Article 37

Tests and Employee Selection Process

Section 1. General

The Administration recognizes its responsibility to maintain selection **and promotional** procedures in compliance with Federal policy concerning validity, job relatedness and this agreement.

Section 2. Tests

When tests are used as part of the criteria for selection to a training/career development program or for internal placement, they will be consistently and uniformly applied to the grade and series of the specified position. **Within 120 days after the effective date of this agreement, the Agency will provide the Union with copies of all tests that are covered by this section. The Union will be given the opportunity to provide comments to a designated Agency official regarding each test within 60 days after receipt of the tests.**

Section 3. Duty Time

~~Ordinarily~~, **E**mployees will be granted duty time to take internal tests that may be used for promotion and/or placement in SSA.

Section 4. Notice to the Union

When there are any changes in the application of an existing test and/or the inclusion of a new test which will be utilized for internal placement and there is a duty to bargain ~~under 5 USC 71~~ **and/or this agreement.** ~~notice and such opportunity to bargain will be provided to the Union by SSA consistent with the procedures in Article 4.~~

Section 5. Certification for Promotion

The parties agree that any certification process that is used for promotion should address employee's competency for promotion (KSA's). The criteria for certification should be applied fairly and equitably.

Within 90 days of the effective date of this agreement, the Agency will provide the Union with a list of all positions that utilize the certification process for promotion. The Union will be given the opportunity, thereafter,

to meet and discuss each certification process at the appropriate component level.

Section 6. COTA

The parties agree that any position covered by the Career Opportunity Training Act (COTA) that is used for promotion should address employee's competency for promotion (KSA's). The criteria for certification should be applied fairly and equitably.

Within 90 days of the effective date of this agreement, the Agency will provide the Union with a list of all positions that utilize the COTA for promotion. The parties will meet to discuss each COTA at the General Committee level. The Agency will strongly consider all recommendations from the Union for proposed changes.