

1 Article 26

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3 Merit Promotion

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6 Section 1. Purpose and Policy

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8 The purpose and intent of the provisions contained herein are to ensure that merit
9 promotion principles are applied to all employees without regard to political, religious, or
10 labor organization affiliation or non-affiliation, marital status, race, color, sex, national
11 origin, disabling condition, age, or sexual orientation and shall be based solely on job-
12 related criteria. This article sets forth the merit promotion system, policies, and
13 procedures applicable **only** to bargaining unit positions ~~employees in the Administration.~~

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16 Section 2. Career Development Programs

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18 A. The Agency will determine when to offer career development programs to prepare
19 employees for potential future jobs or assignments. Such programs will be offered
20 depending on the availability of funds and the needs of the Agency. The Agency will
21 publicize all career development programs when they are announced.

22 Announcements will contain adequate specific application instructions.
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24 B. Career Development Programs will provide opportunities for temporary
25 developmental assignments, to increase knowledge of SSA programs and work
26 processes. The National Training Committee will be an appropriate forum for
27 making recommendations and sharing information on agency-wide career
28 development programs.

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30 C. Neither party waives its rights under 5 U.S.C. 71 regarding the implementation of
31 career development programs.

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34 Section 3. Career Ladder Positions

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36 A. Career ladder positions help employees to develop to successfully perform higher-
37 level duties through training and incremental assignment of more complex work.

38 The responsibilities assigned to the entry levels of career ladder positions will
39 involve more basic skills and knowledge, as compared to the journey level
40 responsibilities. The responsibilities at each level of the career ladder position will
41 be conveyed to employees.

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43 B. A career ladder plan may be established for career ladder positions. If a career
44 ladder plan is developed the criteria which an employee must meet in order to be
45 promoted will be outlined. A copy of the plan will be given to each employee upon
46 entry into the career ladder position and when he/she is promoted to a new level of

47 the career ladder plan. The employee will also be advised of his/her earliest date of
48 promotion eligibility. In addition, the employee will be provided with a copy of any
49 revised career ladder plan within 30 days of such revision.

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52 Section 4. Career Ladder Advancement

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54 A. At the time the employee reaches his/her earliest date of promotion eligibility, the
55 Administration will decide whether or not to promote the employee.

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57 1. If an employee is eligible for promotion, the Administration will certify the
58 promotion which will be effective at the beginning of the first pay period after the
59 requirements are met.

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61 2. Any time the supervisor recognizes an employee's need for assistance in
62 meeting the performance expectations necessary to progress to the next grade,
63 the supervisor will develop a plan to assist the employee. The plan should
64 include all applicable training as well as any other appropriate support. If a non-
65 probationary employee fails to meet the promotion criteria after the appropriate
66 assistance, the Administration may:

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68 a. Provide the employee with additional time to meet the promotion criteria,

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or

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b. Reassign the employee to another position at the same grade and step.

~~or~~

~~c. Propose placement of the employee in a position at a lower grade.~~

3. In the event that the employee met the promotion criteria but the appropriate management official failed to initiate the promotion timely, the promotion will be retroactive to the beginning of the first pay period after the pay period in which the requirements were met.

Section 5. Applicability of Competitive Procedures

A. Promotions - Any selection for promotion must be made on a competitive basis unless it is excluded by Section 6 below.

B. Reassignments/Changes to Lower Grade - Any selection to a position that provides **greater promotion potential than the employee's current position** ~~specialized experience as defined in the OPM Qualification Standards that the employee does not already have and is required for subsequent promotion to a designated higher-grade position and/or to a position with known promotional potential~~ must be made on a competitive basis.

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C. Details - Competitive procedures will be applicable to any selection for detail of more than 120 days to a higher-grade position, to a position with known promotional potential, or a position which provides **greater promotion potential than the employee's current position.** ~~specialized experience as defined in the OPM Qualification Standards required for subsequent promotion to a designated higher-grade position.~~

D. Training - Competitive procedures will be applicable to selections for training when eligibility for promotion to a particular position depends on whether the employee has completed that training.

E. Appointments - Competitive procedures apply to the transfer of a Federal employee or to the reinstatement of a former Federal employee to a position above the highest grade previously held permanently unless the position is a higher-graded successor position or to a position at or below that grade if the position has promotional potential above the highest grade previously held permanently. The employee must not have been demoted or separated for personal cause from the higher grade(s) and, when competitive procedures apply, be identified as a well-qualified candidate with eligible SSA employees to be eligible for appointment. To the extent feasible, the same qualification standards and the same methods of evaluation will be applied to both SSA employees and persons being considered for appointment to higher-

115 graded positions above the highest grade previously held permanently by transfer or
116 reinstatement.

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119 Section 6. Applicability of Noncompetitive Actions

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121 A. Promotions - The following promotions may be taken on a noncompetitive basis
122 unless otherwise provided:

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124 1. Promotion of the incumbent of a position that is reclassified at a higher grade due
125 to the accretion of additional duties and responsibilities and not a planned
126 management action. To be eligible for a noncompetitive promotion in this
127 situation the employee must have performed the higher-level duties for at least 6
128 months, must have continued to perform the same basic function, and the
129 employee's former position must be absorbed administratively into the new
130 position.

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132 2. Promotion of an incumbent or an individual entitled to reemployment rights to a
133 position that is reclassified to a higher grade without significant change in duties
134 or responsibilities, either on the basis of a new classification standard or as the
135 result of correction of an original classification error. When the incumbent of the
136 upgraded position meets the legal requirements and qualification standards for
137 promotion to the higher grade, the incumbent will be promoted.

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139 3. Promotion of an employee previously selected competitively for a lower step of a
140 career ladder.

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142 4. Promotion after receiving priority consideration.

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144 5. Promotion of an employee when directed by authorized authorities (i.e., judges,
145 arbitrators, FLRA and other appropriate authorities).

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147 6. Agencies may non-competitively reinstate, transfer, promote an employee up to
148 the highest grade and step previously held on a permanent basis under career or
149 career-conditional appointment, provided the employee was not demoted or
150 separated from that grade because of deficiencies in performance or "for cause"
151 reasons.

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153 7. Temporary promotions to a higher grade totaling 120 days or less during any 12
154 month period. If a temporary promotion that was not expected to exceed 120
155 days was originally made on a noncompetitive basis, any extension beyond 120
156 days must be made under competitive procedures.

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158 8. Career ladder promotions following noncompetitive conversion of a Student
159 Career Experience Program (SCEP) or Federal Career Intern Program employee
160 in accordance with the requirements of applicable OPM policy.

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9. Promotion of an employee covered by an approved training agreement.

10. Promotion of an employee placed competitively in a trainee position.

B. Reassignments/Changes to Lower Grade - A reassignment or change to lower grade to a position that does not provide **additional** ~~specialized experience as defined in the OPM Qualification Standards that the employee does not already have and is required for subsequent promotion to a designated higher grade position~~ or to a position having no known promotional potential may be taken on a noncompetitive basis.

C. Details - The following details may be made on a noncompetitive basis:

1. Details of 120 days or less to a higher-grade position.
2. Details of 120 days or less to a position at the same or lower grade with known promotional potential, or to a position which provides **greater promotion potential than the employee's current position.** ~~specialized experience as defined in the OPM Qualification Standards required for subsequent promotion to a designated higher-graded position~~

183 3. Details to a position at the same or lower grade with no known promotion
184 potential, or to a position which does not provide **greater promotion potential**
185 **than the employee's current position.** ~~specialized experience as defined in the~~
186 ~~OPM Qualification Standards required for subsequent promotion to a designated~~
187 ~~higher-graded position.~~

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189 4. Details to unclassified duties.

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191 Promotional credit or points may not be given for details of 120 calendar days or less.

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193 D. Other Noncompetitive Actions

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195 1. Conversion of an employee from a temporary promotion to a permanent
196 promotion in the same position and office provided the vacancy announcement
197 for the temporary promotion indicated that the promotion could later become
198 permanent.

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200 2. Selection from an OPM approved register or delegated examining unit certificate
201 of eligibles.

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203 3. Transfer of a Federal employee or reinstatement of a former Federal employee
204 (including conversion to reinstatement from a temporary appointment) to a
205 position at the same or lower grade than the highest permanent grade held under

206 a career or career-conditional appointment provided the candidate was not
207 demoted or separated for personal cause from a higher grade and also provided
208 that the position does not have known promotional potential to a grade higher
209 than the highest permanent grade held.

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211 4. Reinstatement to the same career ladder position for which an employee was
212 previously selected competitively or to a similar career ladder position having
213 similar qualification requirements and having no greater known promotional
214 potential.

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216 5. Reinstatement of a former SSA employee to a position which is the higher-
217 graded successor to a position he/she previously held. Such reinstatements may
218 be made non-competitively when classification of the successor position is based
219 on the establishment of a new position classification standard or the revision of a
220 position classification standard.

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222 6. A position change permitted by reduction-in-force regulations.

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224 E. Additional procedures for noncompetitive details are described in Article 27.

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227 Section 7. Vacancy Announcements and Areas of Consideration

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229 A. All actions requiring the use of competitive procedures under this Agreement will be
230 announced on the SSA Intranet **or Internet-, e.g. Internal Vacancy On-line (IVOL)**
231 **or equivalent.**

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233 B. Areas of Consideration

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235 1. Normal Area of Consideration

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237 The normal area of consideration for a position is that area in which the Agency
238 should reasonably expect to locate enough best qualified candidates. ~~The normal~~
239 ~~area of consideration will always include 4100 applicants.~~

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241 a. For positions with headquarters duty stations:

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243 1. The normal area of consideration for GS-15 and equivalent Federal
244 Wage System (FWS) positions with Baltimore/Washington,
245 D.C./Falls Church headquarters duty stations is
246 Baltimore/Washington, D.C/Falls Church headquarters-wide ~~and~~
247 ~~4100 applicants.~~ At the discretion of management, the normal area
248 of consideration for positions at this level may be expanded
249 nationwide.

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251 2. The normal area of consideration for positions at GS-14 and below
252 and equivalent FWS positions with Baltimore headquarters duty
253 stations is Baltimore/Washington, D.C. headquarters-wide and
254 ~~4100 applicants.~~

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256 3. The normal area of consideration for positions at GS-14 and below
257 and equivalent FWS positions with Falls Church headquarters duty
258 stations is Falls Church/Washington, D.C. headquarters-wide and
259 ~~4100 applicants.~~

260
261 4. The normal area of consideration for positions at GS-14 and below
262 and equivalent FWS positions with Washington, D.C. headquarters
263 duty stations is Baltimore/Washington, D.C./Falls Church
264 headquarters-wide and ~~4100 applicants.~~

265
266 b. For positions with duty stations in the field/regions (includes Operations
267 field/regional offices, TSCs, PSCs, the DOC, ~~OHA~~ **ODAR** hearing/RCALJ
268 offices, ~~ORQAPA~~ **OQP** satellite/regional offices, Offices of the Regional
269 Chief counsels, OIG field/regional offices and headquarters positions with
270 duty stations other than Baltimore/Washington D.C./Falls Church):

271
272 1. The normal area of consideration for positions at the GS-8 through
273 GS-15 levels and equivalent FWS levels is SSA region-wide and

274 ~~4100 applicants~~. This area of consideration includes all SSA
275 installations in the region in which the duty station of the vacancy is
276 geographically located. At the discretion of management, the
277 normal area of consideration for positions at this level may be
278 expanded to include all, or portions, of other regions or SSA
279 nationwide.

280
281 2. The normal area of consideration for positions at the GS-7 level
282 and below and equivalent FWS levels is SSA commuting area wide
283 ~~and 4100 applicants~~. This area of consideration includes all SSA
284 installations in the commuting area of the vacancy. At the
285 discretion of management, the normal area of consideration for
286 positions at this level may be expanded to include all, or portions, of
287 other regions or SSA nationwide.

288
289 3. For positions in the Philadelphia region, the SSA region-wide and
290 SSA commuting area-wide areas of consideration do not include
291 Baltimore/Washington, D.C./Falls Church headquarters. ~~However,~~
292 ~~4100 applicants are still included in the area of consideration.~~

293
294 c. When filling a higher graded position which has been created by
295 reengineering the duties of one or more lower graded position(s), the area

296 of consideration will be restricted to the incumbents of the lower graded
297 position(s).

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299 2. Automatic Areas of Consideration

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301 a. Management may request an automatic area of consideration, defined as
302 the automatic consideration of incumbents of a specific organizational
303 component or other grouping of positions without being required to apply
304 for the vacancy.

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306 b. An automatic area of consideration consists of employees who are
307 identified as candidates for a vacancy without being required to apply. An
308 automatic area of consideration will be used together with a vacancy
309 posting procedure and applicants will be assessed with those in the
310 automatic area of consideration.

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312 3. Expanding Areas of Consideration

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314 When the area of consideration is not expected to produce an adequate number
315 of best qualified candidates for the selecting official's consideration, Management
316 can expand the area of consideration. The vacancy announcement will identify
317 the expanded area of consideration.

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319 4. Reducing Area of Consideration

320

321 When solicitation throughout the normal area of consideration would be
322 impractical because of operational needs, Management can reduce the area of
323 consideration. ~~4100 applicants will be included in a reduced area of~~
324 ~~consideration.~~ The announcement package will contain the reduced area of
325 consideration documentation.

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327 C. Information on Vacancy Announcements

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329 1. Vacancy announcements will include, as a minimum:

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331 a. Statement of nondiscrimination;

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333 b. Announcement number and opening and closing dates;

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335 c. Position number(s), title(s), series, and grade;

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337 d. Number of vacancies to be filled;

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339 e. Geographic and organizational location;

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341 f. Time in grade requirements, if any;

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- g. Area of consideration;
- h. A requirement that the employee be in good standing;
- i. Summary of qualification requirements ~~(including KSAs);~~
- j. Hours of work and/or the availability of alternative work schedule options;
- k. If appropriate, a statement that the vacant position is a trainee position leading to a noncompetitive promotion;
- l. Permanent or temporary nature, and duration, if temporary;
- m. Filing instructions;
- n. Name and telephone number of the personnel specialist or other individual to contact for information relating to the announcement;
- ~~o. The Servicing Personnel Office (SPO) or the address where the application is to be submitted;~~

364 ~~p o. Statement that applications must be received in the SPO by the closing~~
365 ~~date of the announcement, or postmarked no later than that date.~~

366 **Statement indicating the deadline for applications.**

367

368 ~~q. Statement that relocation expenses will be paid in accordance with~~
369 ~~Federal Travel Regulations and other applicable laws and Government-~~
370 ~~wide rules and regulations.~~

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372 D. Posting and Distribution of Vacancy Announcements

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374 1. Vacancy Announcements will be posted on the SSA Intranet/**Internet, e.g.**
375 **Internal Vacancy On-line (IVOL) or equivalent.** ~~A hardcopy will be provided to~~
376 ~~employees upon request.~~

377

378 a. Individual vacancy announcements will remain open and posted for ~~45~~ **10**
379 ~~workdays.~~

380

381 b. Open continuous announcements will remain posted at all times unless
382 the Administration determines to discontinue the use of these
383 announcements. An employee may file at any time as outlined in the
384 vacancy announcement. The cutoff date for applicants to be considered
385 for a specific vacancy will be the date the request to fill the vacancy is

386 received in the SPO. Applications received after that date will be
387 considered for future vacancies.

388

389 c. Vacancy Announcements may be cancelled at any time. The cancellation
390 of a Vacancy Announcement will be posted on the SSA Intranet, and the
391 announcement package will be documented with the cancellation
392 documentation.

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394 d. If a vacancy announcement has been posted and is later found to contain
395 a substantial error, the announcement will be amended if the selecting
396 official still intends to fill the position under the competitive process. The
397 amendment should cite the change(s) and indicate whether the original
398 applicants need to refile in order to be considered.

399

400 E. The Agency agrees to provide to ~~the AFGE Council Presidents and President of~~
401 ~~Local 1923~~ yearly information on the number of bargaining unit vacancies by grade
402 and series filled with bargaining unit employees. Information will also be included on
403 bargaining unit external hires for the prior year.

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406 Section 8. Employee Applications

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408 A. Who Must File: To be considered for an announced vacancy, an employee must file
409 ~~and sign~~ the appropriate application (as described in the announcement) unless the
410 employee is in an automatic area of consideration. When an automatic area of
411 consideration is used, an employee need not file unless the announcement specifies
412 that they must file.

413

414 B. Time Limits: The time limits for filing for an announced vacancy are as follows:

415

416 1. Individual Announcements - Applicants who wish to be considered for a posted
417 vacancy must apply as required by the announcement. The appropriate
418 application ~~forms~~ and any other documentation ~~requested~~ must be submitted in
419 accordance with the timeframe specified in the announcement.

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421 2. Short-Term Absence - An employee on approved absence from duty for 1 to 3
422 weeks may file for a vacancy upon returning to duty. Employees absent
423 throughout the entire open period of an announcement must apply within 3
424 workdays following their return. The application must be accompanied by
425 supervisory certification of the dates of absence. The SPO will arrange for the
426 employee's consideration if the BQL has not yet been furnished to the selecting
427 official.

428

429 3. Long-Term Absence - Prior to departure, employees who are scheduled to be
430 absent in excess of 3 weeks should provide the SPO with a written request to be

431 considered for positions posted during their absence and a complete application
432 form. The request must cite the title, series, grade and specific organization
433 location of each position for which they wish to be considered.

434

435 C. Multiple Applications: When an employee has applied for, or been automatically
436 considered for, more than one announcement, he/she will be bound by the first
437 promotion or reassignment (in the case of a career ladder) for which the employee
438 has reported unless:

439

440 1. He/she has accepted a reassignment and another vacancy leads to a promotion
441 to a higher grade;

442

443 2. Another vacancy is in a career ladder or a trainee position leading to a higher
444 grade;

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446 3. He/she has accepted a temporary promotion or reassignment and the other
447 position is permanent or temporary, with a later expiration date; or

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449 4. The other position is outside the commuting area.

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451 D. Wage grade employees may compete for General Schedule positions and vice
452 versa but must meet applicable legal requirements including minimum qualifications
453 requirements.

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E. Electronic Applications Forms

1. Management will afford bargaining unit employees access and instructions so that they may use SSA's personal computers to complete automated applications, **e.g. Internal Vacancies On-Line (IVOL) or equivalent** ~~and related forms under this article.~~ Access will be granted to the extent that computers, related computer equipment and computer time are available and such use will not impede Agency operations. For purposes of this agreement, access includes a reasonable amount of time during an employee's working hours to prepare or modify his/her application.

2. The Agency will provide appropriate training on how to file for a vacancy and how to complete a SSA-45 **or equivalent**. The Agency will continue to make instructional material on the promotional process available to bargaining unit employees.

~~Section 9. Development of Weights and Factors~~ **Evaluation Criteria**

The Agency is responsible for developing/updating ~~weights and factors~~ **evaluation criteria** and KSA's.

477 The Agency will ensure the establishment of a valid crediting plan for FWS positions.

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480 Section 10. Best Qualified List (BQL) Determinations

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482 A. The Agency will review the applications to ensure that applicants meet the minimum
483 qualifications for the position. Applicants must be in good standing to participate in
484 the merit promotion process.

485

486 **B. Management will use promotion committees or automated processes, e.g.**
487 **Internal Vacancies On-line (IVOL) or equivalent,** ~~selected by management, will be~~
488 ~~convened to rate applicants against the evaluation criteria the weights and factors~~
489 ~~or KSAs.~~ The rating will be applied consistently to all applicants.

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491 **C. If a promotion committee is used,** ~~the names of the promotion committee~~
492 ~~members will be documented in the announcement package.~~

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494 **D. If a promotion committee is used,** ~~P~~promotion committee members must treat the
495 results of their work as confidential, as well as the employee information they have
496 access to in carrying out their duties. Committee members may not provide
497 information related to filling the vacancy to any of the applicants or to any
498 unauthorized individual.

499

- 500 E. **If a promotion committee is used,** Promotion committees will not contact
501 applicants or solicit information from other sources regarding the applicants.
502 Questions or concerns regarding the information provided by applicants should be
503 referred to the personnel specialist or staff person advising the committee.
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- 505 F. ~~After rating each applicant, the promotion committee~~ **The Agency** may rank
506 applicants in descending score order, determine which applicants have a score
507 which is at least 50% of the total maximum score for the entire rating schedule and
508 develop a tentative BQL.
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- 510 G. Only applicants who earned at least 50% of the total maximum points may be
511 considered for the BQL and referred to the selecting official.
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- 513 H. The number of candidates to be included on the BQL is determined by the number
514 of vacancies to be filled. For one vacancy, the BQL would consist of the 15 highest
515 ranked applicants who meet the 50% cut-off, plus ties for last place. For each
516 additional vacancy, the BQL would include the next 5 highest ranking applicants who
517 meet the 50% cut-off plus ties for last place.
518
- 519 I. If additional vacancies arise prior to the approval of the BQL, the selecting official
520 may request that the number of candidates referred for initial selection be based on
521 the larger number of vacancies. Such requests will be documented in the
522 announcement package.

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524 J. Separate BQ lists will be established for positions posted at more than one grade
525 level or for more than one geographic location. The number of names referred on
526 each list will be determined by the number of vacancies to be filled at each grade
527 level or geographic location. If the number of vacancies to be filled at each grade
528 level or geographic location is not specified, the number of names referred will be
529 based on the total number of vacancies to be filled.

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531 K. An abbreviated rating procedure may be used when the number of candidates to be
532 rated is no greater than the number of names that would be included on the BQL for
533 the number of vacancies to be filled. Applicants may be rated against the entire
534 rating schedule or may be rated only up to the point where it is apparent that the
535 applicant would or would not receive at least 50% of the total maximum score
536 possible under the entire rating schedule.

537

538 L. The list will be reviewed to ensure that the correct names and number of names has
539 been included on the tentative BQL. After review, the personnel specialist will ~~sign~~
540 **certify** the BQL ~~to indicate approval~~.

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542 M. The approved BQL, in alphabetical order, and the applications submitted by the best
543 qualified candidates will be given to the selecting official.

544

545 N. Previously approved BQ lists may be amended to add the names of applicants who
546 were erroneously excluded, provided that initial selection(s) have not been made.
547 No names should be removed from the amended list and the cut-off scores should
548 remain the same. In these situations, the total number of names referred may
549 exceed the number which would normally have been provided based on the number
550 of vacancies.

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553 Section 11. Selection

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555 A. The selecting official may use all available information to determine the candidate(s)
556 who merit promotion.

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558 B. Selection interviews may be conducted with one or more of the candidates; not all
559 candidates must be interviewed.

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561 C. The selecting official will normally make selection(s) for the initial vacancies within
562 ~~60~~ **90** calendar days of receipt of the BQL.

563

564 D. In the event that an unanticipated vacancy(s) in the same position and location as
565 the posted vacancy occurs within ~~three~~ **six** months of the **BQL being issued**
566 ~~selection~~, the selecting officer may make additional selections from the best qualified
567 candidates on that list.

568 **E. A best qualified list may also be used in making selections for any other**
569 **position(s) similar to the position posted. For this purpose, a similar position**
570 **is one having the same title, series, grade, promotional potential, qualification**
571 **requirements and commuting area, and which would be posted with the same**
572 **area of consideration. Component management must consult with the**
573 **personnel office before a selection may be made from an existing best**
574 **qualified list that was established for another position. Such selections may**
575 **be made within six months from the date the original list was issued to the**
576 **selecting official.**

577

578 **E. F.** When a selection has been made, the Administration will arrange a release date,
579 notify the employee, and ensure that the appropriate personnel forms are processed.
580 The effective date of a promotion action, other than promotion within a career ladder,
581 will be the first day of the pay period in which the employee is scheduled to report. If
582 due to administrative error, the personnel action was not processed in a timely
583 manner, the promotion effective date will be made retroactive to the beginning of the
584 pay period in which the employee actually reported.

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586 **F. G.** Competitive selections will be posted on the SSA Intranet. Normally, the
587 postings will be made within 10 workdays after the close of the pay period during
588 which the selection(s) was/were made effective.

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591 Section 12. Employee Information

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593 A. A copy of the promotion plan will be posted on SSA's Intranet site.

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595 B. Employees are entitled to the following information upon request about vacancies
596 filled under the competitive provisions of this article and for which they are/were
597 under consideration.

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599 1. Whether the employee was eligible and qualified for the position;

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601 2. How his/her points were derived;

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603 3. The cut off score for the BQL and whether the employee was included on the
604 BQL; and,

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606 4. The name(s) of the employee(s) who was selected for the vacancy.

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609 Section 13. Union Review of Competitive Actions

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611 A. The Union will be permitted to review (i.e. audit) competitive selection actions taken
612 under this Article when it has reason to believe a discrepancy exists or when
613 requested to do so by an employee.

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B. The Union will make the request to the Agency’s labor relations officer. The Union will provide the Agency’s labor relations officer with an updated written designation identifying the names of the Union representatives **designated official time users** who are responsible for conducting audits. Any changes to the list of designated representatives will be sent to the Agency in writing. The representative designated to conduct the audit will not have been an applicant for the promotion package being audited.

C. Employees who believe they were improperly excluded from consideration may request a review of the promotion package through the Union review process described below.

D. If the employee chooses to use the Union procedure, he/she must make a written request to the Union within 15 working days after the selection is announced to all employees. A Union request under Subsection (A.) above must be made within 45 days.

E. The Agency will make the pertinent records from the package available to the Union auditor within 7 working days of receipt of the written request. The Union will treat the information confidentially.

636 F. If during the course of the audit additional information is determined necessary, such
637 information shall be secured from the Agency's designated Management official.

638

639 G. If an error is discovered which resulted in an employee's exclusion from a BQL, the
640 provisions of Section 14 of this article will apply.

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642 H. Employees who elect to use the grievance procedure rather than the Union audit
643 procedure must initiate action in accordance with Article 24, Grievance Procedure.

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646 Section 14. Priority Consideration

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648 A. Definition

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650 For the purpose of this Article, a priority consideration is the genuine consideration
651 for non-competitive selection given to an employee as the result of a previous failure
652 to properly consider the employee for selection because of procedural, regulatory or
653 program violation. Employees will receive one priority consideration for each
654 instance of improper consideration. A priority consideration does not give the
655 employee a right or a guarantee to be selected for any vacancy.

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657 B. Processing

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659 1. Employees will be notified in writing by the authorized Management official of
660 entitlement to each priority consideration. Such notice will advise employees that
661 if a vacancy is announced and posted and the employee wishes to exercise
662 his/her priority consideration, he/she should submit the necessary application to
663 the designated Agency human resources official with a written request that
664 he/she wishes priority consideration for the vacancy.

665
666 2. Priority consideration is to be exercised by the selecting official at the option of
667 the employee for an appropriate vacancy. An appropriate vacancy is one for
668 which the employee is interested, is eligible, and that leads to the same grade
669 level as the vacancy for which proper consideration was not given.

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671 3. Prior to the evaluation of other applicants, the name(s) of the employee(s)
672 requesting to exercise priority consideration will be referred to the selecting
673 official. The selecting official will make a determination on the request prior to
674 evaluating other applicants.

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676 4. The fact that the employee chooses to exercise a priority consideration does not
677 preclude that employee from also filing an application through the regular posting
678 process.

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680 C. Union Notification

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682 In order to assure compliance with this section, the Union will be furnished statistics
683 on priority considerations granted and exercised and the results. Statistics will be
684 kept and supplied to the Union on a quarterly basis. The Union will also be notified
685 in writing of each individual priority consideration completed.

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688 Section 15. Temporary Promotions

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690 When employees are temporarily assigned to a position of a higher grade for a period in
691 excess of 30 days, the assignment must be made via temporary promotion effective the
692 first day of the assignment.