

U.S. Department of Energy
Washington, D.C.

ORDER

HQ 3335.1

3-13-87

This directive was reviewed and certified as current and necessary by (Enter Name), (Enter Title) Director, Office of Management, Budget and Evaluation/Chief Financial Officer, XX-XX-XXXX.

SUBJECT: MERIT PROMOTION PLAN

1. PURPOSE. To set forth the Department of Energy (DOE) Headquarters Merit Promotion Plan.
2. REFERENCES.
 - a. DOE 1600.1, FEDERAL WOMEN'S PROGRAM, of 10-14-80, which establishes Departmental policy and objectives of achieving equality of opportunity for women.
 - b. DOE 1600.4, HISPANIC EMPLOYMENT PROGRAM, of 2-2-82, which establishes Departmental policy and objectives for achieving equality of opportunity for Hispanic Americans.
 - c. DOE 1600.5, SYSTEM FOR PROCESSING COMPLAINTS OF DISCRIMINATION, of 5-26-82., which establishes procedures for processing complaints of discrimination submitted by Departmental employees or by applicants for DOE employment.
 - d. DOE 3330.1, FEDERAL EQUAL OPPORTUNITY RECRUITMENT PROGRAM, of 8-31-84, which establishes policy and procedures for ensuring affirmative action in recruiting to correct underrepresentation of minorities and women.
 - e. DOE 3335.1, MERIT PROMOTION, of 8-5-80, which sets forth the Departmental policy and provides guidance for the development and implementation of local plans.
 - f. DOE 3771.1, GRIEVANCE POLICY AND PROCEDURES, of 7-21-81, which establishes Departmental policy and requirements for grievance matters.
 - g. Federal Personnel Manual (FPM) chapter 308, which states laws and regulations pertaining to youth and student employment programs.
 - h. FPM chapter 316, which states laws and regulations pertaining to temporary employment.
 - i. FPM chapter 335 and FPM supplement 335-1, which state laws and regulations pertaining to merit promotion.

DISTRIBUTION:
All Departmental Elements

INITIATED BY:
Office of Personnel

- j. Office of personnel Management (OPM) Handbook X-118, "Qualification Standards for positions Under the General Schedule," which establishes criteria for determining eligibility for various occupations in General Schedule (GS) positions.
- k. OPM Handbook X-118C, "Job Qualification System for Trades and Labor Occupations," which establishes criteria for determining eligibility for various wage grade (WG) positions.
- l. Title 5, Code of Federal Regulations (CFR), part 720, which establishes regulations for implementing the Federal Equal Opportunity Recruitment Program.
- m. Title 5, CFR, Part 1613, "Equal Employment Opportunity in the Federal Government," which provides that any agency will appraise its personnel operations at regular intervals, to assure their conformity with Federal policies and programs concerning equal opportunity without regard to race, color, religion, sex, or national origin.
- n. Title 29, CFR, Part 1607, "Uniform Guidelines on Employee Selection Procedures (1978)," which provides a framework for determining the proper use of tests and other selection procedures.

3. POLICY

- a. All qualified applicants within the scope of this Order will have the opportunity to receive appropriate consideration for promotion.
- b. All standards used and judgments made will be strictly relevant to the requirements of the position and to the merit and fitness of the candidates to meet the requirements.
- c. Merit promotion actions will be taken without regard to political, religious, or union affiliation or nonaffiliation, marital status, race, color, national origin, sex, age, or nondisqualifying physical handicap, nor will such actions be based upon any personal relationship, patronage, or nepotism.
- d. Management shall have the right to select or nonselect, to fill or not to fill a position, to select by whatever method or source it chooses, or to alter its choice of method or source at any time during the selection process prior to the extending of an offer to a selectee. In deciding the method to fill a position, management must consider the pattern of employment of minorities and women and take affirmative action to utilize those methods that are likely to attract applicants from groups which are under-represented.

4. APPLICABILITY.

- a. Covered Actions. Except as provided in subparagraphs 4b(l) through (11), this Order is applicable to all positions GS-1 through GS-15, all Performance Management and Recognition System (PMRS) positions, GM-13 through GM-15, and all wage grade jobs in the competitive service that are filled by promotion, as well as all of the following:
- (1) Reassignment to or change to a lower grade position with more promotion potential than the permanent position currently held (except under reduction-in-force regulations, but including positions in upward mobility programs).
 - (2) Transfer into DOE Headquarters by promotion to a higher grade position or to a position with known higher promotion potential than the position currently held.
 - (3) Reinstatement to a permanent or temporary position at a higher grade or to a position with known greater promotion potential than the last nontemporary position previously held in the competitive service (except for placement through the Priority Placement Plan).
 - (4) A detail of more than 120 days to either a higher grade position, a position that affords qualifying experience for an occupation different than the detailee's official position of record, or a position with known promotion potential.
 - (5) A temporary promotion of more than 120 days (including prior service under all details to higher grade positions or temporary promotions, whether competitive or noncompetitive, during the preceding 12 months).
 - (6) Selection for training which is required in order to be promoted in certain specialties. (Only those employees who successfully complete the required training will be considered eligible for promotion.)
- b. Exceptions. The following actions are not covered by this plan:
- (1) Repromotion to the same grade, or an intervening grade (if eligible) from which an employee was demoted without personal cause and not at his or her request. (Acceptance of a change to lower grade in lieu of reduction in force is not a demotion at the employee's request for this purpose.)
 - (2) A position change permitted by reduction-in-force regulations.

- (3) A promotion resulting from the upgrading of a position without a significant change in duties and responsibilities due to the issuance of a new classification standard or to the correction of a classification error.
- (4) A career promotion when, at an earlier stage, the employee was selected from an office of Personnel Management certificate of eligible candidates or was selected under competitive promotion procedures for a trainee or developmental position intended to prepare the employee for a full-performance-level position at a higher grade level. The opportunity for further promotion must have been made a matter of record, and the existence of a career ladder in the specialty and organization must be documented in classification files. A complete listing of existing career ladder positions in Headquarters organizations will be updated annually and maintained by the Director of Headquarters Personnel Operations (MA-205).
- (5) A promotion resulting from an employee's position being reclassified at a higher grade because of additional duties and responsibilities. The additional duties and responsibilities should have evolved from an employee's position over a sufficient period of time and be due to such factors that the supervisor could not reasonably have predicted that the position had promotion potential at the time the employee entered it. Such a promotion is permitted only when other employees in the same organization are not unfairly deprived of an opportunity to compete for promotion.
- (6) A position change (reassignment or demotion) from one position having known promotion potential to another position having no higher potential.
- (7) A temporary promotion of 120 days or less.
- (8) A detail of 120 days or less to a higher grade position.
- (9) A conversion to permanent promotion or reassignment from temporary promotion or detail if:
 - (a) The detail or temporary promotion initially was made according to competitive procedures; and
 - (b) The fact that the position might lead to a permanent promotion or reassignment was stated in the vacancy announcement.
- (10) A career ladder promotion following noncompetitive conversion of a cooperative education student in accordance with the requirements of FPM chapter 308.

- (11) A promotion resulting from priority consideration and selection of a candidate who had not been given proper consideration in an earlier competitive promotion action. This consideration will be extended one time for a position of the same grade level and type for which the applicant failed to receive proper consideration. Individuals eligible for this priority consideration will be referred after re-promotion candidates and prior to proceeding with competitive promotion procedures.

5. PROCEDURES FOR ANNOUNCING VACANCIES .

- a. General. The Merit Promotion Plan is but one method for filling a vacancy. Other methods include, but are not limited to, reassignment, change to a lower grade, transfer, reinstatement, appointment from Office of Personnel Management certificates of eligible candidates, and special authorities for excepted appointments. Any of these methods to locate appropriate candidates may be used. If appropriate, the supervisor of the position to be filled should confer with the servicing personnel specialist concerning the requirements of the merit promotion selection process as compared to other methods of filling the vacancy. (The supervisor will hereafter be referred to as the selecting official).
- b. Requesting the use of Competitive Procedures. When the selecting official decides to proceed using this plan, he or she must submit to the servicing personnel operations branch a completed Standard Form (SF)-52, "Request for Personnel Action," and a narrative position description with a DOE F 3511.1, "Position Description," as the cover sheet. If the position is one which has formerly been classified, the selecting official should review the position description for accuracy. When the position description is not changed in any way, a copy of the existing DOE F 3511.1 and two copies of the existing narrative are submitted; otherwise, five copies of a revised narrative position description are required in addition to the cover sheet.
- c. Job Analysis, Ranking Factors, and Rating Schedules. Information provided on the SF-52 and on the position description will serve as the basis for conducting a job analysis of the new or-vacant position, for developing ranking factors, for preparing a rating schedule or crediting plan for evaluating candidates, and for preparing the vacancy announcement. The selecting official shall consult with the personnel specialist to develop the information needed for these purposes, including the identification of knowledges, skills, and abilities required for the position, ranking factors, selective placement factors (if any), and the rating schedule and/or crediting plan for the position.

- d. Conducting the Job Analysis. The basis for effective personnel selection is thorough and detailed planning that ensures that the qualifications and experience of each applicant can be evaluated against the realistic requirements of a position. When a position description is classified and certified for a Specific grade level and occupational series, the classification specialist will identify four or more major functions or responsibilities of the position. Then, through job analysis, the selecting official and the servicing personnel specialist will identify relevant knowledge, skills, and abilities required to accomplish the tasks or carry out the responsibilities of the position. The necessary knowledges, skills and abilities are then used to develop ranking factors and the rating schedule.
- e. Identifying Selective Placement and Ranking Factors. There are two types of factors: (1) those which are absolutely mandatory for eligibility (Selective placement factors) and (2) those which contribute to successful performance in the position (ranking factors).
- (1) Selective Placement Factors. Selective placement factors comprise the knowledges, skills, and abilities that are absolutely essential to satisfactorily perform in a particular position. Examples of appropriate selective factors are: ability to speak, read, or write a language other than English; and knowledge or ability in a functional area (for example, knowledge of reactor safety principles for a nuclear engineering position concerned specifically with the construction of reactors.) (See DOE 3335.1 for further information.)
- (a) Selective factors must be: job related; reflected in the position description, job analysts, or position classification standards; and knowledge, skills, or abilities that a candidate would not obtain through customary on-the-job training or orientation.
- (b) Multiple selective factors should not constitute an unreasonably high standard for the position, and such factors will not be honored when it is unreasonable to expect candidates to possess them all.
- (c) Once approved for a position, the same selective factors are used each time that position is filled in the future. If changes in the position or in job emphasis occur which dictate revision of the factors, the position description should be revised, if appropriate, or the changes in emphasis documented and made a part of the merit promotion file.

- (d) Selective placement factors must not include requirements that would eliminate otherwise qualified candidates who need only a brief period (approximately 90 days) of orientation and training in order to perform the job successfully.
 - (e) The need for and wording of any selective placement factor must be approved by the servicing personnel specialist, after consultation with the classification specialist, if necessary.
- (2) Ranking Factors. A ranking factor is a knowledge, skill, or ability which will contribute to successful performance in the position to be filled. Acceptable ranking factors should allow the ranking panel to evaluate the overall levels of knowledge, skills, and abilities possessed by competing candidates, and to identify those candidates who are best qualified to perform the duties of the position. At least three ranking factors, but usually not more than six, should be developed for each position and shall be characterized as follows:
- (a) Job Related. Traits such as "flexible" should be expressed in terms of specific work behavior, such as "ability to provide guidance for coordinating several projects" simultaneously."
 - (b) Numerically Weighted. Factors may all have equal weight or specific factors may be given double or triple weight to reflect their relative importance to other ranking factors.
 - (c) Expressed as Specific Knowledge, Skills, and Abilities. These shall be evaluated by a review of each candidate's experiences education, training, awards, outside activities, and supervisory appraisals of performance and potential.
 - (d) Measurable at More Than One Level. It should be possible to make distinctions between levels of expertise that the individual will bring to the job.
- f. Preparation of Vacancy Announcements. Vacancy announcements are prepared by the personnel specialist using the position description, the results of the job analysis, and appropriate OPM regulations. Announcements must contain all information pertinent to the requirements of staffing of the position, including promotion potential, general and specialized experience requirements, selective placement factors (if any), duties of the job, the area of consideration, ranking factors, evaluation procedures, supervisory probation period (if any), an equal opportunity statement, and, if

appropriate, a statement that concurrent consideration will be given to applicants certified by OPM, and to applicants eligible for noncompetitive appointment under special authorities,

g. Distribution and Posting of Vacancy Announcements.

- (1) Vacancy announcements will be distributed to all Headquarters Elements throughout the area of consideration and posted on bulletin boards and in other designated prominent locations for the duration of the open period.
- (2) Vacancy announcements will also be distributed to selected other Federal agencies, to minority and women's organizations, to educational institutions, to veterans' groups and to other organizations considered appropriate by the Office of Equal Opportunity.
- (3) Vacancies announced nationwide will be open for a minimum of 21 calendar days. Those announced within the local commuting area will be open for a minimum of 14 calendar days. Other (e.g., Headquarters, first-tier organizations) will be open for a minimum of 8 calendar days.
- (4) For certain positions and occupational specialties with frequent turnover, an open announcement may be posted for an indefinite period, usually not to exceed 6 months (unless an exception is approved by the Director of Headquarter Personnel Operations, MA-205). Extensions of open announcements must be approved by MA-205.
 - (a) An initial ranking period will be specified in the open announcement (e.g., 3 weeks after the opening date). This will establish the recurring time interval for subsequent groups of applications to be rated, ranked, and referred to the selecting official for additional vacancies. The time interval may be shortened when it is urgent to fill a position after the last group of applications has been referred for selection.
 - (b) All applications, including those previously referred, considered, and returned by the selecting official will be retained and integrated with the additional applications received in subsequent ranking periods.
 - (c) The above ranking, referral, and certification of the best qualified candidates in each ranking period interval will continue during the entire open announcement period, or as necessary to meet the needs of the hiring organization.

h. Area of Consideration. This is the geographical or organizational description of the extent to which Headquarters will make an initial search for eligible candidates to fill a position covered by this plan. It is determined by the personnel specialist after consultation with the selecting official. In their deliberations, the personnel specialist and the selecting official will consider information on occupations in which minorities and women are underrepresented, as well as other affirmative action initiatives.

(1) Minimum Areas of Consideration for positions which are to be filled through competitive procedures are as shown below. For positions in the bargaining unit, the initial area of consideration will be in accordance with the provisions of the current agreement with the union.

<u>Grade</u>	<u>Position Category</u>	<u>Minimum Area</u>
GS-7 and below	Bargaining unit (BU)	Organization with vacancy
GS-7 and below	Non-BU	All Headquarters organizations
GS-8 through 12	Both BU & Non-BU	All Headquarters organizations
GS-13 and above	BU	All Headquarters organizations
GS/GM-13 and above	Non-BU	DOE Nationwide

(2) Extending the Area of Consideration.

(a) The minimum area of consideration may be extended when:

- 1 The selecting official and the personnel specialist agree that an extended area is desirable in seeking candidates to fill a particular vacancy because of past experience or the nature of the position; or
- 2 The area has failed in the past to produce at least three qualified candidates and no candidate was selected from among those applicants who were referred for consideration.

(b) An extended area of consideration may be one of the following areas or a combination of these areas:

- 1 Headquarters;
- 2 Commuting area (status candidates only);
- 3 DOE nationwide; or
- 4 Nationwide (status candidates only).

- (3) Reducing the Area of Consideration. Exceptions to the minimum area of consideration may be requested on a case-by-case basis from the Director of Personnel (MA-20). Documentation must show that an adequate number of qualified candidates exists in the reduced area, and that adherence to the prescribed minimum is administratively impractical. Continuing exceptions may be granted for a period not to exceed 1 year, providing the above requirements are met. The following examples represent possible needs for a limited area of consideration:
- (a) Positions are upgraded in an organizational unit due to a higher level directed reorganization, and all the positions in the unit are encumbered.
 - (b) A higher graded position is established as a result of a realignment of duties within an organizational unit, and factors such as ceiling controls or hiring freezes prevent the employing office from adding to its staff.
 - (c) Details to higher graded positions or temporary promotions are made under circumstances where consideration of employees outside the limited area is impractical.

5. RECEIPT AND PROCESSING OF APPLICATIONS.

a. Method of Application.

- (1) Applicants must complete and submit an application and all other forms required by the announcement to be considered for a vacancy. A separate application must be submitted for each vacancy.
- (2) Each application package must include: a current, signed and dated SF-171, "Application for Federal Employment"; a copy of the current or most recent appraisal of the applicant's performance in his or her current or past job; completed appraisal(s) of potential performance in the vacant position (the form is printed on the vacancy announcement); and any attachments to the SF-171 and/or documents related to the position which the applicant wishes to submit.
- (3) Only the material submitted by an applicant will be considered in the qualification and evaluation process. The SF-171 should show the vacancy announcement number and should include descriptions of the applicant's experience, training, awards and other activities in sufficient detail to permit evaluation of the applicant's knowledge, skills, and abilities in relation to the ranking factors for the position.
- (4) Applications must be received by the personnel office designated on or before the closing date of the vacancy announcement. Late applications will not be considered.

b. Acceptance of Applications.

- (1) Applications will be accepted from each candidate within the area of consideration who meets all legal and regulatory requirements.
- (2) Unless stated otherwise in the vacancy announcement, applications from candidates outside the area of consideration will be accepted, but will be held until all eligible candidates from within the area of consideration have been rated and ranked. Eligible candidates from outside the area of consideration will be considered only if the selecting official and the personnel servicing representative determine that eligible candidates from within the area are either too few or are of less than desirable quality. In such cases, the vacancy must be reannounced with a wider area of consideration to afford others outside the originally announced area a chance to apply.
- (3) Unless stated otherwise in the vacancy announcement, applications from candidates who do not have civil service status will be accepted, but will be retained and considered after all eligible status candidates have been referred and considered. (Nonstatus applicants are those with no prior Federal Government civilian career employment, or those with insufficient prior career service to have been conferred either limited or indefinite reinstatement rights.) If the selecting official and the servicing personnel specialist agree that status candidates are either too few or of questionable quality to make a selection, either the vacancy will be reannounced with a wider area of consideration, or a request will be made to the Office of Personnel Management (OPM) for a certificate of eligible nonstatus candidates, or both. All applications received from nonstatus candidates will be forwarded to OPM with the request for a certificate of eligibles.
- (4) Nonstatus handicapped employees serving under Schedule A appointments are not eligible for consideration under the competitive merit promotion process; however, those who apply and are otherwise qualified may be referred separately to the selecting official. If selected, the employee may continue to serve on an excepted appointment until converted to a career or career-conditional appointment.
- (5) Department of Energy employees within the area of consideration who are absent for legitimate reasons (e.g., on detail, on leave, at training courses, in the military service, or serving in public International organizations or or intergovernmental personnel act assignments) must receive appropriate consideration for promotion. Such employees who wish to be considered for vacant positions which may be filled during their absence may submit a memorandum to the Director of Headquarters Personnel Operations with a copy of his or her SF-171 stating the type of position and grade level for which automatic consideration is desired. As an alternative, absent employees also may have other employees or supervisors submit applications for them for specific vacancies.

c. Other Sources of Candidates.

- (1) As explained above, applications from outside the announced area of consideration, or from nonstatus applicants, will be considered only after determining the quantity and quality of eligible status candidates from within the announced area of consideration. At any time, the selecting official may request that the area of consideration be expanded and/or that other recruiting methods be used to attract candidates from other sources. For example, if it has been determined that minorities and women are underrepresented in similar positions in the organization, candidates from outside the Department should be sought.
- (2) The qualifications of nonstatus applicants are reviewed by the servicing personnel specialist, but their potential for the position is not formally rated and ranked in competition with merit promotion candidates or others. The applications may be referred separately to the selecting official, but before these candidates can be appointed, they must be certified by OPM, or be eligible for appointment under an appropriate special authority such as those available for handicapped individuals, disabled veterans, or Vietnam veterans.
- (3) In the case of unique or unusual situations or positions, the Director of Headquarters Personnel Operations may request approval from the Director of Personnel for the use of automatic consideration of all eligible and qualified employees within the minimum area of consideration in lieu of advertising the vacancy. This provision is appropriate in cases such as the following:
 - (a) The position is so unique (see Federal Personnel Manual chapter 316, subchapter 5, for guidance) that the qualified persons to be considered are easily identifiable, and there are so few candidates that it is in the interest of good personnel administration to consider all who are eligible rather than to advertise.
 - (b) The need to fill the position is so critical that time required for advertisement would unduly delay the selection process and would adversely affect the mission of the organization. In this situation, all eligible candidates within the minimum area of consideration must be readily identifiable and, after rating and ranking, the best qualified candidates submitted to the selecting official for further consideration.

- d. Determining Eligibility for Consideration. To be considered, an applicant must meet certain basic qualification requirements, including time in grade, time after an earlier competitive appointment, and other applicable legal and regulatory requirements. The servicing personnel Specialist will carefully examine each application to determine whether the applicant meets such basic requirements as of the closing date of the vacancy announcement, or will do so within 30 calendar days of the closing date. If the qualification requirements are modified after the vacancy is announced, the vacancy must be reannounced and all candidates evaluated against the revised requirements. Those applicants who do not meet the basic requirement will be designated as ineligible and the reason will be noted on the applicant's rating form. Those applicants who meet all basic requirements will be designated as eligible and further measured against the experience requirements below:
- (1) Minimum Qualification Standards. The servicing personnel specialist will use Handbooks X-118, X-118C, or other applicable OPM examinations or standards to determine whether an eligible applicant is generally qualified to serve in the occupational series at the grade level announced for the vacant position.
 - (2) Selective Placement Factors. In addition, any special job-related qualification requirements that are absolutely essential to qualify for the particular vacancy must also be met before the candidate may be referred for further consideration. (See paragraph 5e(1) above.)
- e. Evaluation of Eligible Qualified Candidates. Each candidate will be evaluated in terms of his or her relative potential for success in the vacant position.
- (1) Evaluation Criteria. Each candidate's experience and potential must be compared with specific ranking factors derived from the knowledge, skills, and abilities developed in the job analysis conducted earlier and announced in the vacancy announcement. (See paragraph 5e(2) above.) The results of the evaluation of each candidate are consolidated into a total score or rating using the rating schedule for the position.
 - (2) Rating Schedule Indicators. Information on the kind and quality of the candidate's experience, training, education, and awards or honors, is obtained from a review of the SF-171 and other material submitted by each candidate. The evaluation of each Indicator is made in terms of the degree to which the employee demonstrates experience in or potential for each ranking factor using the rating schedule. The length of total service or the amount of related experience may not be used for rating except as a tie-breaking device when large numbers of candidates in the higher qualified group cannot be reduced in number by comparing scores on more meaningful job-related factors or indicators.

- (3) Evaluation of Performance and Potential. Evaluations prepared by current or past supervisor must be submitted for review and will be considered in the ranking process. Applications submitted without the required evaluations or appraisals of potential will be rejected.
- (a) Current or last performance appraisals will be Considered to the extent that the elements rated are pertinent to the elements or functions of the vacant position.
- 1 DOE applicants: a copy of the current performance appraisal.
 - 2 Non-DOE applicants: a copy of the current appraisal, or a statement concerning performance during most recent period of employmnt.
- (b) Supervisory appraisals of potential will cover expected performance levels for specific factors of the position to be filled. The form for this appraisal is printed on the reverse side of the vacancy announcement and must be submitted by both DOE and non-DOE applicants.

f. Rating and Ranking of Eligible Candidates.

(1) Ranking Panels.

- (a) Ranking panels must be convened to rate and rank eligible applicants competing for promotion to all positions above grade level GS-8, if there are more than five applicants deemed qualified for the position. When there are fewer than five qualified candidates, or the position is for a grade level at GS-8 or below, the servicing personnel specialist may forego convening a panel; however, the candidates must be ranked by the Specialist, or jointly by the specialist and a subject-matter expert requested by the specialist to assist in the ranking process.
- (b) A ranking panel normally will be composed of three members designated by the servicing personnel specialist with the assistance of the organizational administrative officer, if necessary.
- 1 Each panel member must be a Federal employee serving at or above the grade level of the vacant position and must have a good knowledge of the skills and abilities needed to perform the job in a satisfactory manner.
 - 2 A person who is in the supervisory chain of the vacant position, or is an applicant for the position, or is related to any applicant may not serve as a panel member.

- 3 A panel member who declares that he or she cannot be objective in evaluating candidates because of a personal or professional relationship with one or more of the candidates may request to be excused from serving on the panel.
- 4 The selecting official may be called upon to define and explain the ranking factors, if deemed necessary-by the panel members and/or the servicing personnel specialist in order to ensure complete understanding of the requirements and responsibilities of the vacant position by the panel members.
- 5 A personnel specialist shall convene each ranking panel and serve as advisor to the panel to answer questions, assure that all regulations are followed, and lead discussions to resolve, if possible, wide deviations in the ranking of a candidate by panel members.

(2) Panel Ranking Procedures.

- (a) Panel members will review the position description for the vacant position and all information in each qualified candidate's file.
- (b) The panel will evaluate each candidates separately by analyzing his or her experience, education, training, and other indicators against the ranking factors established for the position, using the rating schedule established for the position or the generic rating schedule. This process should enable the panel members to score the relative aptitudes of all candidates for performing the duties of the position. Ranking factors identified by the staffing specialist and selecting official as most essential to successful performance of the duties of the position may be given more weight than other factors; however, identical weights must be used for the same ranking factor.
- (c) After each panel member has rated each candidate for each factor and totaled the results, the panel members will compare the scores given to the candidates, noting the extent of deviation in ratings of a candidate on the same factor. Discussions should be held to attempt to reconcile any wide differences in ratings assigned for the same factor and an attempt should be made to arrive at a consensus of the panel members regarding the scores given.
- (d) The candidates are listed in order of their total scores and a cut-off score or natural break used to distinguish the highly qualified candidates from the balance of the rated candidates.

7. CANDIDATE REFERRAL AND SELECTION.

- a. Selection Certificate. Generally, the five best qualified candidates, i.e., those who received the highest scores among all competing candidates, will be listed alphabetically on a selection certificate and referred to the selecting official. If some of the candidates referred were among those determined to be highly qualified (see paragraph 6.f(2)(d)), then candidates should be grouped by "highly qualified" and "qualified" and alphabetized within their respective groups. When there is no meaningful difference among scores, more than 5, but no more than 10 names may be referred. When there is a wide range in final scores, only those candidates with the higher scores need be referred, even if fewer than five. If there are fewer than five eligible and qualified candidates to be rated and ranked, the total group may be referred to the selecting official. Certificates with only one candidate are permitted; however, the selecting official should be advised that the vacancy can be readvertised or other sources used to identify additional applicants if the selecting official feels limited by having only a single individual to consider.
- b. Selection Certificates for Non-Competing Applicants. A separate list of qualified applicants who could be noncompetitively reassigned, transferred or reinstated, who have indicated a willingness to accept a lower grade or who can be appointed under special authorities, will be referred to the selecting official. The status of each person will be identified on the list. These applicants are not rated or ranked either within their own group, with other groups, or with the group competing for promotion.
- c. Time Limits on Certificates. Selection certificates of both types automatically expire 30 calendar days after issuance; however, the selecting official may request an extension for an additional 30 days from the servicing personnel specialist. In unusual cases, a second 30-day extension for a maximum time limit of 90 days from the initial date of issuance may be approved by the servicing personnel office branch chief.
- d. Action by the Selecting Official. The selecting official will:
 - (1) Decide which candidates, if any, to interview, in person or by telephone. Although it is generally recommended that interviews be conducted, especially when there are several highly qualified candidates, interviews are not mandatory.
 - (2) Check references to assist in making a selection, by contacting current and former supervisors and, where appropriate, other persons named by the applicant on his or her SF-171. The servicing personnel specialist will verify or confirm Federal employment status, appointment authority, salary, and other regulatory items related to previous employment.

- (3) Select one of the applicants, or return the certificate to the servicing personnel representative without any selection having been made. When returned without action, the selecting official must document the reasons for not having made a selection and, if appropriate, request the referral of additional applicants by readvertising the vacancy or recruiting from other sources. Applicants eligible for noncompetitive selection and those listed on OPM certificates may be considered before, with or after candidates competing for promotion and referred on selection certificates.
- e. Action After a Selection Is Made. The servicing personnel specialist will extend an official offer of employment to the selectee and arrange for the individual's entry on duty if the offer is accepted.
- f. Release of Selected Candidate. Normally, a DOE employee selected for promotion will be released within 2 to 4 weeks after the date of selection (to coincide with the date a pay period begins), in order to effect the promotion as soon as possible. For those cases which do not involve a promotion for the selectee, the effective date of the appointment or position change will be arranged as mutually agreed upon by the two supervisors concerned.
- g. Further Referrals of Previously Certified Candidates. When a new vacancy occurs, additional certificates may be issued from a group of previously considered candidates who applied and were ranked for an earlier similar vacancy announcement, provided:
 - (1) The second certificate can be issued within 90 days of the closing date of the earlier vacancy announcement;
 - (2) The previous vacancy and the new vacancy have the same title, occupational series, grade, basic qualifications, and ranking factors;
 - (3) The new vacant position is in the same first-tier organization; and
 - (4) There is a sufficient number of qualified applicants still available to give the selecting official an adequate choice for filling the new vacancy.

8. EMPLOYEE RELATIONS.

- a. Distribution. Distribution of this plan will be made to each Headquarters first-tier organization and should be made available to any employee upon request. Questions about the plan or its application should be made to the administrative officer or to the servicing personnel specialist for each organization.
- b. Other Information Concerning Merit Promotion. Information about position vacancies, job requirements, qualification standards, ranking factors, promotion potential, and application procedures for any position to be

filled under this plan will be provided on the vacancy announcement for the position and will be made available upon request to the servicing personnel operations branch.

- c. Status of Applications. After the selection to fill a position is final, all other applicants for that position will be informed of the result of the competition or other method used to fill the vacancy. Each applicant will receive a copy of HQ F 3335.1, "Request for Merit Promotion Consideration." Applicants are entitled to and may request the following information from the servicing personnel representative:
- (1) Whether they were determined to be eligible for the specific vacancy;
 - (2) Whether they were among the group referred to the selecting official;
 - (3) The name of the selectee;
 - (4) The appraisals of their own potential and current performance that were used in the ranking process; and
 - (5) The areas in which improving their knowledges, skills, and abilities would increase their chances for promotion.
- d. Career Counseling. Employees are encouraged to discuss their immediate and long range career goals with supervisors, specialists in the servicing personnel operations branch, and career counselors in order to prepare themselves better for promotional opportunities. All of these individuals should be able to provide assistance and advice concerning career opportunities, education and experience required to advance in a particular career field, and performance improvements which could enhance potential for responsibilities at a higher grade level.
- e. Employee Complaints.
- (1) Nonselection for promotion from a group of properly ranked and referred candidates is not grievable and is excluded from the grievance procedures.
 - (2) Other merit promotion-related complaints must be resolved in accordance with DOE 3771.1 or the appropriate collective bargaining agreement.
 - (3) If an employee believes that unlawful discrimination was practiced in the administration of the Merit Promotion Plan, the employee may file a discrimination complaint in accordance with the provisions of DOE 1600.5.

9. MERIT PROMOTION CASE DOCUMENTATION.

- a. Separate files will be maintained to document the results of every staffing action initiated under the provisions of this plan, whether the vacant position involved was ultimately filled by promotion or by another method. The purpose of the file is to permit reconstruction of all aspects of the staffing action, especially the rating and ranking of candidates by panel members, if necessary because of allegations of improper processing or a discrimination complaint.
- b. Merit promotion case files are retained for a period of 2 years unless litigation requires more stringent controls, or the Director of Equal Opportunity requests that a case file be retained for a longer period.
- c. Each merit promotion case file must include the original, if appropriate, or a copy of the following documents:
 - (1) Position description and DOE F 3511.1;
 - (2) Repromotion priority consideration referrals and results, including the names of eligibles and reasons for nonelection;
 - (3) Vacancy announcement, and any reissuances of the announcement;
 - (4) Job analysis (KSA) worksheets, rating schedule and other documentation showing the development of the ranking factors used;
 - (5) The SF-171 of each applicant, with any attachments submitted by the applicant;
 - (6) The current performance evaluation form for each applicant;
 - (7) The supervisory appraisal of potential for each applicant;
 - (8) Eligibility determination worksheet for each applicant;
 - (9) Candidate evaluation worksheets, the summary rating and ranking worksheet, the rating schedule and any other documentation related to the process used by each panelist in rating each candidate;
 - (10) A register or list showing the names of all individuals who applied regardless of any subsequent determination as to eligibility, qualifications, or acceptance of the applications;
 - (11) A completed HQ F 3335.1, "Request for Merit Promotion Consideration, for each applicant; and
 - (12) selection Certificate(s) referred to the selecting official, showing action taken, signature and date of selection or decision.

10. ANNUAL REVIEW OF MERIT PROMOTION PLAN. The operation and administration of this Merit Promotion Plan will be reviewed annually as a special topic of the Headquarters Personnel Operations internal personnel management evaluation (PME) program.
- a. The annual PME review will be conducted to assure that:
- (1) The plan is as effective as possible and is useful to management and fair to employees and applicants;
 - (2) Promotion actions are processed properly and in a timely manner;
 - (3) Merit promotion case files are properly maintained;
 - (4) Any grievances or other concerns of employees or applicants are resolved promptly and properly; and
 - (5) Management's use of promotion actions is effective in encouraging competent employees to make the best possible use of their skills.
- b. A report of the findings of the evaluation, with appropriate recommendations for improvements to procedures and/or forms, will be made to the Director of Headquarters Personnel Operations.



K. DEAN HELMS
Deputy Director of Administration

SPECIAL PROVISIONS APPLICABLE TO
PROCESSING WAGE GRADE POSITIONS ONLY

1. Evaluation of Qualified/Eligible Candidates. The eligibility determination for wage grade positions is made by designated subject matter experts simultaneously with the ranking procedure.
2. Selecting Position Elements. In most instances, the sets of approved job elements, identified in Office of Personnel Management Handbook X-118C, can be made suitable for local needs without change. If a particular knowledge, skill, or ability is identified as necessary for success on a particular job, it can usually be made part of the point value description in the crediting plan (see paragraph 3, below) without creating an additional job element. For each set of elements, there is a "screen-out element" which rates the overall ability to do that job.
3. Crediting Plan. A crediting plan based on job analysis must be used to adequately establish a method of measuring each job definition for the different point designations for each element. Awards, education, and supervisory appraisal information are described under each point value as deemed appropriate. The plan must be prepared in advance of the rating process. A copy of the plan is maintained with the evaluation documents.
4. Rating and Ranking Process.
 - a. Shortcuts in Rating. When there are very few candidates or fewer candidates than jobs, the rating may be based on passing or failing the screen-out element (although in borderline cases it may be necessary to examine some candidates on all job elements to confirm such a rating). When there is a large number of candidates, the screen-out element may be rated first to eliminate those who are obviously ineligible. If a candidate is rated less than two points on the screen-out element, he or she will be determined ineligible and no further rating is necessary. For those candidates who appear to be eligible, final ratings are assigned according to the normal rating procedures.
 - b. Normal Rating Procedures. When there are more candidates than jobs and those who are obvious ineligibles have been screened out, raters will look at the overall background of each candidate in relation to each element for the job and then rate the candidates. The screen-out element is a reflection of all elements to be considered and is rated last to ensure that all related elements are considered.
 - (1) If the employee has demonstrated minimal ability in a particular job element, the first section of the rating sheet is used to show how good the candidate is in that element; that is, whether the candidate's performance is superior, satisfactory, or just barely acceptable for the needs of the job.

(2) If the candidate has not demonstrated minimal ability in the element (i.e., the candidate has been unsatisfactory or has not had the chance to demonstrate the ability), the second-section of the rating sheet is used to give an estimate of the candidate's potential for the new job.

(3) A rating sheet for each candidate must be completed by each panel member. The sheet is completed by comparing the candidate's overall background to the crediting plan. The point values of the crediting plan compare with the rating sheet as follows:

4 points = possesses all necessary knowledges, skills and abilities to a superior degree

3 points = possesses all necessary knowledges, skills and abilities

2 points = possesses enough knowledge, skills, and abilities to perform acceptably

1 points = possesses most knowledge, skills, and abilities but lacks enough for acceptable performance

0 points = does not possess the knowledges, skills and abilities needed to perform acceptably

c. Assigning the Final Rating.

(1) The point scores will be totaled by each panel member or ranking official. Where a panel or more than one ranking official is used, the element point scores are totaled and the element totals added to determine a final point score.

(2) Next, the panel determines which of the qualified candidates are highly qualified. Candidates with ratings indicating potentially superior or demonstrated satisfactory performance will be considered highly qualified.

(3) The final step is to determine those candidates who will appear on the promotion certificate by ranking all qualified candidates based on their score from high to low on a separate sheet of paper. Usually the five best qualified individuals are listed on the promotion certificate. Up to 10 candidates may be certified if meaningful distinctions cannot be made to achieve a smaller number. If tie scores force the identification of more than 10 candidates, the total number will be reduced to 10 on the basis of service Computation date, with those candidates with the least service being eliminated first.