or Government-paid postage envelopes will not be accepted. All other mechanisms available for forwarding applications, including Government-owned fax machines and computer equipment, are acceptable.
- File a voluntary application prior to an extended leave period for a position for which eligible.

Glossary

AD-332. (Available in Informs). Position Description Cover Sheet.

AD-435. Performance Appraisal.

Agency. A separate organizational unit of the Department of Agriculture, i.e., ARS, CSREES, ERS, NASS.

Area of Consideration. The organizational or geographical area in which an agency makes an intensive search for qualified candidates.

Best Qualified Candidates. The group of candidates whose possession of the knowledge, skills, and abilities establishes them as superior to the other candidates applying for a position.

Career Ladder. The grade in an occupational series or specialization which represents the level to which all employees within an organization may be noncompetitively promoted.

Career Transition Assistance Program (CTAP). An agency program to actively assist its surplus and displaced employees.

Certificate of Eligibles. A list of all candidates referred for selection consideration.

Change to a Lower Grade. The change of an employee from one grade level to a lower grade level under the same pay plan or to a position with a lower representative rate of pay under a different pay plan.

Competitive. A systematic approach for employees to apply and be considered for positions at higher grade levels.

Competitive Service. All civilian positions in the executive branch not specifically excepted from the civil service laws or statute.

Crediting Plan. Examples of training, education, and experience used to rate and rank qualified candidates' possession of the knowledge, skills, and abilities for a position. (Same as Rating Plan).

Detail. The temporary assignment of an employee to a different position or set of duties without change in the employee's grade level or permanently assigned position.

Demotion. An action taken to change an employee from one grade level to a lower grade level under the same pay plan or to a position with a lower representative rate of pay under a different pay plan.

EEO. Equal Employment Opportunity.

Evaluation Criteria. Job related knowledge, skills, and abilities identified through job analysis.

Full Performance Level (FPL). The highest grade level of work described and classified for a particular position.

GS. General Schedule Pay Plan.

HRD. Human Resources Division.

Job Analysis. A systematic, documented review of the duties of a position to determine job related knowledge, skills, and abilities.

KSA. Knowledge, skills, and abilities, either required or desirable, to perform the duties of the position.

NASS. National Agricultural Statistics Service.

OF-612. (Available at the OPM and ARS web sites). Optional Application for Federal Employment.

OPM. Office of Personnel Management.

Promotion Panel. A permanent or ad hoc committee of subject matter experts convened to evaluate and rank candidates.

Quality Ranking Factor. Knowledge, skills, and abilities that could be expected to significantly enhance performance in a position, but, unlike selective factors, are not essential for satisfactory performance.

Qualified Candidates. Those applicants who meet established experience and/or education criteria.

Rating Plan. Examples of training, education, and experience used to rate and rank qualified candidates' possession of the knowledge, skills, and abilities for a position. (Same as Crediting Plan).

Reassignment. The change of an employee from one position to another within the same Department without promotion or demotion.

Reemployment Priority List. A list of career and career-conditional employees an agency has separated because of a reduction in force, injury or disability.

REE. Research, Education and Economics.

Reinstatement. Reemployment of a person formerly employed in the competitive service.

Repromotion. Action to change an employee to a position at a higher grade level previously held.

Selective Factor. A specific knowledge, skill, or ability that is absolutely required or essential for successful job performance.

SF-52. (Available in Informs and on the HRD Home Page; print on blue paper). Request for Personnel Action.

Temporary Promotion. A promotion for a period of 1 year or less.

Term Promotion. A promotion for a specified period in excess of 1 year but not more than 4 years.

Transfer. Movement of an employee from one Federal department to another.

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Exhibits
1 REE Career Ladders

Exhibit 1

REE Career Ladders

The career ladder represents the level of work that is present for **all** permanent positions in a particular series or specialization. Career ladders are different from Full Performance Levels (FPL). FPLs are the highest level of work for **a particular** position. The FPL will vary between agencies within the REE mission area. The position description and SF-50, Notice of Personnel Action, will indicate the FPL for a particular position.

Below are the career ladders for the major occupations in the REE mission area.

Specialization/Title	Series	Career Ladder
National Program Leader	0101	14
Secretary	0318	5
Office Automation Clerk and Assistant	0326	4
Computer Specialist	0334	9
Computer Clerk and Assistant	0335	5
General Biological Scientist	0401	9
Microbiologist	0403	9
Biological Science Technician	0404	5
Administrative Technician	0503	6
Engineering Technician	0802	5
Physical Science Technician	1311	5
Chemist	1320	9
Mathematical Statistician	1529	11
Statistician	1530	11
Statistical Assistant	1531	6