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Civilian Personnel
Merit Promotion and Placement

***This regulation supersedes AE Regulation 690-300.335.1, 3 June 2009.**

For the U.S. Army Assistant G-1 (Civilian Personnel):

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Summary. This regulation provides policy and procedures for promotions and other competitive-placement actions of U.S. citizens in the Army in Europe to appropriated fund positions in the competitive and excepted services. This regulation is consistent with statutory and regulatory guidance issued by the DOD, DA, and the Office of Personnel Management. This regulation must be used with other applicable policy and regulations, including but not limited to the publications listed in appendix A.

Summary of Change. This revision adds the following changes:

- Adds a reference to Executive Order (EO) 13473 into paragraphs 10w, 12c(8), 12f(8), 13b, and 18a.
- Adds Student Career Experience Program to paragraph 10x.

Applicability. This regulation applies to all activities in the European theater that are serviced by the United States Army Civilian Human Resources Agency, Europe Region (CHRA-E).

Supplementation. Organizations will not supplement this regulation without CHRA-E (PCEP-EUR-B) approval.

Forms. AE and higher level forms are available through the Army in Europe Library & Publishing System at <https://aepubs.army.mil/ae/public/main.aspx>.

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2. Record titles and descriptions are available on the Army Records Information Management System website at <https://www.arims.army.mil>.

Suggested Improvements. The proponent of this regulation is CHRA-E (PCEP-EUR-B, DSN 375-9720). Users may send suggested improvements to this regulation to CHRA-E (PCEP-EUR-B), Unit 29150, APO AE 09100-9150.

Distribution. C (AEPUBS).

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SECTION I

GENERAL

1. PURPOSE

This regulation establishes policy, assigns responsibilities, and prescribes procedures for promotions and other competitive-placement actions of U.S. citizens to appropriated fund positions in the competitive and excepted services. This regulation must be used with other applicable policy and regulations, including but not limited to Joint Travel Regulations, the Department of State Standardized Regulations, and AE Supplement 1 to AR 690-300.301.

2. REFERENCES

Appendix A lists references.

3. EXPLANATION OF ABBREVIATIONS AND TERMS

The glossary defines abbreviations and terms.

4. POLICY

Positions covered by this regulation will be filled based on merit and job related criteria without regard to the applicant's age, color, handicapping condition, marital status, national origin, political affiliation, race, religion, or sex. This regulation does not conflict with international agreements, DOD or Office of Personnel Management (OPM) regulations or employment policy (including limits on overseas employment, Family-member employment, military-spouse employment, and the Priority Placement Program (PPP)).

SECTION II

RESPONSIBILITIES

5. CHRA-E

The United States Army Civilian Human Resources Agency, Europe Region (CHRA-E), will—

a. Oversee and administer the Merit Promotion and Placement Program to ensure the provisions of this regulation; Title 5, United States Code, as it relates to merit-promotion procedures; and the National Security Personnel System (NSPS) are met.

b. Provide information to the workforce on the Merit Promotion and Placement Program.

c. Provide advice and guidance to civilian personnel advisory centers (CPACs) on recruitment strategies, staffing, classification, overseas employment and allowances, paysetting, appropriate areas of consideration, supervisory and employee responsibilities, regulatory requirements, and the provisions of this regulation.

d. Maintain records in accordance with requirements established by laws, rules, and regulations.

e. Uphold the merit-system principles identified in section 2301(b), Title 5, United States Code; and guard against prohibited personnel practices identified in section 2302(b), Title 5, United States Code.

6. CPACs

CPACs will—

- a. Administer the Merit Promotion and Placement Program to ensure the provisions of this regulation; Title 5, United States Code, as it relates to merit-promotion procedures; and NSPS are met.
- b. Inform employees, supervisors, and managers on merit promotion and placement regulations, and provide guidance on their application.
- c. Advise managers on recruitment strategies (for example, areas of consideration, development of skill criteria, special-emphasis and recruitment requirements, incentives).
- d. Participate in job fairs and advise the applicant pool or labor market on recruitment processes and application procedures.
- e. Prepare and distribute vacancy announcements electronically.
- f. Evaluate applicant qualifications as required by the recruitment method used.
- g. Issue referral lists to selecting officials or designated representatives, as appropriate.
- h. Update appropriate systems to inform applicants of the status of their résumés and applications for employment or placement consideration.
- i. Respond to inquiries regarding rating determinations.
- j. Obtain eligibility documentation from selectees, verify eligibility for selection, and extend job offers.
- k. Inform the CHRA-E Operations Center of effective dates, and provide selection information, inprocessing forms, and other documentation within established timeframes.
- l. Notify employees in writing of the conditions of time-limited appointments, temporary promotions, and temporary reassignments.
- m. Uphold the merit-system principles identified in section 2301(b), Title 5, United States Code; and guard against prohibited personnel practices identified in section 2302(b), Title 5, United States Code.

7. MANAGERS

Managers will—

- a. Comply with this regulation and provide information on its provisions to employees.
- b. Anticipate personnel requirements and initiate appropriate action early enough to allow effective recruitment. Managers will also identify required information on the Defense Civilian Personnel Data System Gatekeeper Checklist or respond to questions posed by the CPAC representative during the strategic recruitment conversation to process recruitment actions.

c. Submit requests for personnel actions (RPAs) promptly for noncompetitive actions, including but not limited to career-ladder promotions, extensions of temporary or term appointments, and accelerated compensation for developmental position (ACDP) increases.

d. Review and monitor selection procedures to ensure compliance with Affirmative Action Program goals and objectives; merit-system principles identified in section 2301(b), Title 5, United States Code; and NSPS provisions.

e. Help employees apply for vacancies. Managers will assist legitimately absent employees (for example, employees on approved leave, detail, military duty, training) with the application process if the employee requests this support in writing. Employees will be “self-nominated” for vacancies announced during their absence. Employees must have an active résumé in Resumix and specify in writing the types of positions for which they want to be considered.

f. Return selections to the CPAC in a timely manner (normally within 14 calendar days).

g. Extend tentative job offers to selectees as permitted by their command, and inform the CPAC representative of the tentative job offer and the response received from the selectee (DA memorandum, DAPE-CPZ, 28 July 2008, subject: Extending Tentative Job Offers).

h. Annotate the referral list with reasons for the selection and nonselection of individuals when applicable.

i. Obtain required organizational approvals and necessary reviews by the equal employment opportunity (EEO) officer or higher management officials for recruitment actions.

j. Negotiate and determine the salary for NSPS employees. All NSPS paysetting decisions must be fully documented and retained by the authorized official.

k. Uphold the merit-system principles identified in section 2301(b), Title 5, United States Code; and guard against prohibited personnel practices identified in section 2302(b), Title 5, United States Code.

8. EMPLOYEES

Employees are responsible for the following:

a. Submitting and maintaining a current résumé in the Army centralized database, preferably through the Army Résumé Builder (<https://cpolst.belvoir.army.mil/public/resumebuilder/builder/index.jsp>). Résumés that are sent by e-mail or surface mail must comply with the guidance in the Army Job Application Kit (<http://www.cpol.army.mil/library/employment/jobkit/>).

b. Reviewing job announcements and applying for positions for which they are interested, available, and qualified by following instructions specified in the announcement within required timeframes.

c. Informing the CPAC representative within 3 workdays after receiving a job offer, regardless of their intention to accept or decline the offer. Applicants who fail to notify the CPAC representative within 3 workdays without an approved extension will be considered to have declined the job offer.

d. During periods of legitimate absence (para 7e), asking their manager in writing to “self-nominate” them for vacancies. To self-nominate during periods of legitimate absence, the employee must—

(1) Have an active résumé in the Resumix database.

(2) Inform the manager of the specific titles, series, and grades for which he or she wants to be considered and include all information required for the manager to submit the self-nomination.

e. Seeking advice and assistance from supervisors and CPAC representatives on the provisions of this regulation.

9. EEO OFFICERS

EEO officers will—

a. Consult with the CPAC on the provisions and applications of this regulation.

b. Advise managers and supervisors on affirmative-action goals and responsibilities.

c. Develop, execute, and assess programs to support affirmative employment.

SECTION III COMPETITION

10. EXCEPTIONS TO COMPETITION

The following are exempted from the requirement for competitive procedures in this regulation:

a. Promotions resulting from—

(1) The upgrading of a position without significant change in the duties and responsibilities based on a new classification standard or the correction of an initial classification error.

(2) The employee’s position being reclassified at a higher grade or pay band because of additional duties and responsibilities. These actions are considered as upgrading the employee’s existing position, not filling a vacancy. The employee will continue to perform the same basic duties of his or her former position.

b. Placements made during or in place of a reduction in force (RIF) as permitted by applicable regulations.

c. Actions involving statutory, regulatory, or administrative placement (including actions directed by higher level commands); arbitration, court, discrimination-complaint, and Merit Systems Protection Board (MSPB) decisions; and negotiated settlements.

d. Promotions of any employee without further competition when the employee was appointed in the competitive service from a civil-service register, by direct hire, by noncompetitive appointment or noncompetitive conversion, or under the competitive promotion procedures in this regulation for an assignment intended to prepare the employee for the position being filled (career-ladder promotion). The intent of the career ladder must be officially documented.

(1) According to DA policy, a noncompetitive career-ladder promotion will be made effective the first full pay period after the employee becomes eligible for promotion (only non-NSPS employees). Eligibility requires management's certification that the employee is performing satisfactorily, that all training and qualification requirements have been met, and that funds are available. For NSPS employees, a noncompetitive promotion from pay band 1 to pay band 2 will be made effective at the discretion of management if the employee has achieved the desired training objectives, has acquired the experience required to perform at the journey level, and performed at level 3 or above during the performance-assessment period.

(2) The manager is required to initiate an RPA for career-ladder promotion 30 days before the effective date of the action.

(3) When the career-ladder promotion is effected retroactively, the CPAC must include the following statement in the remarks section of the RPA: *RPA processed in accordance with DA memorandum, 25 October 2000, subject: Policy for Career Ladder Promotions.*

(4) Career-ladder promotions cannot be made retroactively for NSPS employees.

e. ACDP NSPS salary increases for employees in developmental positions in the YA-01, YD-01, YH-01, and YK-01 pay bands.

(1) The employee's supervisor must document the employee's completion of training and job assignments before recommending an ACDP increase.

(2) RPAs for an ACDP increase must be initiated 30 days before the effective date of the action.

(3) ACDP increases cannot be made retroactively. The memorandum referenced in d(3) above does not apply to NSPS positions.

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

g. Promotions, reassignments, changes to lower grade, reductions in band, transfers, reinstatements, conversions, or details to a position having no greater promotion potential than the position the employee currently holds or previously held on a permanent, excepted-service, Schedule A 213.3106(b)(6) Family member appointment to another permanent, excepted-service, Schedule A 213.3106(b)(6) Family member appointment if all qualifications are met.

h. Promotions, reassignments, changes to lower grade, reductions in band, transfers, reinstatements, or details to a position having no greater promotion potential than that of—

(1) The position an employee currently holds.

(2) A position the employee held on a permanent basis in the competitive service from which the employee was separated or demoted for other than performance or conduct reasons.

i. Reassignments or reductions in band of a term employee in an NSPS position to another term NSPS position if the not to exceed (NTE) date of the new appointment does not exceed the original NTE date. These movements will be processed as conversions to new appointments as explained in chapter 14 of the Department of Defense National Security Personnel System (NSPS) Guide to Processing Personnel Actions Supplement.

j. Reassignments of a temporary employee in an NSPS position to another temporary NSPS position if the NTE date of the new appointment does not exceed the original NTE date. These movements will be processed as conversions to new appointments as explained in chapter 14 of the Department of Defense National Security Personnel System (NSPS) Guide to Processing Personnel Actions Supplement.

k. Temporary promotions and details to a position in a higher grade of 120 days or less, or up to 179 days to maintain continuity of essential functions during base closures and major drawdown for non-NSPS employees; and temporary promotions and details to a position in a higher pay band of 180 days or less for NSPS employees. Service during the preceding 12 months under noncompetitive, time-limited promotions and noncompetitive details to position in a higher grade or pay band position count toward the 120-day or 180-day total. Employees need not meet time-in-grade or minimum-qualification requirements (other than positive education requirements) to be detailed to another position.

l. Placements of employees who have repromotion or reemployment eligibility through special consideration programs.

m. Promotions or placements of an employee entitled to noncompetitive priority consideration as a corrective action for failure to be given proper consideration under the requirements of this regulation.

n. Noncompetitive appointments of an eligible veteran with a disability of 30 percent or more from a time-limited provisional appointment and promotions after conversion to a competitive appointment if the position occupied has documented potential to a higher grade or pay band.

o. Noncompetitive appointments of veterans recruitment appointment (VRA) eligible or Federal Career Intern Program eligible personnel and promotions after conversion to a competitive appointment if the position occupied has documented potential to a higher grade or pay band.

p. Noncompetitive conversions of a severely disabled individual and promotions after conversion if the position occupied has documented potential to a higher grade or pay band.

q. Noncompetitive appointments of—

(1) An OPM interchange-agreement eligible to the same or lower representative rate of pay.

(2) A reinstatement eligible to a grade or pay band no higher or with no more promotion potential than previously held on a permanent basis in the competitive service.

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

- s. Promotions or details of a DCIPS employee to a grade or pay band no higher than previously held on a permanent basis in either the competitive or the excepted service.
- t. Placements in Senior Executive Service or equivalent-grade positions.

- u. Reassignments, changes to lower grades, and reductions in band in excepted service to a grade or pay band no higher or with no more promotion potential than previously held on a permanent basis.

- v. Noncompetitive conversions of an NSPS employee on a temporary or term appointment to a career appointment. The employee must meet the criteria to be converted in DODI 1400.25, paragraph 1950.6.5.2.1.7 or 1950.6.5.2.2.7.

- w. Noncompetitive appointment of military spouse eligibles under Executive Order (EO) 13473, providing that the public notice requirement has been met.

- x. Noncompetitive conversion of students under the Student Career Experience Program and promotion after conversion provided the position has an established full performance level (career ladder).

- y. Other types of actions not specified above that are permitted by regulation and consistent with the merit principles in Title 5, United States Code; or NSPS.

11. COMPETITIVE ACTIONS

The following actions must be made according to the competitive procedures in this regulation:

- a. Permanent promotion to a position in a higher grade or pay band or to a position with more promotion potential than any position previously held on a permanent basis.

 - b. Reassignment, change to lower grade, or reduction in band to a position with more promotion potential than any position previously held on a permanent basis (except as permitted by RIF regulations).

 - c. Appointment, transfer, or reinstatement to a position at a higher grade or pay band or with more promotion potential than previously held on a permanent basis.

 - d. Initial excepted appointment under Schedule A 213.3106(b)(6) authority for employment of Family members.

 - e. Time-limited promotions and details for more than 120 days (or more than 179 days to maintain continuity of essential functions during base closures and major drawdowns) to a position in a higher grade for non-NSPS employees, and time-limited promotions and details for more than 180 days to a position in a higher pay band for NSPS employees. Subparagraph h below provides information for DCIPS employees.
- (1) Service during the preceding 12 months under noncompetitive, time-limited promotions and noncompetitive details to positions in a higher grade or pay band count toward the 120-day or 180-day total.

(2) A temporary promotion may be made permanent without further competition if both of the following apply:

(a) The temporary promotion was originally made under competitive procedures.

(b) The fact that the promotion may be made permanent was made known to all potential candidates in the area of consideration.

(3) Competitive, time-limited promotions and details will not be considered when computing the 120-day or 180-day limit.

(4) Competitive, time-limited promotions may be made for up to 5 years.

f. Selection for training that is part of an authorized training agreement, part of a promotion program, or required by regulation before an employee may be considered for a promotion.

g. Appointment of an employee under an OPM interchange agreement to a higher representative rate position for non-NSPS positions, or to a position with a higher level of duties for NSPS positions as defined in DODI 1400.25, paragraph 1950.6.3.3.8.7.

h. Except as specified in paragraphs 10r and s, temporary promotions and details of DCIPS employees to higher grades beyond 180 days must be made under competitive procedures. Temporary promotions must be made for a definite period of 2 years or less, but may be extended for additional periods of up to 1 year at the discretion of the local commander.

i. Appointment of a Family member from a local national (LN) appointment to U.S. Family member appointment when the Family member obtains U.S. citizenship (if permitted in the host nation).

j. Before a U.S.-citizen Family member may be placed in an LN manpower space, the requirements of AE Regulation 690-70 must be met. A U.S.-citizen non-Family member cannot be placed in an LN appropriated-fund manpower space.

SECTION IV LOCATING CANDIDATES

12. AREA OF CONSIDERATION

a. The area of consideration must—

(1) Be broad enough to ensure the availability of a reasonable number of high-quality candidates.

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

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

c. Except as stated in subparagraphs e and f below, the minimum area of consideration must include the following:

(1) Employees in the organization or directorate with the vacancy.

(2) Persons with military spouse preference (MSP) residing within the commuting area of the vacancy.

(3) Family members on leave without pay (LWOP) residing within the commuting area of the vacancy.

(4) Current DA employees with competitive status.

(5) Eligible DA DCIPS employees.

(6) Veterans Employment Opportunity Act eligibles.

(7) Interagency Career Transition Assistance Plan (ICTAP) eligibles.

(8) Military spouses eligible under EO 13473.

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

(1) Family members who are eligible for a Schedule A 213.3106(b)(6) appointment.

(2) Transfer eligibles.

(3) Reinstatement eligibles.

(4) VRA eligibles.

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

(6) Nonappropriated fund employees eligible for appointment under the DOD/OPM Interchange Agreement.

(7) Non-Army DCIPS interchange agreement employees.

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

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

f. When filling temporary and term positions, the area of consideration will be as follows:

(1) Persons with MSP residing within the commuting area of the vacancy.

(2) Family members residing within the commuting area of the vacancy.

(3) VRA eligibles.

(4) 30% DAV eligibles.

(5) ICTAP eligibles.

(6) Reinstatement eligibles.

(7) All Federal employees serving on a career or career-conditional appointment.

(8) Military spouses eligible under EO 13473.

13. ELIGIBILITY FOR EMPLOYMENT

a. Eligible children of military personnel and DOD civilian employees are considered Family members for employment purposes, even when these children are absent from home while attending school. Students may designate in writing someone in the local area to accept or decline job offers for them until they return from school.

b. U.S.-citizen Family members who are appointed under Schedule A 213.3106(b)(6) authority who do not have their own competitive status or appointment eligibility under some other authority (for example, VRA, 30% DAV, EO 13473), and who lose their Family-member status may apply only as external applicants through delegated or competitive examining. Family members on competitive-status appointments or on appointments leading to competitive status are not affected by their loss of Family-member status and are eligible to apply for all U.S.-designated positions.

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

d. Non-NSPS employees on term appointments may compete for other term vacancies according to Part 316, Title 5, Code of Federal Regulations. Employees on term appointments may not be promoted to or noncompetitively placed in permanent positions unless otherwise eligible for a 30% DAV, VRA, or Family-member appointment.

e. Employees residing in Europe who are currently holding a VRA or career or career-conditional appointment are ineligible for a successive VRA appointment within Europe. Current employees hired on a VRA appointment who seek other positions will compete as in-service DA civilians, transfer eligibles, or any other category for which they are eligible.

14. VACANCY ANNOUNCEMENTS

a. Vacancy announcements must be open for at least 5 workdays. To open announcements for less than 5 workdays, management must provide a statement of justification. Approval to open announcements for less than the minimum time must be obtained from the servicing CPAC chief or designated supervisor. The open period must be long enough to give the public adequate notice of the job announcement.

b. Open continuous announcements or standing registers and inventories may be used when deemed appropriate.

c. Unless otherwise indicated by management, the salary range posted on NSPS vacancy announcements will include the minimum of the pay band. The maximum of the salary range posted on NSPS vacancy announcements will be determined by management according to local pay-setting policy.

15. NSPS ALTERNATE FORMS OF COMPETITION

a. Management may fill positions using NSPS alternate forms of competition (assessment boards, alternate certification, and exceptional performance promotions). Managers should follow the procedures in the Army NSPS Alternative Forms of Competition Procedural Guide.

b. Concurrent with the employee notification period for the alternate form of competition, a vacancy announcement must be open for 3 workdays to clear priority and mandatory placement programs. The area of consideration must include the following:

(1) Persons with MSP residing within the commuting area of the vacancy, whether or not they are on LWOP.

(2) Family members on LWOP residing within the commuting area of the vacancy.

(3) Veterans Employment Opportunity Act eligibles.

(4) ICTAP eligibles.

c. If additional vacancies are filled through an alternate form of competition, an additional vacancy announcement must be open for 3 workdays to clear all priority and mandatory placement programs above.

16. HARD-TO-FILL POSITIONS

According to AE Regulation 690-500.592, to designate a position as hard-to-fill—

a. Managers will submit a request to the servicing CPAC documenting the recruitment history and the unique skills, knowledge, or abilities required for the position.

b. The CPAC chief will—

(1) Review documentation to determine if all criteria are met.

(2) Concur or nonconcur with the request.

(3) Return the request to the sender if criteria are not met or submit the request, documentation, and concurrence to CHRA-E.

c. The CHRA-E staffing proponent will review, validate, and make final determinations on all requests. If approved, the CHRA-E staffing proponent will post the position on the CHRA-E website at http://cpolrhp.belvoir.army.mil/eur/employment/af/hard_to_fill.htm. The CHRA-E staffing proponent will review the list of hard-to-fill positions every 2 years to ensure the positions still meet the criteria.

SECTION V

CANDIDATE EVALUATION, REFERRAL, AND SELECTION

17. CANDIDATE EVALUATION AND REFERRAL

a. For most positions, CHRA-E uses Resumix (<https://cpolst.belvoir.army.mil/public/resumebuilder/builder/index.jsp>) to fill positions under this regulation. Resumix is an automated rating and referral system. To apply for vacant positions, applicants will be required to submit a résumé to the Army centralized database for processing. Once the résumé is processed in the database, applicants must self-nominate for open vacancy announcements to receive consideration. Résumés and self-nominations must be received by the closing date of the vacancy announcement.

b. To be eligible for promotion or placement under this regulation, applicants must meet all eligibility requirements and minimum qualification requirements prescribed by DOD and OPM within 30 calendar days after the closing date of the announcement or within 30 calendar days after the date of the rating for open continuous announcements. For non-NSPS positions, applicants for promotion or placement into a job having greater growth potential than their current job (or one previously held) must have a rating of fully successful or higher in their most recent annual performance appraisal or, for NSPS positions, a level 3 (valued performer) rating or higher in their most recent annual performance appraisal. In the absence of an appraisal, applicants will be presumed to have a rating of fully successful or valued performer.

c. The selecting official will identify the knowledge, skills, abilities, and competencies required for the position, and work with the CPAC representative to identify required and desired skills. The résumés of applicants who are self-nominated will be matched to the required and desired skills. To be eligible for referral, candidates must be among the best qualified. Best qualified is defined as meeting the skill criteria, the OPM minimum qualifications, any special placement requirements, time in grade, and other applicable criteria.

d. There is no minimum or maximum number of applicants that must be referred. A referral list is considered valid if it includes at least three available candidates. A referral list with fewer than three available candidates is also valid when the selecting official chooses to accept the list and make a selection from it.

e. When fewer than three candidates are referred, management may request a supplemental referral list.

f. The CPAC chief or designee will consider all requests for supplemental referral lists based on the facts of the case and determine if a subsequent referral is warranted. When reviewing requests for subsequent referrals, the CPAC chief or designee will ensure merit-promotion principles are upheld. A request for an additional referral because a known applicant did not apply in a timely manner or a name request did not appear on the referral list will not be approved. Requests for supplemental referral lists will be approved based on the following reasons:

(1) After reviewing the referral list, management determines that there are fewer than three available candidates remaining on it. The selecting official must annotate the reason each candidate is not available on the referral list. The CPAC representative will review the annotated referral list.

(2) Management provides justification that identifies reasons that candidates are minimally but not highly qualified for the position. If sustained by the CPAC chief or designee that the desired or required skills were not appropriate to produce a high-quality referral list, the CPAC will assist management in identifying desired and required skills that will produce high-quality candidates.

(3) Referred candidates have poor character references.

(4) When remaining candidates on the referral list exceed or are within 1 year of the 5-year overseas limit and the following applies:

(a) The losing organization did not approve an extension.

(b) The gaining organization states that the position being filled does not warrant an exception to the 5-year limit under its mission criteria.

NOTE: Candidates near or exceeding the 5-year limit will remain on the referral list and must be given proper consideration with the supplemental referral list.

(5) On a case-by-case basis, other reasons determined justified by management and approved by the CPAC chief or designated subordinate supervisor.

g. Referral lists may be reissued up to 180 days after initial issue for identical vacancies.

h. The selecting official should make selections within 14 calendar days after the date the referral list is issued.

18. SELECTION

a. The selecting official has the right to consider and select applicants from any appropriate source (for example, in-service personnel, reinstatement, transfers, 30% DAVs, VRA-eligible applicants, DOD/OPM Interchange Agreement eligible applicants, students with disabilities, Family members, EO 13473).

b. Selection rules in DODI 1400.23 and DODI 1400.25, subchapter 315, for MSP and Family member preference must be observed.

c. MSP candidates referred for selection must be selected before non-MSP candidates when a selection is made from a competitive source.

d. Selecting officials are not required to select MSP candidates who have less than 6 months remaining in the area when they are referred for permanent continuing positions.

e. Noncompetitive sources may be used to fill positions without regard to MSP (for example, VRA, 30% DAV, reassignment, change to lower grade, transfer to the same or lower grade or pay band, DOD/OPM Interchange Agreement eligibles determined to be equivalent to the same or lower grade or pay band).

f. General officers, Senior Executive Service personnel, commanders of USAREUR major subordinate and specialized commands, HQ USAREUR staff principals and their equivalents, and HQ USAREUR deputy staff principals may approve exceptions to MSP selections. Managers will develop exception criteria with their servicing CPAC. Exceptions will not be granted when criteria are not in place.

g. Interviews and reference checks are strongly recommended but are not required. The selecting official may choose to interview none, some, or all candidates referred. A candidate's inability to appear for an interview will not be used as a basis for nonselection. Performance tests, language tests, or exercises will not be administered without CHRA-E approval.

h. Selection will be based on job-related reasons. The selecting official will document reasons for competitive selections on the referral list. The selecting official will consider the locally approved affirmative-action plan when making selections.

i. The CPAC representative will verify employment eligibility of selected candidates before extending the job offer.

19. EFFECTIVE DATES

a. CPACs will notify selected candidates, make tentative and final jobs offers, establish entrance on duty (EOD) dates with managers, and notify CHRA-E, Operations Center of the EOD.

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

c. If a geographic move is involved, the selected employee will normally be released within 30 days (45 days if the employee is selected from the continental United States). Exceptions may be made if the releasing official and the gaining official agree.

d. Typically, actions are effected on the first day of the pay period. Actions that return an employee to pay status may be effected earlier, especially if a delay would cause a break in service.

20. MISSED CONSIDERATION

a. Applicants who miss consideration for a vacancy due to administrative or other error will be granted priority consideration for the next "like" vacancy.

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

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

21. RECORDS

The CHRA-E will keep electronic recruitment case files in accordance with DA recordkeeping requirements. Enough documentation must be maintained to provide a clear audit trail and permit reconstruction of any action under this regulation.

22. ORDER OF CONSIDERATION

The order of consideration for employee placement is as follows:

- a. Statutory, reemployment, or restoration placements.
- b. Directed placements (for example, those directed by a court, the Equal Employment Opportunity Commission, or the MSPB) or other corrective actions.
- c. RIF actions or placements in place of a RIF.
- d. Local repromotion eligibles.
- e. Certain actions permitted under the DOD Program for Stability of Civilian Employment (for example, job swaps, medical accommodations).
- f. Reemployment priority list (RPL) registrants for positions at or below the grade last held by the registrant.
- g. DOD PPP registrants and RPL candidates (other than those in f above).
- h. Special considerations after failure to receive consideration under the Merit Promotion Plan.
- i. ICTAP eligibles.
- j. All other competitive and noncompetitive placement actions.

APPENDIX A REFERENCES

SECTION I PUBLICATIONS

Executive Order 13473, To Authorize Certain Noncompetitive Appointments in the Civil Service for Spouses of Certain Members of the Armed Forces

Title 5, United States Code, Government Organizations and Employees

Part 213, Title 5, Code of Federal Regulations, Excepted Service

Part 300, Title 5, Code of Federal Regulations, Employment (General)

Part 315, Title 5, Code of Federal Regulations, Career and Career-Conditional Employment

Part 316, Title 5, Code of Federal Regulations, Temporary and Term Employment

Part 335, Title 5, Code of Federal Regulations, Promotion and Internal Placement

Part 9901, Title 5, Code of Federal Regulations, Department of Defense Human Resources Management and Labor Relations Systems

Department of State Standardized Regulations
(http://aoprals.state.gov/content.asp?content_id=231&menu_id=92)

Office of Personnel Management Job Qualification System for Trades and Labor Occupations
(<http://www.opm.gov/qualifications/x-118c/index.asp>)

Office of Personnel Management Qualification Standards for General Schedule Positions
(<http://www.opm.gov/qualifications/policy/DescriptionOfStds.asp>)

Guide to Processing Personnel Actions (GPPA) (<http://www.opm.gov/feddata/gppa/Gppa01.pdf>)

Joint Travel Regulations (<http://defensetravel.dod.mil>)

DOD Instruction 1400.23, Employment of Family Members of Active Duty Military Members and Civilian Employees Stationed in Foreign Areas

DOD Instruction 1400.25, DOD Civilian Personnel Management System

Department of Defense National Security Personnel System (NSPS) Guide to Processing Personnel Actions Supplement (http://www.cpms.osd.mil/fas/fas_index.aspx) (click on *NSPS Supplement - GPPA*)

Department of Defense Priority Placement Program Operations Manual (<http://dayapps.cpms.osd.mil/public/manindex.cfm>)

Army NSPS Alternative Forms of Competition Procedural Guide (http://cpol.army.mil/library/general/nsps/docdir/Army%20Alternative%20Forms%20of%20Competition%20Procedural%20Guide_2%20Mar%2007.doc)

Memorandum, Deputy Assistant Secretary (Civilian Personnel Policy), 25 October 2000, subject: Policy for Career Ladder Promotions (http://www.cpol.army.mil/library/staff/clp_policy.html)

Memorandum, HQDA, DAPE-CPZ, 28 July 2008, subject: Extending Tentative Job Offers (<http://cpol.army.mil/library/staff/stf-072808.html>)

AR 25-400-2, The Army Records Information Management System (ARIMS)

AR 690-300.301 with AE Supplement 1, Overseas Employment

AR 690-335-1, Evaluation of Employees for Promotion and Internal Placement

AE Regulation 690-70, Recruitment and Staffing for Local National Employees in Germany

AE Regulation 690-500.592, Civilian Personnel Living Quarters Allowance

GLOSSARY

SECTION I ABBREVIATIONS

30% DAV	30-percent disabled American veteran
ACDP	accelerated compensation for developmental positions
AE	Army in Europe
CHRA-E	United States Army Civilian Human Resources Agency, Europe Region
CPAC	civilian personnel advisory center
DA	Department of the Army
DCIPS	Defense Civilian Intelligence Personnel System
DOD	Department of Defense
EEO	equal employment opportunity
EOD	entrance on duty
HQ USAREUR	Headquarters, United States Army Europe
ICTAP	Interagency Career Transition Assistance Plan
LN	local national
LWOP	leave without pay
MSP	military spouse preference
MSPB	Merit Systems Protection Board
NSPS	National Security Personnel System
NTE	not to exceed
OPM	Office of Personnel Management
PPP	Priority Placement Program
RIF	reduction in force
RPA	request for personnel action
RPL	reemployment priority list
U.S.	United States
USAREUR	United States Army Europe
VRA	veterans recruitment appointment

SECTION II TERMS

career-ladder promotions

Promotion to the next higher grade or pay band in a designated career path without competition.

DOD Priority Placement Program

An automated mandatory placement program used to match eligible well-qualified employees, most of whom are subject to displacement, with vacant positions throughout DOD.

Gatekeeper Checklist

An automated checklist that managers submit with a request for personnel action (RPA). This checklist provides information the civilian personnel advisory center needs to process the RPA.

pay band

A classification structure for National Security Personnel System (NSPS) positions. Pay bands combine a range of work into a discrete level. The NSPS pay system establishes a pay range for each pay band with a minimum and a maximum pay rate for each pay band.

repromotion

The noncompetitive promotion of employees whose positions were downgraded because of a reduction in force.

Resumix

A hiring tool that enables the U.S. Army to find and quickly identify the most qualified people to fill open positions.