

3 FAM 2270 SENIOR EXECUTIVE SERVICE (SES) MERIT STAFFING

*(CT:PER-508; 11-12-2004)
(Office of Origin: HR/CSP)*

3 FAM 2271 AUTHORITY

*(TL:PER-447; 07-12-2002)
(State Only)
(Applies to Civil Service Employees Only)*

The authorities are found under 5 U.S.C. 3393(a), and 3391 through 3395.

3 FAM 2272 POLICY

*(CT:PER-508; 11-12-2004)
(State Only)
(Applies to Civil Service Employees Only)*

The *purpose* of Senior Executive Service (*SES*) Merit Staffing is twofold:

- (1) To recruit and appoint highly competent executives to fill specific Departmental needs; and
- (2) To assign executives where they will be of the most benefit to the accomplishment of the Department's mission without regard to race, color, religion, sex, national origin, age, disability, sexual orientation, marital status, reprisal, or political affiliation.

3 FAM 2273 COVERAGE

*(TL:PER-447; 07-12-2002)
(State Only)
(Applies to Civil Service Employees Only)*

All competitive SES staffing actions within the Department of State are covered under Merit Staffing.

3 FAM 2274 STAFFING CONSIDERATIONS

3 FAM 2274.1 Area of Consideration

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

Positions will be advertised in accordance with 5 CFR 317.501(b).

3 FAM 2274.2 Priority Consideration

(CT:PER-508; 11-12-2004)

(State Only)

(Applies to Civil Service Employees Only)

The following personnel will be entitled to priority consideration for a vacancy:

- (1) Career executives whose positions are to be abolished as a result of a reduction in force; and
- (2) Career executives referred by OPM *under 5 CFR 359.603*.

3 FAM 2275 QUALIFICATIONS STANDARDS

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

Qualifications standards for each SES position must be based on a job analysis that identifies the essential elements of the position in terms of duties, responsibilities, and performance expectations.

3 FAM 2276 MERIT STAFFING PROCEDURES

3 FAM 2276.1 Application Requirements

(CT:PER-508; 11-12-2004)

(State Only)

(Applies to Civil Service Employees Only)

Each applicant must submit the following:

- (1) *A resume, Optional Application for Federal Employment (Form OF-612), or any other written format, which includes all work*

experience (i.e., grade level/salary, number of people supervised and duties performed), country of citizenship, education, training, special skills, accomplishments and awards, and social security number; and

- (2) *A Supplemental Statement addressing both the Mandatory Technical Qualifications and the Mandatory Executive Core Qualifications.*

3 FAM 2276.2 Initial Application Review

(CT:PER-508; 11-12-2004)

(State Only)

(Applies to Civil Service Employees Only)

- a. *Initially, HR/CSP/ERPM will review all applications.*
- b. *Applicants meeting the mandatory qualification standards will be referred for consideration to a Qualifications Review Panel.*

3 FAM 2276.3 Qualifications Review Panel

(CT:PER-508; 11-12-2004)

(State Only)

(Applies to Civil Service Employees Only)

- a. Qualifications Review Panels are composed of at least two members who *are* senior employees (SES or equivalent) of the Department of State, other Government agencies, or from outside the Federal government, and an Executive secretary, who provides technical assistance to the evaluators. Panel members are expected to exercise sound judgment in the impartial application of the approved qualification standards to the education and experience background of each applicant. One panel member must have detailed knowledge of the requirements of the position under review.
- b. The panel is required to prepare a memorandum, which explains its determination of each applicant's status as highly qualified, well qualified, or minimally qualified. *A* certificate of all qualified applicants, along with the *Qualifications Review Panel's* written determination is sent to the Chair of the Executive Resources Board (ERB) or his or her representative for *review and* certification.
- c. *HR/CSP/ERPM prepares the certificate of eligibles and provides the names and applications of only those individuals found to be "highly qualified."*

3 FAM 2276.4 Selection

(CT:PER-508; 11-12-2004)

(State Only)

(Applies to Civil Service Employees Only)

- a. The selecting official has the right to select or not select *any one* from the *certificate of* highly qualified candidates. Personal interviews of candidates by the selecting official are optional; however, if one of the *highly qualified* candidates is interviewed, then all of them must be interviewed. The selecting official's selection must be indicated in writing, signed, and dated.
- b. The certificate and all selection materials must be returned to HR/CSP/ERPM within 60 days from the date the certificate was issued.
- c. The selectee's application is submitted to the *Executive Resources Board (ERB)* for *certification that his/her experience meets the executive qualifications*.
- d. *After ERB certification, the selectee's resume and mandatory executive qualifications statements are forwarded to the Office of Personnel Management for certification of executive/managerial qualifications by a Quality Review Board (5 CFR 317.502).*

3 FAM 2276.5 Non-Competitive Selection

(CT:PER-508; 11-12-2004)

(State Only)

(Applies to Civil Service Employees Only)

The selection of a candidate who possesses SES career status or any other candidate who possesses non-competitive eligibility for an SES position may be made at any time without regard to the merit staffing procedures.

3 FAM 2277 APPLICANT INQUIRIES

(CT:PER-508; 11-12-2004)

(State Only)

(Applies to Civil Service Employees Only)

Applicants may make a written request to HR/CSP for information concerning the procedures and operations of the merit staffing process. In response to written request, the following information will be made available:

- (1) The name of the selected applicant *once the ERB has certified that the selectee's experience meets the executive qualifications;*

- (2) Whether the applicant was on the Certificate *of Eligibles* ("*highly qualified*" applicants) provided to the selecting official; and
- (3) Information regarding the procedures followed in recruiting candidates for *a specific* position.

3 FAM 2278 REQUIRED RETENTION OF MERIT STAFFING DOCUMENTATION

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

Records sufficient to allow for the reconstruction of each competitive action will be maintained for two years after a competitive vacancy is filled, or until an Office of Personnel Management (OPM) evaluation is performed (whichever occurs first).

3 FAM 2279 REVIEW AND APPEALS PROCEDURES

3 FAM 2279.1 Review on Grounds of Improper Procedures

(CT:PER-508; 11-12-2004)

(State Only)

(Applies to Civil Service Employees Only)

- a. When an applicant believes the SES merit staffing procedures were not properly applied the applicant must first discuss the matter with a staff member of HR/CSP/ERPM. If an applicant is *dissatisfied* with the results of such discussion, the applicant may submit a written request for review, through HR/CSP, to the Executive Resources Board (ERB). This *written* request for review must be filed within 15 calendar days of *the date the applicant was notified* of the selection decision.
- b. The *applicant's* request for a review should *clearly* state the procedures, which the applicant believes, were not *properly applied*.
- c. The ERB will review the *request and the procedures followed* and communicate the results of its review to the *applicant* in writing, within 30 calendar days after receipt of such request.
- d. If a Department of State employee still believes that merit-staffing procedures were not properly followed, the employee may file a formal

grievance under 3 FAM 4700. Review decisions made by the ERB are final when the requestor is not employed by the Department of State.

- e. Non selection from among a group of properly ranked and certified candidates is excluded from the grievance procedure.

3 FAM 2279.2 Discrimination and Other Complaints

(TL:PER-447; 07-12-2002)

(State Only)

(Applies to Civil Service Employees Only)

- a. Complaints based on alleged discrimination because of religion, age, color, race, sex, national origin, marital status, sexual orientation, political affiliation, disability, or reprisal should be filed and resolved under the Department of State's Equal Employment Opportunity procedures.
- b. Complaints to the Merit System Protection Board are appropriate for alleged violations of merit principles.