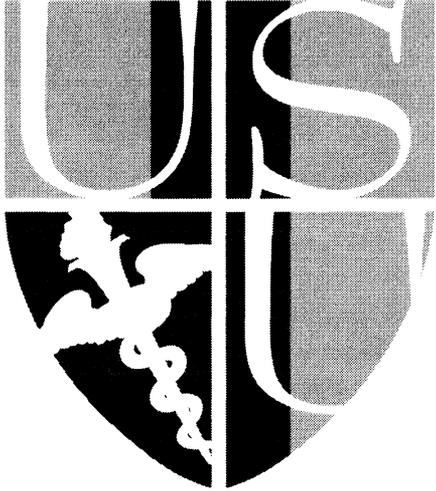


**USUHS  
INSTRUCTION  
1416**





# UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES



## SUBJECT: Merit Promotion and Placement Program Instruction 1416

(CHR)

DATE:

ABSTRACT

MAY 25 1993

This Instruction implements OPM requirements for a merit promotion program. Each agency is required to adopt and administer a "program designed to ensure systematic means of selection for promotion according to merit." To comply with this requirement, this instruction sets forth the procedures for filling positions in the competitive service, and incorporates the responsibilities of all key components in executing this program.

### **A. REISSUANCE AND PURPOSE.**

This reissues USUHS Instruction 1416<sup>a</sup>, and updates USUHS policy and procedures for promotion and internal placement of employees in the competitive service in accordance with the Federal Personnel Manual, Chapter 335<sup>b</sup>.

**B. REFERENCES.** References used in this Instruction are in Enclosure 1.

**C. APPLICABILITY.** This Instruction is applicable to the staffing of General Schedule (GS/GM) and Federal-Wage System (FWS) civilian positions in the competitive service. USUHS employees who are in the excepted service are excluded from the provisions of this Instruction, but are covered by USUHS Instructions 1100<sup>c</sup>, 1107<sup>d</sup>, and 1425<sup>e</sup>.

### **D. PROGRAM COVERAGE.**

1. The following types of personnel actions must follow the procedures described in this Instruction:

a. Promotion, transfer, or reinstatement to a higher graded position in the competitive service (unless excluded under paragraph C.2.b., below).

b. Position change, transfer, or reinstatement to a position with more promotion potential than a position that the employee held previously in the competitive service.

c. Reinstatement to a permanent or temporary position at a higher grade than the highest grade previously held under a non-temporary appointment in the competitive service.

d. Temporary promotions for more than 120 days to higher-graded positions. A temporary promotion may be made permanent without competition provided that the temporary promotion was originally made under competitive procedures, that the area of consideration was sufficiently broad to provide an adequate number of well-qualified candidates, and provided that the fact that the

temporary promotion might lead to a permanent promotion was made known to potential candidates. In computing the 120 days, an individual's non-competitive temporary service in all higher-graded positions during the preceding 12 months is counted, including details to classified positions and other temporary and term promotions.

e. Term promotions to higher-graded positions. A term promotion may be made permanent without any further competition provided the term promotion was originally made under competitive procedures and the fact that it might lead to a permanent promotion was made known to all potential candidates.

f. Details for more than 120 days to higher-graded positions or positions with known promotion potential greater than the employee's present or former position. A permanent promotion may be made from a detail to a higher-graded position without further competition provided that the detail was made under competitive procedures and provided that the fact that the detail might lead to a permanent position was made known to potential candidates. Service is counted toward the 120 day limitation in the same manner as is described in paragraph C.1.d., above.

g. Selection for training which is part of an authorized training agreement, or part of a promotion program, and is required before an employee is qualified for reassignment to a different occupational series or considered for promotion.

2. The USUHS Merit Promotion and Placement Program does not apply to the following personnel actions:

a. Positions in the excepted service. They are covered by USUHS Instructions 1425<sup>e</sup>, 1100<sup>c</sup>, and 1107<sup>d</sup>.

b. Career ladder and other promotions for which competition has taken place earlier, e.g., selection from a merit promotion certificate, the appointment of a candidate from an Office of Personnel Management (OPM) register, or noncompetitive conversion of a cooperative education student or junior fellowship student.

c. Promotion based on accretion of duties and responsibilities when all of the following provisions are met:

(1) The major duties of the employee's old position are absorbed into the new position, and the former position is cancelled.

(2) The new position has no known promotion potential.

(3) The addition of the duties and responsibilities does not adversely affect another employee.

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

d. Repromotion, reassignment, transfer, or reinstatement to a grade that has no greater known promotion potential than that held or previously held on a permanent basis in the competitive service.

e. A temporary promotion of an employee for more than 120 days to a grade level previously held on a permanent basis, except when the employee was demoted for reasons related to performance or conduct.

f. Promotion that results from an upgrading of a position due to issuance of a new classification standard or the correction of a classification error.

g. Positions in which the employee is subject to an OPM approved training or career agreement, provided the employee initially competed for the position.

h. Priority consideration for employees who did not receive proper consideration for promotion in a prior case due to a procedural, regulatory, or program error, or settlement of equal employment opportunity discrimination complaint.

i. Reduction-in-force placements under FPM Supplement 351-1<sup>f</sup> to different pay systems which result in an employee receiving higher pay.

j. Selection from the Reemployment Priority List at the same or lower grade level than the position from which the employee was separated.

**E. DEFINITIONS.** Terms used in this instruction are defined in Enclosure 2.

**F. POLICY.**

1. The USUHS Merit Promotion and Placement Program is established to insure that civilian positions are staffed

based on merit and without regard to race, color, religion, sex, national origin, political affiliation, marital status, age, membership or non-membership in an employee organization, or disabilities.

2. The USUHS Merit Promotion and Placement Program, and posted JOA's, are sources of information about merit promotion and placement policies, procedures, and opportunities.

**G. RESPONSIBILITIES.**

1. The Director, Civilian Human Resources Management Directorate (CHR) shall:

a. Ensure that personnel specialists function to assist managers to accomplish their responsibilities by determining basic qualifications of applicants and by providing advice and support to managers in the development of job analysis and crediting plans, or other pertinent documentation.

b. Develop, implement, and administer the Merit Promotion Program.

c. Ensure that operating officials, supervisors, and employees are aware of the provisions of this Instruction.

d. Ensure that CHR staff members are knowledgeable of the procedures covered in this Instruction.

e. Ensure that the principles of the Priority Placement Program are followed.

f. Review the operation and effectiveness of this plan through periodic evaluation of the program.

2. Operating officials and supervisors will:

a. Forecast manpower needs and initiate appropriate actions in sufficient time to allow for appropriate recruitment, selection, and placement procedures.

b. Prepare an accurate description of each subordinate position and develop applicable qualification rating and ranking criteria (knowledge, skills, abilities, and other characteristics).

c. Provide panel members for qualification rating panels as requested by CHR.

d. Ensure that vacancy announcements are distributed and posted on departmental bulletin boards.

e. Support the DoD Program for the Stability of Civilian Employment<sup>9</sup>.

f. Meet the goals of the USUHS affirmative action plan for equal employment opportunity.

g. Ensure that all selections are based solely on merit principles.

3. Employees are encouraged to:

a. Check the bulletin boards on a regular basis and apply for any vacancies in which they have an interest.

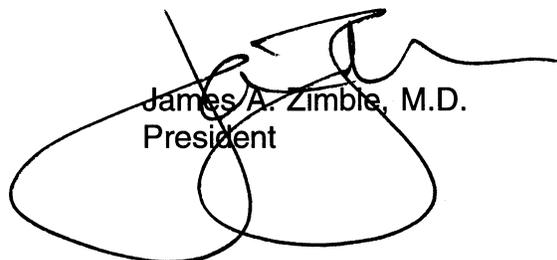
b. Take advantage of opportunities for self-development and acquire the skills and training necessary for advancement.

c. Ensure that their official personnel records accurately reflect acquired education, experience, and training and report all changes to CHR for inclusion in their files.

d. Participate on qualification rating panels as requested.

**H. EFFECTIVE DATE.**

This Instruction is effective immediately.



James A. Zimble, M.D.  
President

Enclosures:

1. References
2. Definitions
3. Procedures

**REFERENCES**

- (a) USUHS Instruction 1416, "Merit Promotion Program," August 30, 1988 (hereby cancelled)
- (b) Federal Personnel Manual, Chapter 335, "Promotion and Internal Placement"
- (c) USUHS Instruction 1100, "Policies and Procedures for Appointment, Promotion, and Tenure of the USUHS School of Medicine Faculty"
- (d) USUHS Instruction 1107, "Recruitment and Nomination Procedures for the Appointment, Promotion and Granting of Tenure for Billeted and Non-Billeted Faculty Members"
- (e) USUHS Instruction 1425, "USUHS Appointment, Placement and Promotion Plan for Non-Faculty, Excepted Service Employees"
- (f) Federal Personnel Manual Supplement 351-1, "Reduction in Force"
- (g) DoD Manual 1400.20-1-M, "DoD Program for Stability of Civilian Employment Policies, Procedures, and Programs Manual," September 1990
- (h) Federal Personnel Manual Supplement 335-1, Appendix A, Uniform Guidelines on Employee Selection Procedures
- (i) Federal Personnel Manual, Chapter 310, "Employment of Relatives"



## DEFINITIONS

1. Area of Consideration. The area of consideration is a geographic and/or organizational area in which the organization reasonably expects to recruit a sufficient number of high quality candidates from which to fill a vacancy.
2. Candidates.
  - a. Qualified. Eligible promotional candidates who, by the closing date of the vacancy announcements, meet the qualification criteria in the Office of Personnel Management (OPM) Qualification Standards, Handbook X-118 or X-118C, and any applicable selective factors.
  - b. Best Qualified. Eligible promotional candidates who rank above a cut-off score when compared with all other candidates.
3. Career Ladder Position. A position which is filled through competitive procedures below the full-performance level. Employees who are selected for career ladder positions may be promoted at management's discretion without further competition when they (1) meet regulatory and qualifications requirements and (2) demonstrate the ability to perform at the next higher grade.
4. Certificate (Merit Promotion). A list of qualified, promotional candidates which is certified by the CHR Directorate (CHR) and given to the requesting official for selection.
5. Commuting Area. For the purpose of this Instruction, the commuting area is defined as the District of Columbia, Baltimore, Alexandria, Fairfax, and Falls Church cities; Baltimore, Charles, Montgomery, Anne Arundel, Prince Georges, St. Mary's, Howard, and Frederick Counties, Maryland; and Arlington, Fairfax, Loudoun, Prince William, Fauquier, Stafford, and King George Counties, Virginia.
6. Competitive Service. An appointment or a position in the Federal government that is not specifically excepted from the Civil Service laws by Executive Order or OPM regulations.
7. Competitive Status. Status obtained by an employee based on prior service under a career or a career-conditional appointment.
8. Crediting Plan. A set of rating guides for a position(s) against which all eligible, qualified, promotional candidates who applied for a particular vacancy are evaluated.
9. Detail. A temporary assignment of an employee to a different position or set of duties for a specified period, with no change in pay and with the employee returning to his/her regular duties at the end of the detail period.
10. Direct-Hire Authority. OPM-approved agency recruiting plans which expedite recruitment of persons for appointment to positions in shortage occupations.

11. Excepted Service. An appointment or a position which the Office of Personnel Management has exempted from the competitive service. Examples are USUHS faculty appointments, USUHS positions paid from extramural funds, appointments of the handicapped, stay-in-school appointments, etc.

12. Full Performance Level. The level of work which has been designated by management and established by the application of the appropriate position classification standard(s), that depicts the highest level of duties and responsibilities inherent in a position.

13. Job Analysis. The process of systematically collecting, processing, analyzing, and interpreting information about a specific position or group of similar positions to provide a job-related basis for evaluation and selection.

14. Job Opportunity Announcement. A written, distributed, and posted notice advertising one or more positions which are open to competition under the merit promotion and placement program.

15. Non-Competitive Candidate. A candidate who on the basis of prior competition or on exemption from the requirement to compete may be referred to the selecting official without evaluation and competition under the provisions of reference (e).

16. Non-Status Applicant. A candidate who is not under a career or career-conditional appointment or is not a reinstatement eligible.

17. Performance Appraisal. A document that provides the annual, mid-year, or interim evaluation of the employee's performance as measured against the critical elements, objectives, and standards for the position that the employee occupies.

18. Promotion. The change of an employee to a position at a higher grade level or to a position with a higher rate of basic pay.

19. Promotion Potential. Employees in positions from which career promotions can be made. These include: (1) positions filled at a grade (or grades) below the established or anticipated full performance grade level; (2) career ladder positions; (3) trainee positions; and (4) understudy positions.

20. Qualification Rating Factors. The knowledge, skills, abilities, and other characteristics which have been determined to be relevant for successful job performance.

21. Qualification Rating Panel. Subject-matter experts, an EEO/AA designee and/or a CHR representative who have been designated to rate eligible, qualified, promotional candidates against evaluation criteria which have been established for the vacant position.

22. Reinstatement. Non-competitive reemployment in the competitive service as a career or career-conditional employee of a person formerly employed in the competitive service who had a competitive status or was serving probation when he/she was separated.

23. Selecting Official. An individual who has the authority to make a selection for the position to be filled. The selecting official is usually the first- or second-level supervisor over the position, but may be a higher level official in the chain of command.

24. Selective Placement Factor. Knowledge, skill, or ability that is essential for the satisfactory performance in a particular position and which becomes part of the qualifications requirements in addition to those outlined in the X-118 or

X-118C. Selective placement factors are readily identifiable from the position description and are defined by the appropriate management officials. Some examples of selective factors are: ability to speak, read, and/or write in a language other than English; ability in a functional area, e.g., ability to evaluate alternative ADP systems.

25. Status Applicant. Current government employee who is serving under a career-conditional or career appointment in the competitive service.



## PROCEDURES

### 1. Vacancy Announcements:

a. Vacancy announcements, (Job Opportunity Announcements [JOA's]), will include all information necessary to establish the requirements of the job and to fill the position; i.e., title, series, and grade of the position; organizational location of the position; promotion potential; general and specialized experience requirements; selective placement factors, if any; education and training requirements; security requirements; a description of the duties of the position; the qualification rating factors for the position; and notification if the position is designated for drug testing. In addition, these announcements will provide general information on legal requirements involved in the competitive staffing process. Announcements will be distributed to the appropriate offices throughout the designated areas of consideration.

b. The CHR will distribute JOA's so that interested candidates within the area of consideration will have an opportunity to learn of the vacancy. Copies of JOA's will be made available to interested persons upon request. The duration of the advertisement will be consistent with the area of consideration. The JOA's will generally have an application period for the following time frames, but may be adjusted to meet management needs:

(1) Nationwide/Worldwide - 30 calendar days.

(2) Region wide - 21 calendar days.

(3) Commuting area - 10 working days.

c. Vacancies may be open continuously for those occupational categories which have frequent turnover, which have recurring vacancies, for which there is a limited supply of qualified candidates, or for which there has been significant recruiting difficulty.

2. Area of Consideration: The minimum area of consideration must be wide enough to generate a sufficient number of highly qualified candidates to fill each vacancy. The area of consideration will be determined upon mutual agreement of the appropriate management official and the servicing staffing specialist.

### 3. Applications:

a. Interested candidates for USUHS positions should submit an SF-171, "Application for Federal Employment," and a copy of their most recent performance appraisal. Candidates who have never been employed by the Federal government on a permanent basis are not required to submit performance appraisals.

b. Applications must show the JOA number for the specific position or the position title for which application is made and the lowest grade acceptable if the position has been announced at

multiple grade levels. If the lowest acceptable grade level is not indicated, applicants will be considered at their current grade levels and for any higher grade levels for which qualified.

c. Applications from promotion eligible candidates and candidates eligible for consideration under merit staffing procedures must be received by CHR by the closing date on the announcement. Applications which are received in CHR after the closing date will not be considered.

d. Applications will be accepted from qualified candidates eligible for special appointment authorities covered under Schedule A or B. Applications must be received by the closing date of the vacancy announcement. Certification of eligibility from an appropriate authority, e.g., a State Vocational Rehabilitation Office, the Veterans Administration, a military department, or a DD-214, is required prior to such appointment. Qualified applicants will be referred separately to the selecting official. If such a candidate were selected for a position, that position would be designated in the excepted service for the duration of the employee's incumbency or until the employee's conversion to a career conditional or career appointment.

e. Non-competitive eligibles do not have to meet the requirements for area of consideration.

f. Applications will be accepted from non-status candidates, provided the acceptance of such applications is included in the area of consideration and

they are received in CHR by the closing date of the announcement.

g. Applications must be received in the Civilian Human Resources Office by the closing date, except when vacancies require certification from OPM. When OPM certification is required, applications must be postmarked by the closing date.

h. Each applicant is responsible for the completeness and timely submission of his/her application. CHR will retain all documents submitted in the application for a vacant position as part of the merit promotion case file.

4. Rejection of Applications: Applications will be rejected from consideration for the following reasons:

a. A promotion eligible candidate is not within the area of consideration.

b. The application contains insufficient information on which to make eligibility and/or qualification determinations, or is not legible.

c. Failure to submit an SF-171 or other authorized application form.

d. The application has been falsified, in which case, appropriate disciplinary action may be taken.

e. The competitive application was not received in CHR by the closing date of the JOA.

f. Candidate does not meet time-in-grade requirements by the closing date of the JOA.

g. Applicant does not meet time-after-competitive appointment requirement by the closing date of the JOA.

h. Application was submitted through the U.S. Mail in an official "franked" envelope. Such applications will be returned.

5. DoD Priority Placement Program "Stopper" Clearance: Staffing specialists are required to check the DoD Priority Placement Program's "Stopper List" upon receipt of the SF-52 and each subsequent Stopper List until the issuance of the certificate to the selecting official. Procedural requirements for the "Stopper List" are contained in DoD Manual 1400-20-1M<sup>g</sup>.

#### 6. Determining Basic Eligibility:

a. Applicants must meet the qualification requirements by the closing date of the JOA. In the case of open continuous announcements, eligibility requirements must be met upon submission of the application to the CHR.

b. Minimum qualification standards are described or approved by OPM for the particular title, series, and grade of the position involved, plus any selective factors. Any selective factor must have a basis in the position description as a qualification requirement of the position being advertised. For General Schedule positions, the qualifications requirements are found in the OPM Handbook X-118; for Wage Grade Positions, they are found in the OPM Handbook X-118C.

#### 7. Job Analysis:

a. Developing Qualification Rating Factors: Managers/supervisors are responsible for developing qualification rating factors (knowledge, skills, abilities, and other characteristics) which are used to identify those candidates who can be expected to perform in a superior manner.<sup>b,h</sup> These factors will be used to assess qualifications of candidates, resulting in the ranking of candidates in order of qualification scores. Qualification rating factors are listed on the JOA as rating elements to be addressed by the candidate in a supplemental statement.

(1) Knowledge: An organized body of information gained through experience, education, or association which, if applied, makes adequate performance on the job possible.

(2) Skill: a demonstrated proficiency to use one's knowledge effectively and readily in execution or performance; dexterity or coordination especially in the execution of required physical, mental, or verbal tasks.

(3) Ability: the quality or state of being competent and able (physically, mentally, and legally) to perform a task.

b. Rating and Ranking of Candidates:

#### (1) Crediting Plans:

(a) A crediting plan is a guide, developed jointly by the selecting official, subject matter experts, and the personnel representative to rate and rank

candidates for a specific position. It is designed to assess the level at which applicants possess job-related qualification rating factors. Crediting plans should normally be developed prior to the advertisement of the vacancy.

(b) Candidates will be evaluated using a crediting plan which involves the use of benchmark/level descriptions for each of the factors determined during the job analysis. Such descriptions provide examples of what is acceptable for assignment of a given point value.

(2) Evaluation of Qualified Candidates:

(a) Evaluation official(s) will rate all eligible competitive candidates against the qualification rating factors as defined by the crediting plan. (Noncompetitive candidates are referred without rating.)

(b) An evaluation official or panel member will be a subject-matter expert or other official appointed **in writing** by the selecting official or other management designee, normally at or above the full performance level of the position to be filled.

(c) The applicant's most recent performance appraisal, if submitted with the application, will be used in the evaluation process to the extent that it is relevant to the position being filled.

(d) In evaluating an applicant for selection, consideration will be given to any awards received, training, self-development, and outside activi-

ties pertinent to the position being filled. Recency of experience may be made a factor in the evaluation process if it is appropriately justified, in writing, as critical to successful performance of the job. Experience will be evaluated according to the type and quality the candidate has in relation to the crediting plan.

(e) Using the candidate's SF-171 and attachments, the most recent performance appraisal, and instances of incentive awards or training/self-development, the raters will assess the candidate for each qualification rating factor.

(f) The final ranking of candidates will be accomplished using the total score of all of the factors. Candidates will be ranked as follows:

1 Qualified: This group is composed of candidates who meet the minimum X-118 or X-118C qualifications requirements and any selective placement factors.

2 Best Qualified: These are candidates who rank above a cut-off score when compared to other qualified candidates. The cut-off point for certification will be based on a natural break in the scoring.

(g) The best qualified candidates will be referred to the selecting official on a merit certificate.

1 For a single vacancy, normally not more than ten candidates will be referred to the selecting official as best qualified.

2 When it is necessary to determine rank order among applicants with identical scores, a standard tie breaking device will be used, or all tied candidates (of the best-qualified candidates) will be referred.

(3) Qualification-Rating Panels:

(a) Qualification rating panels will be used to evaluate candidates for Upward Mobility positions, vacancies at grades GS-12 and above, and for all supervisory positions. However, panels are not required when there are five or fewer promotion-eligible candidates.

(b) The Director, CHR may, at his/her discretion, waive or direct the use of rating panels for a particular vacancy.

(c) Panels will be composed of at least three members, at least two of whom will be subject-matter experts, at or above the level of the position to be filled and in the specialized field in which the vacancy exists. A designated representative from the Equal Employment and Affirmative Action (EE-O/AA) Division will also be a panel member. A personnel representative will be the procedural advisor to the panel and will be present at all panel meetings.

(d) Panel members will be designated as defined in paragraph G.7.b.Selecting(2)(b). The selecting official, or anyone in the supervisory chain of the position to be filled, will not serve as a panel member.

8. Referral of Candidates:

a. Selecting officials should have the opportunity to make a choice from a sufficient number of qualified candidates as defined in paragraph G.7.b.(2)(g).

(1) If there is an insufficient number of qualified candidates, the staffing specialist and the selecting official will determine if the area of consideration should be extended or if alternative recruitment strategies and/or other sources should be explored.

(2) Merit promotion certificates will be signed and dated by the staffing specialist responsible for the vacancy. Certificates are valid for 30 calendar days from the date issued and should be returned within that time frame unless an extension is granted. Extensions may be approved by a CHR representative.

b. If the selecting official is considering candidates who are eligible for noncompetitive appointment, such applicants may be referred at any time prior to selection. Non-competitive eligibles are referred separately from promotional candidates.

c. Qualified, non-status candidates may be rated and ranked and referred on a separate list to the selecting official. When filling positions not covered by direct-hire authority, the applications of the qualified non-status candidates must be referred to the Office of Personnel Management (OPM) for certification prior to final selection.

9. Selection of Employees:

a. Selection is a management prerogative involving the exercise of informed judgment. Each selecting official must be aware of, and adhere to, the principles of equal employment opportunity, and assure that both evaluation and selection procedures conform to EEO guidelines.

b. The selecting official has 30 calendar days from the date he/she receives the certificate to make a selection, unless an extension is granted by a CHR representative. He/she is entitled to select any of the applicants certified or to non-select all candidates. If the selecting official decides not to select any of the candidates, he/she will return the certificate to CHR with a written statement of the reason(s) for its non-use. The selecting official should consult with the CHR staffing representative to determine the best course of action based on a mutual knowledge of the availability of candidates.

c. Interviews are highly recommended as a part of the selection process. The selecting official may interview all, some, or none of the referred candidates. If necessary, interviews may be conducted by telephone. Interview questions must be job related and be consistently used for each interviewee.

d. Selecting officials may use a current or previously issued referral certificate to fill other positions with the same title, series, and grade without re-announcement. This procedure can be used provided that the certificate is used within 90 days of original issuance and

both the duties and conditions of employment are similar to those in the original vacancy announcement.

10. Employee Notification:

a. Once the selecting official has made his/her selection, he/she completes and returns the certificate to CHR for action. All selection certificates will be reviewed by the Equal Employment and Affirmative Action Division prior to an offer being made to the selectee to collect data for the USUHS Affirmative Action Program. Job offers and hiring commitments are made by an authorized CHR representative, who will ensure that the selectee meets all legal, security, and regulatory requirements for placement in the position.

b. Selecting officials should not advise either the selected candidate or those not selected about the action without prior concurrence of the CHR.

c. CHR staff members will notify, in writing, those who were not selected or who did not meet the qualifications requirements for the position.

11. Release of Selected Candidates: CHR staff members will arrange for the release of selected candidates, as follows:

a. Candidates selected for either permanent or temporary promotion for a position at USUHS or in another federal agency, for details to higher-graded positions, or for positions with known promotion potential, will normally be released at the end of the first full pay period following the request for release.

b. Candidates selected for reassignment, demotion, or detail to the same or a lower-graded position, will normally be released within 2 full pay periods after request for release.

c. Personnel actions covered by this Instruction will normally be effective on Sunday (for current Federal employees) or on the first official workday for new Federal employees or reinstatement eligibles.

d. No personnel action (other than a detail) can be effective until the position to which the employee is being assigned has been classified; the candidate has met all legal, security, and qualifications requirements; and advance notification requirements have been met.

12. Information to Applicants:  
Information which applicants are entitled to receive, after recruitment actions are completed, is as follows:

a. Whether or not they were found to be qualified for the position;

b. Whether or not they were in the referred group from which the selection was made;

c. Who was selected;

d. The qualification rating factors used, and the procedures used in determining the best qualified (but not specific crediting plans);

e. Their own rating scores;

f. Their written test score (if used); and

g. Any comments made for the record, either general in nature or concerning the individual in question.

13. Questions and Complaints:

a. Every effort will be made to provide an appropriate explanation or information in response to a question or complaint about a particular action or about the merit staffing program in general when requested by an applicant or a representative he/she has designated in writing.

b. If any matter cannot be resolved in this manner, the issue may be processed under administrative grievance procedures, negotiated grievance procedures, or EEO complaint procedures, as appropriate. It must be recognized, however, that for each individual selected, there normally will be those who will not be selected. Therefore, failure to be selected from among a group of properly rated and ranked candidates is not a basis for a grievance.

14. Records: USUHS will maintain a record of each competitive staffing action for two years from the date of selection or until an OPM evaluation (whichever occurs first). The records

must be sufficient to allow reconstruction of the entire case.

15. Prohibited Practices:

a. Nepotism. Supervisors and public officials, as defined in FPM Chapter 310<sup>1</sup>, are prohibited from participating in any portion of any selection process if a relative is under consideration. Neither supervisors nor public officials may advocate the selection of a relative.

(1) Advocating includes the referral of an application of a relative for consideration for employment, promotion, etc.

(2) If a relative of the selecting official is among the candidates who are certified for selection, he/she must disqualify himself/herself, and the selection authority will be exercised at a higher level in the chain-of-command.

(3) Supervising relatives, either as an immediate supervisor or elsewhere in the chain-of-command, is strictly prohibited. Should a supervisor and his/her subordinate become relatives

through marriage of themselves or a family member, he/she is responsible for notifying management and CHR and taking steps to resolve any conflict with these regulations. However, 5 CFR 310.103(d) permits the employment of preference eligible relatives under certain conditions.

b. Discrimination:

(1) Selection and all procedures leading to selection must be made without regard to a person's race, color, religion, national origin, sex, age, or mental or physical disability. Discrimination for any of these reasons is a serious offense, subject to appropriate disciplinary action.

(2) Each manager and supervisor must ensure that all candidates receive full consideration and should take no action which would either discourage, or give the appearance of discouraging, potential candidates from applying for a position. Supervisors and selecting officials must avoid practices that may lead employees to believe that a person was preselected for a job or that a selection was based on favoritism.