



**FORT McCOY**  
**REGULATION**

**690-13**

**CIVILIAN PERSONNEL**

*Merit Promotion Plan*

## CHAPTER 1: GENERAL PROVISIONS

1-1 PURPOSE. To set forth policies and provisions of a promotion plan under the merit system established by the U.S. Office of Personnel Management (OPM) and the Department of the Army (DA).

1-2 SCOPE. This regulation is applicable to all non-Army Reserve Technician (ART) civilian employees paid from appropriated funds serviced by the Directorate of Civilian Personnel, Fort McCoy, Wisconsin, (hereafter referred to as the DCP). Where this regulation is in conflict with DA approved negotiated collective bargaining agreements, the provisions of the agreement will be applicable unless changes are required by law or by regulations of appropriate authority.

1-3 POLICY. Placement under this plan will be made on the basis of merit. There will be no discrimination based on age, sex, race, color, national origin, religion, or handicapped condition (mental or physical), if the individual is able to perform the duties of the position. Due consideration will be afforded applicable Equal Employment Opportunity (EEO) affirmative action program plans.

a. An Affirmative Action Program (AAP) strives to overcome obstacles that impede equal employment opportunities for minorities and/or to correct racial/sexual imbalances in the work force. In those instances where minorities and women are among the best qualified candidates, it is appropriate for selecting officials to consider the need for affirmative action in making the final selection decision. Caution must be exercised to ensure that this consideration is not substituted for qualifications.

b. Placement must conform to regulations on the employment of relatives. Further, no official may, in recommending or selecting candidates or in operating the program, base such action on any other type of favoritism or patronage.

c. While promotion will be the means of filling many vacancies, placement by new appointments, reinstatements, reassignments and changes to lower grade (employee or management initiated) may also be appropriate as exceptions to this plan.

1-4 DEFINITIONS.

a. Area of Consideration: The area in which a search is made for eligible Army candidates in specific promotion actions.

(1) Minimum area of consideration: The area in which it can be reasonably expected to locate enough highly qualified Army candidates to fill vacancies under this plan. When the minimum area of consideration produces sufficient highly qualified candidates for referral, the minimum area and the "area of consideration" are the same. (DA employees with competitive status outside the DCP serviced work force who submit applications will be considered for promotion opportunities under this plan.)

(2) Extended areas of consideration: If the minimum area of consideration fails to produce or it is presumed it will not produce enough highly qualified Army candidates, the minimum area of consideration may be extended as necessary, to the following sources:

- (a) Selected or all Army activities serviced by the DCP.
- (b) Selected or all Army installations in the commuting area.
- (c) Selected or all Army activities within other major Army Commands
- (d) Army-wide.

(3) The determination of the area of consideration for a position will be made by the DCP.

b. Best Qualified Candidates: Those highly qualified candidates who rank at the top when compared with all other highly qualified candidates and who are referred to the selecting official on a selection referral. Under some rating schemes, highly qualified and best qualified candidates are the same because they are the candidates who rank at the top and they comprise the group from which a reasonable number are referred for selection.

c. Career Promotion: The promotion of an employee without further competition when competition was held at an earlier stage. For example, the employee was selected under competitive promotion procedures for a trainee assignment intended to prepare them for the target position. The intention must have been made a matter of record at the time the position was initially filled. Another example of career promotion exists if an employee's position is reconstituted at a higher grade because of the accretion of additional duties and responsibilities, including planned management action when the conditions outlined 1-7b are met.

d. Competitive Action: The process used (e.g., vacancy announcements, career referral lists) to locate the best qualified candidates for any position affording promotional opportunity where previous competition has not been held (i.e., career promotion).

e. Concurrent Consideration:

(1) Concurrent consideration is the consideration of eligible non-Army candidates (including other competitive service federal government employees, reinstatement eligibles, transfer eligibles, Reemployment Priority List eligibles, Veterans Readjustment Act (VRA) eligibles, Military Spouse Preference Act eligibles, mentally retarded, severely physically handicapped candidates and OPM eligibles). Applications may be accepted from these individuals during the open period of each specific announcement.

(2) The DCP will determine which of the possible concurrent sources are most likely to be productive and should be utilized during the process of locating candidates. The nature and extent of concurrent consideration that actually is provided in specific actions will, if appropriate, be documented on the vacancy announcement and in the required placement records.

f. Change to Lower Grade: Change of an employee to a lower grade position or to a position with a lower representative rate of pay.

g. Detail: The temporary assignment of an employee to a different position for a specified period. A detail does not change the employee's official title, grade or pay rate.

h. Eligible Candidates: Individual applicants who meet the legal, regulatory and administrative requirements (e.g., minimum qualifications standards, time-in-grade, time-after-competitive appointment, most current performance appraisal must be fully successful or better, status, area of consideration, etc.) of the position.

i. Evaluation of Candidates: The process of ensuring that eligible candidates meet all requirements for promotion. This will include assessment that the candidate has the knowledges, skills and abilities (KSAs) and/or selective placement factors to perform in the vacancy to be filled.

j. Highly Qualified Candidates: Those eligible whose experience, training and potential substantially exceed the qualifications standard for the position, including appropriate selective placement factors, to a degree that indicates they are likely to be able to perform in the job to be filled in a superior manner.

k. Noncompetitive Action: Any promotion action determined to be an exception to competitive procedures under existing regulatory guidance.

l. Position Change: Promotion, change to lower grade or reassignment.

m. Position with Known Promotion Potential: A position has known promotion potential when promotion of the incumbent to the designed target or intermediate grade may be effected without further competition. Positions that may offer opportunities for promotion because of organizational structures or occupational categories are not positions with known potential for the purposes of this regulation.

n. Promotion: Change of an employee to a higher grade position or to a position with a higher representative rate of pay.

o. Reassignment: Change of an employee from one position to another at the same grade or representative rate of pay without promotion or change to lower grade.

p. Representative Rate: The fourth step of the grade for a position under the General Schedule and the second step of the graded for a position under the Coordinated Federal Wage System. Representative rates are used to compare grades under different pay systems.

q. Repromotion: Noncompetitive promotion of an employee, who has been demoted without personal cause, to a position at their former grade or any intervening grade.

r. Selection Certificate: A list of names of candidates provided to the selecting official for a vacancy. The candidates may be referred on either a DA Form 2600. Referral and Selection Register, or a DA Form 2303-2 B, Career Referral List.

s. Selective Placement Factors: Skills, experience and abilities essential to successful performance in the position to be filled which are in addition to the minimum qualification requirements established by OPM for the position.

t. Temporary Promotion: The temporary official placement of an employee into a position of higher grade or higher representative rate. A temporary promotion increases the employee's pay rate.

u. Temporary Reassignment: The temporary change of an employee from one position to another without promotion or demotion.

v. Transfer: The movement of an employee from one federal government agency to another.

w. Voluntary Applicant:

(1) Any current DA employee in the competitive service not receiving civilian personnel service from the DCP who submits an application for consideration for promotion or reassignment for anticipated vacancies.

(2) Any applicant under the Military Spouse Preference Act.

#### 1-5 COVERAGE.

a. Except for those situations excluded by paragraph 1-6, this plan applies to all positions receiving civilian personnel support from the DCP. Some positions which otherwise would be in the competitive service are exempted by virtue of the appointing authority used (e.g., VRA, severely physically handicapped, mentally retarded). Such employees may apply under this plan to the extent permitted by their personal competitive status or by the authority for their particular appointments.

b. In addition to coverage by this plan, positions covered by a DA/ Department of Defense (DOD) career program which are below mandatory referral levels, are subject to any special provisions or qualification requirements contained in applicable career management regulations.

c. This plan covers the following type personnel actions:

(1) Permanent promotions to positions in the competitive service (except as otherwise provided in paragraph 1-6 below).

(2) Reassignments, transfers, or demotions to positions with more promotion potential than a nontemporary position previously held.

(3) Selection for training when training is given primarily to prepare employees for advancement and is required for promotion.

(4) Details of more than 120 days to higher grade positions.

(5) Temporary promotions over 120 days. A temporary promotion may be made when the temporary service of an employee is needed in a higher grade position. If the temporary promotion exceeds 120 days (including all details to higher grade positions and temporary promotions during the preceding 12 months), competitive procedures must be used. A temporary promotion may be extended or made permanent without further competition when the temporary promotion was originally made under competitive procedures, and the fact that it might be extended or lead to a permanent position was made known to potential candidates.

(6) Reinstatement to a position at a higher grade than previously held in a nontemporary position in the competitive service.

(7) Term promotion to bona fide special project(s) or rotational assignments lasting more than two years, but not to exceed four years.

(8) Military Spouse Preference Act candidates when competitive procedures are required.

#### 1-6 EXCLUSIONS TO COMPETITIVE PROCEDURES.

a. Generally, employees serving on temporary appointments or those in an excepted appointment status; however, see special provisions in paragraphs 1-5.

b. Positions included in the various career management fields at command, DA and DOD mandatory referral levels which are filled through the provisions of Army Regulations (ARs), career management, basic policies and requirements and appropriate DOD regulations.

c. Certain excepted appointments (e.g., severely physically handicapped, mentally retarded) may permit individuals to compete for competitive service jobs within restraints of the excepted authority. (5 Code of Federal Regulations (CFR) 306 and 307).

d. The noncompetitive conversion of Cooperative Education or Junior Fellowship Students. (5 CFR 308)

e. The noncompetitive conversion of severely physically handicapped and mentally retarded. (5 CFR 306)

f. The noncompetitive conversion of individuals initially employed under 5 CFR 213.3202(1). This authority is referred to as Schedule B.

g. The noncompetitive appointment of eligible veterans with 30 percent or more disability who are serving on temporary appointments under 5 CFR 315.703d.

h. Statutory/regulatory/administrative placement. Mandatory placement will be made as required by law, regulations, or the directive of higher authority such as the DOD Priority Placement Program (PPP) or restoration from military service.

i. Assignments not involving promotion or known promotion potential. Placement by reassignment or change to lower grade that does not afford the employee either immediate or known promotion potential higher than the position held prior to this action is not subject to the provisions of this plan. (This includes reassignment of a trainee currently serving on an appointment, e.g. GS-5 trainee to GS-7 who may be reassigned to another GS-5 trainee to GS-7 if a vacancy exists.)

j. Management directed or initiated reassignments. In some instances, such as to avoid adverse impact of reduction-in-force (RIF), to implement a more effective organizational structure, or failure to warrant a career ladder promotion to higher grade level, management may find it necessary or desirable to initiate actions that will result in noncompetitive reassignment of employees to positions having no known promotion potential or no higher promotion potential than their current positions. The manager should obtain the employee's approval by signature for the reassignment on the SF-52, Request for Personnel Action. Whenever the employee fails to consent to such a reassignment, the reasons prompting their unwillingness to accept the reassignment must be given full consideration. Reassignment in the same position as a result of position review or classification action does not require advance notice.

k. Candidates referred from OPM registers or registers established under delegated examining authority will not be ranked against internal candidates since:

(1) Such a practice would restrict management's option to select from any source as provided in 5 United States Code (USC) 7106; and

(2) Candidates certified from OPM registers or registers established under delegated examining authority have passed required examinations.

l. Noncompetitive appointment of family members under Executive Order (EO) 12585.

m. Noncompetitive promotion, reinstatement, and transfer up to and including any grade previously held in a nontemporary position in the competitive service, provided the employee was not demoted or separated from that grade because of deficiencies in performance or "for cause" reasons.

#### 1-7 EXCEPTIONS TO COMPETITIVE PROCEDURES.

a. Career promotions based on prior competition. Employees may be promoted without competition in certain situations termed "career promotions." Such promotions are not automatic and employees must have demonstrated their ability to perform at the higher level.

b. Career promotion when an employee's position is reconstituted in a higher grade. Any position, the duties of which have been reconstituted in a higher grade, may be filled as an exception to merit procedures. This includes, but is not limited to, an upgrading as a result of planned management action, if all the following criteria have been met:

(1) There are no other employees at the same grade in the unit supervised by the selecting official who are performing duties substantially the same as those performed by the employee and who will not be similarly affected 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 as were in the former position and the duties of the former position are in the new position.

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

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

c. Promotion to positions based on classification action. The incumbent of a position which is upgraded based on either the issuance of a new classification standard or the correction of a classification requirement will, if otherwise qualified be promoted within four pay period without competition.

d. Repromotion.

(1) Although not guaranteed repromotion, a permanent employee, who was demoted within DA or DOD without personal cause (misconduct or inefficiency are examples of personal cause) and not at the employee's request, will be afforded special consideration for repromotion. The special consideration must be given at least as long as the retention (i.e., grade or pay retention) benefits continue. Coverage under the DOD policy stops when the retention benefits are discontinued. Once special consideration for repromotion has been granted to an employee, this special consideration will precede efforts to fill a vacancy by other competitive means. When a vacancy occurs, an employee may be noncompetitively repromoted under this exception to a position at their former grade, or any intervening grade for which they have demonstrated they are qualified.

(a) Acceptance of a lower grade position in lieu of RIF or in lieu of relocation in a transfer of function is not considered a demotion at the employee's request, and special consideration will be afforded for repromotion.

(b) Placement actions under this provision are subject to DOD 1400.20-1-M, Policies, Procedures and Program Manual for DOD Program for Stability of Civilian Employment (referred to hereafter as DOD PPP).

(2) Declination of a position offered under this provision to the grade originally held or any intervening grade above the employee's current grade, will terminate entitlement to further special repromotion consideration to that grade level.

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

e. Priority Consideration

(1) May be given only to employees who were adversely affected due to a procedural, regulatory or program violation. If reconstruction shows that the employee is not in the best qualified group, that employee is not adversely affected and no priority consideration is to be granted.

(2) May be granted only once for each time proper consideration in a competitive promotion action was not given. It is important, therefore, that the employee is given a bona fide consideration before consideration is given to candidates under competitive procedures. If the employee does not satisfactorily meet all the job-related criteria, the employee will not be referred. This will not count as the one time priority consideration, since the conditions of an appropriate vacancy have not been met. Nor will an employee receive bona fide consideration if, after referral, management decides not to fill the vacancy at that time. In this situation, the employee will be referred for the next bona fide appropriate vacancy.

(3) Will be for the next appropriate vacancy to make up for the consideration lost. The next appropriate vacancy is one that meets all the following conditions:

(a) A similar type of position in the same pay system as the position for which the employee failed to receive proper consideration.

(b) One in which the employee has indicated interest.

(c) One at the same grade level with no higher potential than the position for which consideration was lost. If the position has known promotion potential, advancement beyond the entry grade is contingent upon satisfactory performance and not guaranteed by the priority consideration.

f. Noncompetitive temporary promotions. A temporary promotion of 120 days or less does not require competition if OPM requirements are met. OPM regulations restrict the cumulative total time to 120 days in noncompetitive temporary promotions in any 12-month period. In calculating this 120-day restriction, details in higher grade positions are counted in the 12-month period. Extension of temporary promotions beyond 120 days must be made under competitive procedures; temporary promotions of 60 days or less will be kept to a minimum.

g. Noncompetitive details.

(1) Except during emergencies, details should be reasonably related to employee's official position and qualifications, although the employee need not meet qualification requirements for assignment to details.

(2) It is DA policy to keep details as short as possible. Details of 30 days or less are authorized on an informal basis. As soon as it is known that a detail will or does exceed 30 days, an SF-52, Request for Personnel Action, must be prepared to document the detail. The employing activity must submit the SF-52 thru appropriate channels to the DCP.

(3) Notice to employees. Employees being detailed will be notified by their supervisor of the:

(a) Reason for the detail.

(b) Nature of the duties to be performed.

(c) Duration of the detail.

(4) The DCP may approve extension of details to unclassified duties, to higher grade positions and to positions in organizations undergoing commercial activity studies as follows:

(a) Initial details and extensions will be made in increments of no more than 120 days.

(b) Details may be extended by the DCP, in 120-day increments, up to a maximum of one year (applies to details to unclassified duties and to the same, lower, or higher grade positions). Competitive procedures are required for a detail of more than 120 days to a higher grade.

(c) Details to an organization undergoing a commercial activity study may be extended by the DCP, in 120-day increments, up to a maximum of two years (applies to details to unclassified duties and to same, lower or higher grade positions). Details within or to organizational units not covered by the study are subject to the one-year limit, even though they may be on the same installation or in the same agency.

(5) Temporary employees may be detailed to another position if the position meets the criteria of temporary employment. Details of temporary employees are subject to the same time limits and documentation requirements as details of permanent employees.

h. Promotion of a GS-02 employee to a GS-03 position or reassignment of a GS-02 to another GS-02 position with promotion potential no higher than GS-03.

## CHAPTER 2: OPERATING PROCEDURES

### 2-1 APPLICATION PROCEDURES.

a. When vacancy announcements are issued, they will normally be open for receipt of applications for at least two weeks. When an announcement is issued, applications must be submitted by all applicants interested in being considered for promotion, reassignment or change to lower grade for that position. Applications received by the closing date will be considered. Each applicant is responsible for ensuring that their application is received by the closing date, and that it is complete and all appropriate signatures affixed. If an applicant does not include all of the required information or forms as specified on the vacancy announcement, the applicant may not be considered for the vacancy.

b. An employee who will be temporarily absent (e.g., on detail, on leave at a training course, or on temporary duty (TDY) is responsible for providing written information to their supervisor as to series and grades of vacancies for which they would be interested in applying. The supervisor must either notify the employee as such vacancies are announced so that they can apply within the time limits, or apply for the employee in absentia, whichever is more feasible. Former employees who are receiving workers' compensation will receive automatic consideration under this plan. While individuals are on military duty, they are entitled to be considered for promotion under this plan. Applications may be submitted in accordance with 2-1a above.

c. A vacancy announcement for a specific position, which has resulted in a number of qualified candidates who were not selected for the announced vacancy, may be use for up to 120 days after the closing date of the announcement for other similar vacancies. To be used under this provision, the other vacancies must be in the same duty location, the same or similar occupational field and job series that requires the same minimum qualifications for eligibility, at the same grade level and have similar highly qualifying criteria.

d. Each merit promotion vacancy announcement will include the following basic information:

- (1) Statement of EEO.
- (2) A short description of the duties of the position.
- (3) Minimum standards for eligibility.
- (4) Any selective placement factors. If a selective placement factor is used, the justification for its use will be kept with the promotion records.
- (5) Special working conditions, such as unusual tours of duty, travel requirements, or environmental conditions.
- (6) Whether the position being filled is one with known promotion potential.

- (7) Area of consideration.
- (8) Concurrent area of consideration, if appropriate.
- (9) Opening and closing dates for receipt of applications.
- (10) The job-related criteria to be used in identifying “highly qualified” candidates.
- (11) Statement of what an applicant must do to apply for the vacancy.

e. Applicants serviced by the DCP must submit the application forms as specified in the appropriate vacancy announcement. This includes all applicants for promotion, reassignments or change to lower grade. The Official Personnel Folder (OPF) may be used in determining an applicant’s eligibility or for verification.

f. Applicants not serviced by the DCP must apply using an SF-171, Application for Federal Employment, and, to the extent possible, comply with specific instructions on the announcement. Failure to do so may adversely impact their consideration for the specific vacancy.

g. All applicants are responsible for assuring that their applications are accurate and complete, to include all required information and forms, with original signature and dates completed and the application received by the closing date.

h. At the discretion of Commanders/Deputy Commanders, Commandant/Deputy Commandants, Director/Deputy Director of Directorates and the Garrison Executive Officer, qualified, permanent employees below the grade of the existing vacancy may automatically be referred for promotion or reassignment to a position with known promotion potential above the individual’s present grade. The employee must be an eligible and a highly qualified candidate within the organization supervised by the individual authorized to implement this provision. Only ten or fewer candidates who meet this criteria will be referred; therefore, application of this provision can vary with each vacancy within an organization and will be at the lowest level within the origination where it is known that not more than ten candidates meet this criteria.

## 2-2 EVALUATION PROCEDURES.

### a. Rating and ranking.

(1) The screening of applicants to determine basic eligibility, including eligibility under the selective placement factors, normally will be a function of the DCP.

(2) Applicants must have a rating of fully successful on their most current performance appraisal to be referred competitively.

(3) Rating and ranking against job-related criteria may be performed by trained employees of the DCP (hereafter referred to as DCP representatives) or by a rating panel. The DCP representative and/or management will determine when a rating panel is appropriate. If there are ten or fewer merit promotion eligible candidates, ranking does not have to be done; however, all candidates must show demonstrated possession of the knowledges, skills, and abilities identified by job analysis.

b. Rating Panel Evaluation.

(1) When a rating panel is used, there will normally be three raters, civilian and/or military.

(2) For key managerial positions, including all those with supervisory responsibilities, raters will occupy positions which are at least equal or higher than the position to be filled (organizationally or by grade), and will be thoroughly familiar with the kind and level of responsibilities involved.

(3) A DCP representative will serve as advisor to the raters and assure that raters are trained in evaluation methods.

(4) In all possible circumstances, raters will include qualified minority group members and/or women. If qualified individuals are not available within the activity, other sources of raters should be considered. Where no qualified minority group members and/or women are available, the promotion record will be documented to clearly demonstrate that substantial effort was made to locate such raters.

(5) In no case will rating be performed by an individual who is also the selecting official.

(6) Candidates who meet minimum qualification requirements will be further evaluated based on job related knowledges, skills, and abilities defined for the position. Scores will be assigned to indicate the candidate's level of possession each of the KSA's based on the candidate's experience, education, training, awards, and appraisals. Candidates determined to be highly qualified will be compared with each other to determine qualitative distinctions among them. Those candidates who clearly stand out will be determined to be the best qualified candidates.

c. Simplified candidate evaluation system. If there are ten or fewer merit promotion eligible candidates who meet the minimum qualification standards, simplified candidate evaluation procedures may be used. A DCP representative will review candidate's knowledges, skills, and abilities to determine high quality candidates without assigning scores. All candidates determined to be high quality may be referred as best qualified.

### 2-3 DETERMINING ELIGIBILITY OF PROMOTION APPLICANTS.

a. Minimum qualification standards. The OPM approved qualification standards will be the sole basis for determining basic eligibility, except where the appropriate office of OPM has approved an agency minimum qualification standard or exception. A qualification standard may not be modified after the promotion process is under way unless an inappropriate standard has been used through error or OPM issues a revised standard.

b. Selective placement factors. The determination of proper selective placement factors will be made by the DCP representatives based on needs expressed by management officials concerning the position(s) to be filled. When used, the selective placement factor(s) become a part of the minimum qualification requirements. The justification for its/their use will be kept with the promotion records.

c. Time-in-grade requirements. Applicants must meet time-in-grade requirements to be eligible for consideration. This requirement includes current permanent employees who are serving or have served on special appointments for veterans and are otherwise eligible to apply for positions via the merit promotion system.

### 2-4 SUPERVISORY POSITIONS

a. The procedures for filling positions requiring supervisory abilities and potential will require the completion of a Fort McCoy Form 71-2, Assessment of Potential for Supervisory Positions, in addition to other merit promotion application forms.

b. All newly appointed supervisors and/or managers will serve a one-year supervisory and/or managerial probationary period.

c. All distinctive criteria and methods will be developed in advance and included in the vacancy announcements, crediting plans and/or placement records to the same extent as specified in earlier procedural provisions of this plan.

2-5 NOTIFICATION TO APPLICANTS. Merit promotion applicants will be notified in a timely manner by the DCP as to whether they were qualified, highly qualified, best qualified, not qualified, or selected upon completion of the selection process. Notification of being found not qualified will be made not later than the time the candidates are referred to the selecting official.

## CHAPTER 3: REFERRAL SELECTION AND RELEASE OF CANDIDATES

### 3-1 REFFERAL.

a. Special provisions for repromotion eligibles. If there are one or more repromotion eligibles, their names will be listed (in alphabetical order) on a DA Form 2600 and referred to the selecting official before a competitive list is issued. If a selection is made, no further recruitment is necessary. Ordinarily, one of the repromotion eligibles should be selected, although the selecting official is not required to do so. If a selecting official does not wish to select any of the repromotion eligibles referred, they must annotate the list and return it to the DCP. The DCP will then proceed under other appropriate recruitment procedures. If, however, any of the nonselected repromotion eligibles are referred among the best qualified and not selected, substantive written justification for the nonselection must be provided by the selecting official on the selection register. The Director of Civilian Personnel will determine the adequacy of such justifications. For garrison positions, the selection must be routed to the Executive Officer who will make that determination.

b. DOD PPP. If a vacancy occurs for which a Priority 1 or 2 registrant under the DOD PPP is qualified and available, that registrant will be offered the position.

c. Competitive candidates. Normally, three to five best qualified available candidates may be referred to the selecting official. Up to 15 best qualified candidates may be referred if meaningful distinctions cannot be made among a smaller group. The referral register may contain no more than two additional best qualified candidates for each additional vacancy to be filled. If the area of consideration has produced only one or two highly qualified candidates, those candidates may be referred without extension of the area provided they are acceptable to the selecting official.

d. Other mandatory placement programs. Some vacancies may require mandatory placement through such programs as Department of Army Career Program Interns (if they cannot be placed at their current location), OPM Displaced Employee Program and DOD PPP.

### 3-2 SELECTION.

#### a. General:

(1) The selecting official is entitled to select any candidate referred on a best qualified list, or from a certificate of eligibles as limited by both veteran's preference and the Military Spouse Preference Act.

The official must base the selection on job-related factors, including the candidate's potential for the target level if the position has known promotion potential. The selecting official must identify on the referral document, the legitimate job-related reason used and the reasons why the selectee is expected to perform the job the most successfully. No indication of selection or nonselection may be given to any candidate by the selecting official since all actions must be reviewed before finalization. All documents furnished with the selection register will be returned to the DCP by the date indicated on the register. Failure to adequately document promotion actions may be cause for delay in make a job offer.

(2) Selecting officials may seek the advice or recommendation of others either informally or by utilization of a structured panel interview. If the interview process is used, the participants shall be at or above the level of the vacancy (organizationally or by grade). Selecting officials must make the selection based on their judgment of merit factors.

(3) Management at its discretion may decide not to fill a vacancy even after receiving a properly developed DA Form 2600. If the decision is made not to fill a position or engineer it downward for further recruitment after receiving a DA Form 2600, the register will be returned to the DCP with justification and written concurrence from a higher management level. The Director of Civilian Personnel will review the documentation and determine if the failure to make a selection is supportable on merit grounds. If not supportable, recruitment action may be suspended for a period of up to six months, unless an exception is approved by the Installation Commander/Military Entrance Processing Station, Central Sector Commander/Recruiting Brigade Commander or other higher level commanders at or above the 0-6 level. In no instance will selections be deferred or delayed solely to circumvent the requirements of this plan.

(4) Selection shall be made as soon as possible after the DA Form 2600 is provided to the selecting official, but normally no later than 30 calendar days after receipt. Additional time to retain the selection certificate may be authorized by the DCP in individual situations. Such an extension, when granted, will be for the minimum time necessary to assure proper selection.

b. Interviews. Selecting officials may or may not interview candidates. However, if one is interviewed, it is recommended that all merit candidates for promotion be offered the opportunity to be interviewed, including telephonically, for those outside the commuting area. If interviews are conducted, there should be, to the extent possible, uniformity in the questions.

c. Review. An AAP strives to overcome obstacles that impede EEO for minorities and women and/or to correct imbalances in the work force. Even though race, sex or national origin may not be the sole or deciding factor in the selection process, in

those instances where minorities and women are among the best qualified candidates, it is appropriate for selecting officials to consider the need for affirmative action in making the final selection decision. Caution must be exercised to ensure that this consideration is not substituted for qualifications.

3-3 RELEASE OF SELECTED CANDIDATES. After completing review of the action the DCP will contact the selectee and make the necessary contacts to arrange the date for the selectee to report for duty. Normally, an employee selected will be released no later than the first pay period which begins at least two weeks following the date of commitment. A delay of more than two pay periods from the date of commitment will require approval of the gaining commander or his designee. Reasonable delays are expected when a permanent change of station (PCS) is involved.

3-4 EFFECTIVE DATES OF PROMOTION ACTIONS. The effective dates of all promotion actions will be at the start of a pay period.

## CHAPTER 4: PROGRAM EFFECTIVENESS

4-1 INFORMATION TO EMPLOYEES. This plan will be made accessible to employees serviced by the DCP.

4-2 DOCUMENTATION AND MAINTENANCE OF RECORDS. Promotion and placement actions will be documented in the job folder. The documentation will provide, as specified by OPM, clear evidence that actions are being effected in consonance with the policy and provisions of this plan and to provide the basis needed for evaluation of the program and for answering questions that management or employees may raise about the program in general.

### 4-3 REVIEW OF ACTIONS, PLANS AND OPERATIONS

a. Each personnel action request will be carefully reviewed by the DCP to assure that its processing is fully consistent with the provisions of this plan.

b. Except in career promotions and other promotions that are exceptions to competitive procedures, it is a violation of this plan and Title 5, USC for a supervisor to state that they want to promote a particular candidate.

c. Periodic reviews and appraisals will be made of this plan and of its operation for the purpose of initiating such adjustments and improvements as may be needed.

### 4-4 VIOLATIONS, CORRECTIVE AND DISCIPLINARY ACTIONS.

If regulatory, procedural or program violations are identified during audits, appropriate corrective actions will be taken in accordance with applicable OPM and DA directives.

(1) Action to correct a violation may involve the employee who was erroneously promoted, the employee or employees who were not promoted or considered because of the violation or officials who caused or sanctioned a violation.

(2) An erroneously promoted employee may or may not be retained in the position, depending upon the facts surrounding the violation. Employees not promoted or given proper consideration may be given special consideration to the vacancy concerned. In any case, OPM and DA regulations will be strictly adhered to in taking corrective action.

(3) Management officials who permit a violation to occur will be informed of the violation and told what to do to avoid repetition. Whether action should be taken against an official and the type of action will depend on such factors as the severity of the violation, the motivation for the violation and whether the violation was repetitive. The type of action taken against an official responsible for a violation will be in accordance with applicable laws and regulations regarding civilian personnel administration.

#### 4-5 EMPLOYEE GRIEVANCES AND COMPLAINTS

a. An employee may refer questions or complaints about the promotion program or about a specific promotion action to their supervisor for informal handling. Appropriate information or explanations will be provided to the employee.

b. Formal complaints submitted by an employee shall be processed under applicable grievance procedures, including procedures negotiated with unions, or under the regulations governing the handling of equal employment opportunity complaints, as appropriate, or governing prohibitive employment practices.

c. Failure to be selected for promotion from a group of candidates when proper promotion procedures have been used is not a basis for a formal grievance.

#### 4-6 REFERENCES.

- a. 5 USC Chapter 33
- b. 5 USC Chapter 35
- c. 5 CFR 335.103
- d. 5 CFR 353.201
- e. Federal Personnel Manual, Chapter 300
- f. Federal Personnel Manual, Chapter 335
- g. Federal Personnel Manual, Chapter 353
- h. Army Regulation 690-300, Chapter 335

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The proponent activity for this regulation is the Directorate of Civilian Personnel, Installation, Tenants and Satellites Division. Users are invited to send comments and suggested improvements to the Commander, Headquarters, Fort McCoy, ATTN: AFZR-CP-ITS, Fort McCoy, WI 54656-5000.

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FOR THE COMMANDER:



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