



DEPARTMENT OF THE ARMY
HEADQUARTERS
UNITED STATES ARMY ENGINEER CENTER AND FORT LEONARD WOOD
FORT LEONARD WOOD, MISSOURI 65473-5000

FLW Civilian Personnel Regulation
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INTERNAL PLACEMENT AND MERIT PROMOTION PLAN

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Chapter I
GENERAL

1-1. PURPOSE. To establish the policies and procedures to be used for the recruitment and placement of employees in compliance with the Office of Personnel Management (OPM) and Department of the Army (DA) merit placement requirements.

1-2. POLICY. The paramount characteristics of a sound promotion program are the staffing of this headquarters by the best-qualified candidates available and the assurance to employees that they will have the opportunity to develop and advance to their full potential. It is the policy of this headquarters that:

- a. All actions be taken without regard to political, religious, or labor organization affiliation or nonaffiliation, marital status, race, color, sex, national origin, nondisqualifying physical handicap or age; and actions will be based on job-related, merit criteria.
- b. All employees be provided maximum opportunity to compete for promotions, but promotions will not be guaranteed.
- c. Positive action be taken by management to identify and eliminate any barriers to equal employment opportunity.
- d. Affirmative action be taken to assure that recruitment effort reaches all potential employment sources, including qualified handicapped, minority, and female applicants.
- e. Management retains the right to select or not select from any appropriate source of candidates referred; i.e., Veterans Readjustment Authority (VRA), OPM certificates, reinstatements, handicapped, transfers, family member eligibles, etc.

1-3. PROGRAM INFORMATION. The Freedom of Information Act and the Privacy Act impact significantly on the collection, use and availability of data essential to operations under this plan. All procedures, therefore, conform to the statutory requirements of these statutes.

1-4. SPECIAL PROVISIONS. Negotiated agreements with unions may have special provisions or requirements which apply to bargaining unit employees. These take precedence if they differ from procedures outlined in this regulation.

1-5. EMPLOYMENT OR PROMOTION OF RELATIVES. A management official, staff official or supervisor (military or civilian with authority to select for appointment, employment, advancement or promotion may not recommend or take action to select, employ, advance or promote one of his/her relatives.

1-6. GENERAL REQUIREMENTS. The minimum area for recruitment for most positions filled under this plan will be decided by the supervisor of the vacant position with consideration given to affirmative action goals, relocating family members, and current DA employees with competitive status who are outside of the minimum area of consideration.

1-7. RESPONSIBILITIES,

a. Supervisors are responsible for:

- (1) Anticipating personnel needs as far in advance as possible to allow maximum time for recruitment.
- (2) Participating in the job analysis of positions under their supervision.
- (3) Completing promotion applications for employees who are absent for legitimate reasons (e.g., on detail on leave, at training courses, in military service, etc.) and who have indicated interest in promotion to that type position(s).
- (4) Consulting with employees as needed and acting promptly on their complaints.
- (5) Advising interested, nonselected employees of how to increase chances for future promotion opportunities.
- (6) Completing draft training plans before employees are referred or upward mobility or trainee positions.
- (7) Posting current vacancy announcements to employee bulletin boards.
- (8) Selecting the best-qualified candidates while considering affirmative action goals.

b. Employees are responsible for:

- (1) Demonstrating ability and potential by diligently performing their present duties.
- (2) Engaging in self-development to prepare for advancement.
- (3) Updating the experience, education and training reflected in their Official Personnel Folder (OPF).
- (4) Applying promptly for announced positions in which they are interested and for which they qualify.
- (5) Identifying to their supervisors the types of positions for which merit promotion applications should be submitted during their absences.

c. The Civilian Personnel Officer is responsible for:

- (1) Administering this plan in accordance with regulatory requirements.
- (2) Participating in the job analysis of position to be filled.
- (3) Preparing and issuing merit promotion announcements.
- (4) Considering employees absent for military service.
- (5) Determining which candidates meet the OPM qualification requirements.
- (6) Reviewing selections for conformance with all regulatory requirements
- (7) Maintaining required and pertinent records of selection.
- (8) Responding promptly to inquiries and complaints.

1-8. REFERENCES.

- a. FPM 335
- b. AR 690-300, 335.1
- c. FPIM 335-1

Chapter 2
COVERAGE

2-1. GENERAL APPLICATION. This plan applies to all promotions, except those filled under provisions of the Civilian Career Management Programs, and to the placement actions described below.

a. Reassignment or change to lower grade to positions with known promotion potential. This includes trainee positions which involve a well-defined training program of a definite duration and the performance of assigned tasks under close guidance and instruction with promotion scheduled upon satisfactory completion of the training period (except as permitted by reduction-in-force regulations).

b. Detail of more than 120 days to a higher grade or to a position with known promotion potential (FLW CPR 690-4).

c. Training, when such training is given primarily to prepare employees for promotion and/or is required before an employee may be considered for promotion.

d. A term or temporary promotion when it will last for more than 120 days.

e. Employees serving under excepted appointments (e.g., VRA, mentally retarded, severely handicapped) who apply for promotion will be considered as permitted by the authority of their appointment.

2-2. NONCOMPETITIVE ACTIONS. The following may be exceptions to this plan:

a. Promotion of an incumbent whose position has been upgraded without significant change in duties and responsibilities based on issuance of a new classification standard or correction of a classification error.

b. Promotion when at an earlier stage an employee was selected from an OPM register or under competitive promotion procedures for an assignment intended to prepare him/her for the position being filled.

c. A noncompetitive promotion (when employee was previously selected for an assignment intended to prepare the employee for the position and the intent has been made a matter of record) following appointment of:

(1) Candidate selected by VRA.

(2) Candidates selected under the authority for a noncompetitive appointment of certain former overseas employees.

(3) Veteran candidates selected under 30 percent of more disability authority.

(4) Candidates selected under the severely handicapped authority.

(5) Candidate selected by reinstatement to a position no higher in grade or with no more promotion potential than their last nontemporary Federal position.

(6) Candidate selected by transfer to position no higher in grade or with no more promotion potential than their present Federal position.

d. Temporary promotions of 120 days or less in higher-graded positions (prior service during the preceding 12 months under all details to higher-graded positions or temporary promotions is included whether competitive or noncompetitive).

e. Promotion after failure to receive proper consideration. An employee who fails to receive proper consideration for a promotion (if the erroneous action is allowed to stand) will receive one priority consideration for the next appropriate vacancy to make up for the lost consideration.

f. Placement required by reduction-in-force.

g. A change to lower grade.

h. Repromotion and/or reemployment to a grade or intervening grade or position from which demoted or separated without personal cause. Consideration will be given these employees prior to use of competitive merit promotion procedures.

i. Reassignment to a position with the same or lower promotion potential.

j. A noncompetitive career promotion of an employee whose position has been reclassified to a higher grade or to a position with a higher representative rate because of the addition of duties and responsibilities may be made (when it is determined that open competition is not warranted). All of the following circumstances must be met in order to except the promotion from competitive procedures:

(1) There are no employees in the unit supervised by the selecting official who are performing duties substantially the same (at the same grade) as to those performed by the employee prior to addition of the new duties and responsibilities. (For example, jobs are considered substantially the same when major duties, supervisory controls, knowledges required, and working conditions are the same.)

(2) The employee continues to perform the same basic functions(s) as was in the former position and the duties of the former position are administratively absorbed into the new position.

(3) The addition of the duties and responsibilities does not result in an adverse impact on another encumbered position, such as abolishing the position or reducing the known promotion potential of another position.

(4) The employee meets all eligibility and qualification requirements for the position.

k. The conversion of Cooperative Education students and subsequent career ladder promotions.

l. The conversion of Federal Junior Fellowship Program employees and subsequent career ladder promotions.

m. The conversion of severely handicapped and mentally retarded employees.

n. The noncompetitive appointment of eligible veterans with 30 percent disability who are serving on a temporary appointment.

o. Placement of Priority 1, 2 and 3 employees entitled to mandatory consideration under the provision of the DoD Stability of Civilian Employment Programs.

p. Noncompetitive promotion or transfer up to and including the highest grade previously held in a nontemporary position in the competitive service.

Chapter 3
ANNOUNCEMENT OF POSITION VACANCIES

3-1. POLICY. Merit promotion announcements will be used to locate candidates except for those positions which are serviced by the local Civilian Personnel Office but are located in another geographical area where employees will receive automatic consideration for merit promotion positions. Announcements will remain open for a minimum of 7 workdays. When there is a continuing need to fill positions with like qualification requirements, announcements will be issued on an open, continuous basis and will be identified accordingly. Each merit promotion announcement will contain the following information:

- a. Title, series, grade, and brief description of duties.
- b. Minimum qualification requirements for basic eligibility including any selective placement and environmental factors.
- c. Procedures for applying.
- d. Area of consideration.
- e. Opening, closing and expiration dates.
- f. Equal opportunity statement.
- g. Job-related criteria such as knowledges, skills and abilities (KSA) to be used to identify best-qualified candidates.
- h. Rating method to be used to determine best-qualified candidates.
- i. Location of position.

3-2. HOW TO APPLY. Employees must submit FLW Form 1257, Merit Placement Application, during the open period of the announcement to the Civilian Personnel Office.

Chapter 4
CANDIDATE EVALUATION PROCEDURES

4-1. EVALUATION AND RANKING PROCEDURES. The overall objective of the evaluation process is to narrow the number of eligible candidates to a reasonable number from which a selection may be made and to assure the selection is made from among the best-qualified applicants. To achieve these objectives, applicants will be screened according to:

a. Minimum qualification requirements. The OPM qualifications requirements contained in the OPM Handbook X-118 (for General Schedule positions) and X-118C (for Wage Grade positions, WG, WL, WS, WD and WN) and any selective placement factors approved as essential to the position being filled constitute the minimum qualification requirements. Every candidate who meets or exceeds the applicable minimum standard is considered basically eligible for the position. Any candidate who does not meet the minimum requirements is ineligible for further consideration. Determination of basic eligibility is the responsibility of the Civilian Personnel Officer.

b. Best-qualified requirements. All applicants who meet minimum (basic) qualification requirements, including written tests when authorized by OPM, will be further evaluated to determine the degree to which they possess the job-related behaviors, abilities, skills and knowledges. Those candidates who rank at the top when compared with other eligible candidates are best qualified. A reasonable number of the best-qualified candidates are referred for selection.

c. Performance linkage. Official performance ratings will be a factor in rating and selecting employees who otherwise meet requirements for promotion. The current performance appraisal is used in the initial evaluation process and a rating below fully successful is used as a screen out.

4-2. REFERRAL AND SELECTION.

a. Upon completion of the rating process, a DA Form 2600, Referral and Selection Register, will be prepared by the Civilian Personnel Office and sent to the selecting supervisor with the names of the best-qualified candidates. A reasonable number of candidates will be referred, consistent with requirements of the affirmative action plan.

b. The selecting supervisor may review the qualifications of the candidates, including any awards and performance appraisals received, and/or may conduct interviews.

c. The selecting supervisor will complete Part II of the DA Form 2600 indicating the name of the individual selected and written reason(s) related to the qualifications of the individual selected for expecting the selectee to perform successfully. In filling positions, selecting officials must consider the activity's approved affirmative action plans for minorities and women and for handicapped individuals as a part of the selection process.

d. Performance tests during the selection interview process are not permitted without authority from the Civilian Personnel Officer. Selecting officials may select or not select from among the group of best-qualified candidates.

e. The immediate supervisor of the employee selected will be notified by the Civilian Personnel Office and arrangements made for release. The release date will not be later than the beginning of the second pay period following date of selection for promotion and no later than 30 days for reassignment. Any period beyond 30 days should be negotiated and arrived at by mutual agreement between the releasing and gaining activities.

f. Upon request, candidates will be furnished the following information by the selecting official:

(1) Who was selected.

(2) In what areas, if any, the employee should improve to increase chances for future opportunities.

Chapter 5
REPROMOTION

5-1. POLICY. It is sound management practice and good human relations to provide maximum placement opportunities to adversely affected employees. Therefore, consistent with the objective of assigning employees to positions with responsibilities commensurate with their qualifications and pay, noncompetitive (special) consideration for repromotion will be provided to eligible employees before filling positions through competitive procedures and before priority consideration is given.

5-2. PROCEDURES.

a. Special consideration for repromotion will be given to employees receiving grade, pay or salary retention benefits. Coverage stops when the retention benefits are discontinued.

b. Special consideration for repromotion will not be granted to employees regardless of their entitlement to retention benefits if they are demoted to correct a procedural, regulatory, or program violation or if a demotion is accepted to enter a training program and then the training is not completed.

c. Employees covered by grade retention are subject to DoD 1400.20-1-M, the Policies, Procedures and Program Manual for DoD Program for Stability of Civilian Employment. They will be placed in accordance with those provisions.

d. Eligibility for entry into the Department of Defense Priority Placement Program (DoD PPP) is different and distinct from the eligibility for repromotion consideration. Refer to DOD Manual 1400.20-1-M for additional information concerning the eligibility for DoD PPP registrants.

e. A personnel specialist will review the employee's OPF to determine occupations and grade levels for which highly qualified. Employees should review their OPF and update their qualifications, if necessary, and agree in writing to accept occupations and grades for which qualified. Consideration will be given for the next appropriate vacancy after the change to lower grade is effective.

f. Referral of a high-quality candidate for repromotion will precede other referrals. A supervisor may review the employee's OPF, conduct a personal interview, or both.

g. If a repromotion candidate declines a valid offer, no further priority consideration will be given for that grade or lower grades for which registered.

Chapter 6
NONCOMPETITIVE REASSIGNMENT/DEMOTION PROCEDURES

6-1. POLICY. Reassignment is an effective method of achieving a number of program objectives. Supervisors and employees at all levels are encouraged to consider reassignment which provides experience in different organizations or missions, meet staffing requirements, make more effective use of existing skills, or accomplish other beneficial objectives. Reassignment may be initiated by management or requested by an employee.

6-2. PROCEDURES.

a. A permanent employee desiring reassignment or demotion to positions covered by the merit promotion plan may request such consideration by applying for consideration as provided in each merit promotion announcement.

b. As vacancies occur, selecting officials will be given the opportunity to consider reassignment candidates prior to or concurrently with the competitive lists. The selecting official is under no obligation to select a reassignment candidate.

c. When management initiates a reassignment, the employee will be asked to voluntarily sign a consent form accepting the reassignment. An employee may have a valid reason for not wishing to be reassigned. An employee who does not voluntarily consent to such an assignment will be given advance written notice of the proposed reassignment by the appropriate management official. The advance notice will include reasons for the reassignment, the effective date, and an opportunity for the employee to reply. If the employee does not reply, no further notice will be issued, and the action will be effected as stated in the advance notice. If the employee replies before the effective date, the reply will be considered in determining if the reassignment should be effected, and the employee will be advised of the decision by the appropriate management official. The amount of advance notice, the amount of time the employee has to reply, and the method of advising an employee who replies of the final decision will be covered in the advance notice.

d. Reassignment in the same position as a result of position review or classification action does not require an advance notice or consent.

Chapter 7
EMPLOYEE GRIEVANCES OR COMPLAINTS

7-1. POLICY. If a candidate believes that the provisions of the plan were not followed in filling a particular position, or that his/her qualifications were not correctly evaluated in determining eligibility for consideration, he/she should immediately refer any questions to his/her supervisor or the personnel staffing specialist for informal handling.

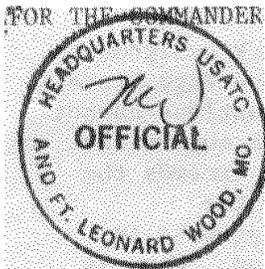
7-2. PROCEDURES.

a. An employee may register a formal grievance in accordance with appropriate negotiated procedures or through the Fort Leonard Wood grievance procedure. However, a grievance will not be entered when it is based solely on nonselection from among the best-qualified candidates.

b. A candidate who believes or alleges discrimination in any part of the promotion process because of race, color, religion, national origin, age, or sex, should contact an Equal Employment Counselor within 30 days of the matter giving rise to the dissatisfaction.

The proponent agency of this regulation is the Directorate of Civilian Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications) to Cdr, USAECFLW, ATTN: ATZT-CP-CR, Fort Leonard Wood, MO 65473-5000.

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