



# Defense Health Agency

## ADMINISTRATIVE INSTRUCTION

NUMBER 1402.02

November 30, 2022

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Director, J-1

SUBJECT: Merit Promotion and Placement Plan

References: See Enclosure 1.

1. PURPOSE. This Defense Health Agency-Administration Instruction (DHA-AI), based on the authority of References (a) through (b), and in accordance with the guidance of References (c) through (o), establishes the Defense Health Agency's (DHA) procedures to:

a. Establish the Defense Health Agency (DHA) policies, responsibilities, and procedures for the selection of employees covered by merit promotion and in-service placement in accordance with the authority and guidance in Reference (e).

b. Ensure this policy is consistent with statutory and regulatory guidance issued by the DoD and the Office of Personnel Management (OPM), Reference (i).

2. APPLICABILITY. This DHA-AI applies to the DHA and DHA Components (activities under the authority, direction, and control of the DHA).

3. POLICY IMPLEMENTATION. It is the DHA's instruction, pursuant to References (a) through (o), that:

a. Positions covered by this Instruction will be filled solely based on merit and fitness without regard to political, religious, or labor organization affiliation or non-affiliation, marital status, race, color, sex, national origin, non-disqualifying physical handicap, age, status as a parent, or sexual orientation, and will be based solely on job-related criteria.

b. Evaluation of qualifications, ranking of eligible applicants, and selection will be made on a fair and equitable basis, without regard to non-merit reasons such as race, color, religion, sex, national origin, politics, marital status, non-disqualifying disability, age, sexual orientation, status as a parent, or membership/non-membership in an employee organization.

c. No official will show or give preference to any candidate based upon personal friendship, kinship, political connections, or any other factors not pertinent to the candidate's qualifications for performing work of a higher level.

(1) Supervisors may not advocate, appoint, employ, promote, or advance relatives (see definition in the Glossary) to a position in their agency/organization.

(2) Supervisors and other public officials are prohibited from participating in the rating, ranking, or selection process if a relative is under consideration.

d. All aspects of OPM and DoD Priority Placement Program (PPP) requirements will be followed (including the OPM Interagency Career Transition Assistance Plan for Displaced Employees) where appropriate, as required by part 330 of Reference (e), and for filling vacancies inside the DHA workforce.

e. If placement or promotion actions in an organization indicate failure to adhere to the principles of equal employment opportunity (EEO) or merit consideration, or have the appearance of preferential treatment, authority to select must be withdrawn from the selecting official by the DHA Director. In addition to the withdrawal of selection authority from the selecting official, the DHA Director will also enact the appropriate corrective action as required by Reference (w). This is essential to protect selected employees and selecting officials from unwarranted allegations that selections are influenced by non-merit factors.

f. All positions in the competitive and excepted service, at or equivalent to General Schedule (GS) 15 and below, and all federal wage system positions are covered by this Instruction.

g. Positions covered by this AI will be filled based on manpower requirements, approved programs, force structure, and missions assigned by Directors of DHA Components, as appropriate.

h. If the provisions of this AI differ from the negotiated labor agreements, the negotiated agreements will apply until renegotiated except where such agreements are specifically superseded by applicable law or regulation.

i. Provisions of this AI will not be further supplemented without approval of the DHA Director. Where compliance with this Instruction is omitted properly or improperly, the flexibilities provided by regulation or guidance from higher authority are still applicable.

j. The Directors of DHA Components may establish internal procedures to ensure compliance with the provisions of this AI.

k. If any portion of this AI does not comply with current or future OPM guidance, the OPM guidance and DoD policy will take precedence.

l. This AI is effective immediately for non-bargaining unit employees and will go into effect for bargaining unit employees upon the completion of statutory bargaining obligations.

m. This DHA-AI must be reissued, cancelled, or certified current within five years of its publication in accordance with DHA policy, otherwise it will expire effective 10 years from the publication date.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

6. PROPONENT AND WAIVERS. The proponent of this publication is the Director, Administration and Management (J-1). When Activities are unable to comply with this publication the activity may request a waiver that must include a justification, to include an analysis of the risk associated with not granting the waiver. The activity director or senior leader will submit the waiver request through their supervisory chain to Director, J-1 to determine if the waiver may be granted by the Director, DHA or their designee.

7. RELEASABILITY. **Cleared for public release**. This DHA-AI is available on the Internet from the Health.mil site at: <https://health.mil/Reference-Center/Policies> and is also available to authorized users from the DHA SharePoint site at: <https://info.health.mil/cos/admin/pubs/SitePages/Home.aspx>.

8. EFFECTIVE DATE. This DHA-AI:

- a. Is effective upon signature.
- b. Will expire 10 years from the date of signature if it has not been reissued or canceled before this date in accordance with Reference (c).

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5136.01, "Assistant Secretary of Defense for Health Affairs (ASD(HA))," September 30, 2013, as amended
- (b) DoD Directive 5136.13, "Defense Health Agency," September 30, 2013, as amended
- (c) DHA-Procedural Instruction 5025.01, "Publication System," April 1, 2022
- (d) DoD Instruction 1400.25, Volume 2005, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Employment and Placement," January 11, 2022
- (e) Code of Federal Regulation, Title 5
- (f) Secretary of Defense Memorandum, "Modification of Temporary and Term Appointments within the Department of Defense," June 12, 2017
- (g) DoD Instruction 1400.25, Volume 1800, "DoD Civilian Personnel Management System: Priority Placement Program (PPP)," Administratively reissued April 1, 2009, Incorporating Change 8, January 16, 2020
- (h) DoD Instruction 1400.25, Volume 315, "Employment of Spouses of Active Duty Military", 12 March 2012, Incorporating Change 1, Effective March 1, 2019
- (i) 5 United States Code
- (j) DoD Priority Placement Program (PPP) Handbook, November 2019
- (k) National Defense Authorization Act for Fiscal Year 2017, Section 1132
- (l) Executive Order 12721, "Eligibility of Overseas Employees for Noncompetitive Appointments," July 30, 1990
- (m) Executive Order 13473, "Noncompetitive Appointment of Certain Military Spouses," September 25, 2008
- (n) DoD Instruction 1400.25, Volume 1230, "DoD Civilian Personnel Management System: Employment in Foreign Areas and Employee Return Rights," July 26, 2012, Incorporating Change 1, July 29, 2022
- (o) Civilian Human Resource Agency (CHRA) Standard Operating Procedure (SOP) for the Extension and Expiration of Delegated Examining (DE) Certificates
- (p) DoDI 5400.11, "DoD Privacy and Civil Liberties Programs," January 29, 2019, Incorporating Change 1, December 8, 2020
- (r) Title 5, United States Code, Section 552, "The Freedom of Information Act:", dated 1 January 1996
- (s) 32 Code of Federal Regulations Part 286, "DOD Freedom of Information Act (FOIA) Program"
- (t) DoD Manual 5400.07, DoD Freedom Of Information Act Program, January 25, 2017
- (u) DoD Directive 5400.07, DoD Freedom of Information Act Program, April 5, 2019
- (v) DHA-Administrative Instruction 5015.01, "Records Management Program," February 6, 2020
- (w) 32 Code of Federal Regulations Part 191, "The DoD Civilian Equal Opportunity (EEO) Program," August 17, 1988, as amended
- (x) 29 Code of Federal Regulations, Part 1602, "Recordkeeping and Reporting Requirements Under Title VII, The ADA and GINA," July 1, 2011, as amended

ENCLOSURE 2  
RESPONSIBILITIES

1. DIRECTOR, DHA. The Director, DHA will ensure appropriate and effective use of authorities to support mission requirements in accordance with applicable provisions of References (e) through (n).
  
2. DIRECTOR, J-1. The Director, J-1, will oversee the development and implementation of the Merit Promotion Plan (MPP) and delegate day-to-day responsibilities such as policy compliance and information transmission to the staff, as appropriate.
  
3. DIRECTORS, DHA COMPONENTS. The Directors, DHA Components will participate, as needed, appropriately with the servicing personnel office to apply the overarching principles of this DHA-AI.
  
4. HUMAN RESOURCE (HR) BRANCHES. The HR Branches will:
  - a. In conjunction with the Human Resource Service Center (HRSC), administer the guidance of this DHA-AI to ensure the requirements, spirit, and intent of OPM, DoD, legal, and regulatory guidelines are met.
  
  - b. Provide guidance and assistance regarding the administration and implementation of civilian personnel programs to managers and supervisors within DHA Components, as appropriate.
  
  - c. Review/approve civilian personnel submissions from subordinate organizations, as appropriate.
  
5. DIRECTOR, HRSC. The Director, HRSC servicing the civilian personnel office is responsible for:
  - a. Administering the guidance of this DHA-AI to ensure the requirements, spirit, and intent of OPM, DoD, legal, and regulatory guidelines are met.
  
  - b. Disseminating information and providing expert advice, guidance, and assistance on workforce planning, recruitment strategies, conditions of employment, staffing and placement, position management and classification, compensation and pay, and labor and management employee relations.

6. HUMAN RESOURCES SPECIALIST, HRSC. The HR Specialist, HRSC servicing the civilian personnel office is responsible for:

a. Participating and/or providing advisory guidance on boards and councils; at staff meetings, job fairs, and college recruitment events; on rating/ranking/interview panels, work groups, and focus groups and in support of workforce briefings.

b. Discussing the recruitment strategy with management, to include the area of consideration in order to ensure the availability of a reasonable number of best-qualified candidates; conducting job analyses; posting vacancy announcements; rating/ranking candidates; determining the best-qualified candidates; issuing referral lists; auditing certificates and validating selections; ensuring legal and regulatory requirements are met before making job offers; notifying candidates of selection; making tentative and final job offers; ensuring conditions of employment have been met and coordinating/establishing effective dates. Modifications to these specific responsibilities may be made based on local DHA Components Office policies/procedures.

c. Ensuring applicants are advised electronically of their status throughout the lifecycle of the application process, providing accurate updates immediately when changes occur. Electronic notifications will be issued upon receipt of application package, once a referral list is issued, and once a final determination of selection is made.

d. Upholding the requirements, spirit, and intent of this DHA-AI to ensure compliance. Managers requesting exception and/or in non-compliance will be referred to the DHA Headquarters Support Division or Human Capital Division for resolution and/or clarification of guidance.

e. Providing timely response to inquiries, to all parties, in accordance with approved standards.

7. MANAGERS AND SUPERVISORS. The Managers and Supervisors are responsible for:

a. Communicating the provisions of this AI to employees as appropriate and when warranted.

b. Anticipating personnel requirements and initiating appropriate action in a timely manner.

c. Ensuring manpower requirements have been determined and validated, in addition to obtaining approval for all recruitment actions from the Manpower and/or Resource Management Office.

d. Establishing internal functions to support efficiencies and eliminate duplication of external support capabilities to the maximum extent possible.



e. Reviewing and monitoring selection procedures on a yearly basis to ensure compliance with the spirit of the affirmative action program goals and objectives, and the merit principles of Reference (i).

f. Assisting employees in applying for vacancies for merit promotion announcements during the employee's absence for legitimate reasons.

g. Developing recruitment strategies, identifying appropriate areas of consideration, and developing effective assessment strategies so the most highly qualified candidates are referred for consideration, with the assistance of the HRSC.

h. Returning selections to the HRSC or designated office in a timely manner, preferably within 14 business days, and annotating the merit-based reason(s) for selection of individuals when applicable.

i. Utilizing chain-of-command to obtain appropriate approval for any incentives offered to candidates.

j. Upholding the merit-system principles identified in Section 2301 of Reference (i); and guard against prohibited personnel practices identified in Section 2302 (b) of Reference (i).

8. EODM OFFICE. The EEO Office will:

a. Consult with the HRSC on the provisions and applications of this DHA-AI.

b. Advise managers and supervisors on DHA's affirmative action program and responsibilities.

c. Develop, execute, and assess programs to support affirmative action employment.

9. APPLICANTS. The applicants are responsible for:

a. Seeking job opportunities on designated applicable web sites (i.e., USA Jobs) for vacancy announcements.

b. Reviewing vacancy announcement to ensure all required skills, experience, training/education requirements, licensure/certification requirements, and any other requirements for the position are met, as reflected in the announcement.

c. Providing all information and required documents requested on vacancy announcements at the time of application.

d. Notifying their supervisors/managers in writing of internal job opportunities for which they are interested in applying during periods of legitimate absence. Employees must furnish

necessary information and/or documentation required by announcements, to include electronic resumes.

e. Seeking advice and assistance from their supervisors on the provisions of this MPP Plan, preparation of application materials, and self-development opportunities.

f. Promptly notifying the HRSC or designated office of acceptance or declination of a job offer after notification of selection.

ENCLOSURE 3

PROCEDURES: MERIT PROMOTION AND PLACEMENT PLAN

1. REQUIREMENTS. Placement under this DHA-AI must adhere to eligibility and qualification requirements prescribed by OPM within 30 calendar days of the closing date of the announcement, unless prescribed by local policy. In order to be referred, current federal applicants must have a rating of at least "fully successful" or equivalent in their most recent annual performance appraisal or equivalent.

2. USE OF INTERVIEWS. Interviews are encouraged. The selecting official may use discretion in determining which, and how many, applicants are interviewed using job-related questions. Selecting officials may interview all, some, or none of the applicants and are responsible for justifying their selection decision and will document reasons for the selection on the referral list. The Agency will preserve records concerning selections for at least one year from the date they were made in accordance with Reference (x).

3. EVALUATION OF APPLICANTS

a. Evaluation of applicants will be based solely on job-related criteria relating to successful performance in the position to be filled. Consideration will be given to performance appraisals and awards, where applicable.

b. Upon the request of the employee or Supervisor, employees within the area of consideration who are absent for a legitimate reason (e.g., on detail, on leave, at training courses, in military service, serving in public international organizations, or on Intergovernmental Personnel Act assignments) will receive appropriate consideration.

4. SUPERVISOR AND MANAGER RIGHTS. Supervisors and managers have the right to select or not select from a referral list and may select applicants from other sources in accordance with appropriate OPM and DoD guidance.

a. Selection rules for Veterans' Preference as identified in part 335 of Reference (e) or Military Spouse Preference eligible as identified in Reference (h) and (m) must be observed.

b. Referral lists may be reissued for identical vacancies up to 180 calendar days from the initial issuance.

c. Records will be maintained to allow reconstruction of each selection in order to provide necessary information as required by § 335.103(b)(5) of Reference (e).

d. Selecting officials will consider approved affirmative action plans and review all applications referred.

5. COMPETITIVE ACTIONS. The following personnel actions must be accomplished in accordance with this AI:

a. Permanent promotion to a higher graded position or to a position with more promotion potential than any position previously held on a permanent basis in the competitive service.

b. Temporary promotion to a higher graded position for more than 120 days, during a 12-month period. Temporary promotions may become permanent without further competition if the original vacancy announcement stated the temporary promotion has permanent promotion potential.

c. Reassignment, change to lower grade, reinstatement, or transfer to a position with more promotion potential than a position previously held on a permanent basis in the competitive service.

d. Detail to a higher grade for more than 120 days, during a 12-month period.

e. Selection for training programs that are required before an employee may be considered for promotion.

6. EXCEPTIONS TO COMPETITION

a. Activities operating under separate agency MPP, negotiated agreements, and regulations such as, but not limited to the Defense Civilian Intelligence Personnel System.

b. Action involving statutory, regulatory, or administrative placement to include actions directed by higher command levels, arbitration decisions, court decisions or Merit Systems Protection Board, local settlements, and discrimination complaint decisions or settlement agreements subject to compliance with applicable law and regulation.

c. Promotion resulting from an upgrade in the position because of a new classification standard or correction of an initial classification error.

d. Promotion resulting from an upgrade due to added duties and responsibilities when no other employees in the immediate organization are assigned to the same type of position.

e. A position change or placement permitted by governing reduction-in-force (RIF) procedures.

f. Promotion to a full performance level when the promotion potential was stated in the original vacancy announcement.

- g. Promotion or detail to a higher grade position for 120 days or less. Prior service during the preceding 12 months under noncompetitive temporary promotion and noncompetitive details to higher graded positions count toward the 120-day limit.
- h. Re-promotion to a grade previously permanently held, or movement to a position with promotion potential no greater than what was permanently held previously by the employee.
- i. Promotion to a higher grade (or potential to a higher grade) previously held on a permanent basis in the competitive service or in another merit system, that OPM or the government employer has an approved interchange agreement with, that an employee was separated or demoted for other than performance or conduct reasons.
- j. Promotion, reassignment, change to lower grade, or transfer to a position having promotion potential no greater than the potential of a position an employee currently holds, previously held, or previously held on a permanent basis in the competitive service (or in another merit system which OPM has an approved interchange agreement) and was not separated or demoted because of performance or conduct reasons. This includes positions previously held within the National Security Personnel System pay band.
- k. Reinstatement to a position at any grade level for which the individual is qualified, including positions with promotion potential, without regard to the grade of the position the individual previously held on a permanent basis in the competitive service.
- l. Consideration of applicants eligible for priority consideration because the applicant was not previously considered due to an administrative error or eligible for special consideration for re-promotion and may be receiving grade or pay retention due to involuntary placement in a lower grade or declination of functional transfer.
- m. The appointment of career Senior Executive Service appointees with competitive service reinstatement eligibility to any position for which they qualify in the competitive service at any salary level.
- n. Noncompetitive conversion of severely disabled individuals and promotion after conversion provided the position occupied has an established full performance level.
- o. Noncompetitive conversion of interns, recent graduates, and/or fellows recruited under an approved OPM or DoD employment program (e.g., Pathways) and promotion after conversion provided the position has an established full performance level.
- p. Noncompetitive appointment of eligible veterans with a 30 percent or more disability, who are serving on temporary (provisional) appointments and their promotion after conversion, provided the position occupied has an established full performance level.

q. Noncompetitive appointment of Veterans Recruitment Appointment (VRA) eligibles and promotion after conversion provided the position occupied has an established full performance level.

r. Noncompetitive appointment of OPM interchanges agreement eligibles, certain Executive Order eligibles (e.g., Foreign Service employees and Military Spouses), and other miscellaneous authorities (e.g., Peace Corps volunteers, career Postal Service Employees, Postal Rate Commission Employees).

s. Noncompetitive appointment of Worker-Trainees and promotion after conversion provided the position has an established full performance level.

t. Noncompetitive conversion of temporary or term employees provided the vacancy announcement originally stated the temporary or term appointment may lead to a permanent (career or career-conditional) position.

u. Other types of actions not specified above which are permitted by regulation and are consistent with the spirit and intent of the merit principles delineated in Reference (i).

## 7. LOCATING CANDIDATES

a. The area of consideration must be sufficiently broad to ensure the availability of a reasonable number of high quality candidates taking into account the nature and level of the position to be filled, budget constraints, infusion of new ideas, strengths to the organization, merit principles, and EODM affirmative action goals and objectives. Requirements of negotiated collective bargaining agreements will be applied.

b. The area of consideration must be identified in the vacancy announcement.

c. The minimum area of consideration should include:

(1) Current Civilian Employees of the DHA

(2) Priority Placement Program, DoD PPP Military Spouse eligibles (per Reference (h)).

d. The minimum area of consideration may be limited further (e.g., to specific DHA Component) only with the approval of the Director, J-1 or designee. This should be rare, and is usually only applicable when the organization is undergoing workforce-reshaping efforts.

e. The area of consideration may be limited to Interagency Career Transition Assistance Program eligibles and Veterans Employment Opportunity Act eligibles if a noncompetitive candidate was selected and does not meet one of the Interagency Career Transition Assistance Program (ICTAP) exceptions listed in part 330, section 330.609 of Reference (e).

f. When filling a vacancy outside of DHA, but within DoD, the area of consideration should include:

(1) Current DoD employees serving on a permanent (career or career-conditional), competitive service appointment, and DoD employees serving on an excepted service VRA appointment.

(2) Priority Placement Program, DoD PPP Military Spouse eligibles

g. When filling a vacancy from outside DoD, the area of consideration should include:

(1) Current Federal employees serving on a permanent (career or career-conditional), competitive service appointment, and federal employees serving on an excepted service VRA appointment,

(2) ICTAP eligibles,

(3) Domestic Defense Industrial Base/Major Range and Test Facilities Base Civilian Personnel Workforce eligibles, unless the hiring action is for a time-limited appointment,

(4) Land Management Workforce Flexibility Act eligibles, unless the hiring action is for a time-limited appointment,

(5) DoD PPP Military Spouse eligibles,

(6) Veterans Employment Opportunity Act eligible,

h. Other sources may include:

(1) Reinstatement eligibles,

(2) DoD/OPM Interchange Agreement eligible (e.g., Defense Civilian Intelligence Personnel System, Veterans Health Administration, Transportation Security Administration, Nonappropriated Fund),

(3) Family Members eligible under Reference (l) and Military Spouses eligible under Reference (m),

(4) Noncompetitive appointing authorities (e.g., 30% or more Disabled Veteran, VRA, Schedule A for Individuals with Certain Disabilities),

(5) Individuals eligible under other special and miscellaneous appointing authorities as appropriate.

## 8. JOB ANNOUNCEMENTS AND ADVERTISEMENTS

- a. Announcements will be published through methods providing an optimum number of qualified candidates for selection.
- b. Announcements may be advertised in publications, journals, the USA Jobs website, and social media as approved by DHA Component Leadership.
- c. Announcements will be open for the length of time deemed necessary to ensure an optimum number of qualified candidates. For competitive announcements, with the exception of paragraph 9.d. of this enclosure, a period of less than three (3) calendar days must be approved by the Branch Chief of the DHA Component, HR Branches, or designee, as appropriate. Positions covered by a bargaining unit will refer to the appropriate collective bargaining agreement for the appropriate announcement open period if applicable.
- d. If hiring a noncompetitive candidate, but posting an announcement to screen for ICTAP/ Veterans Employment Opportunity Act eligible candidates, a one (1) day announcement is allowed.
- e. Open continuous announcements, standing registers, and inventories may be used when deemed appropriate (e.g., hard-to-fill, high-turnover positions).
- f. At a minimum, announcements will include the announcement number, opening and closing dates, position, title, series, full performance grade level, organization, geographical location, summary of duties, area of consideration used for locating candidates, application procedures, qualification requirements, next steps in the recruitment process, designation of any special requirements, statement of EEO policy, and tenure of position (temporary, term, or permanent).
- g. For temporary functions, if the position is not encumbered and will not be filled as obligated, and the temporary function has the possibility of becoming a permanent function, the announcement should state a potential for conversion to a permanent (career or career-conditional) appointment without competition, in accordance with OPM and DoD regulations.

## 9. COMPETITIVE PROCEDURES AND CANDIDATE EVALUATION

- a. Applicants will apply to posted announcements through USA Jobs and when requested, provide required documents (i.e., resume, transcripts, personnel action, certificate of military discharge, etc.) at the time of application to determine eligibility and/or qualifications. Applicants will be evaluated using automated assessment tools. Applicants who fail to submit a complete application package may not receive further consideration.
- b. Referred applicants must meet OPM qualifications standards, regulatory requirements (e.g., time in grade, time after competitive appointment (when applicable), etc.), and any DoD or OPM unique position requirements.



c. Referral lists will contain best-qualified candidates based on the required knowledge, skills, abilities, and competencies to perform the duties of the position. Candidates referred under merit promotion will be referred to the selecting official in alphabetical order.

d. Prior to recruitment, in consultation with the HRSC, the selecting official should identify a reasonable number of applicants to be referred (by either number referred or cut-off score). If a cut-off score is used, ten applicants is considered a reasonable number.

## 10. SELECTION PROCEDURES

a. A reasonable number of qualified candidates, as determined prior to recruitment, will be referred to the selecting official, along with candidates from noncompetitive sources or other recruitment sources. If a reasonable number of candidates are referred, the list is considered valid. If a reasonable number of applicants are not referred, management may request a supplemental referral list.

b. Selecting officials have the right to consider and/or select candidates from any appropriate source, in accordance with governing regulations and applicable negotiated collective bargaining agreements.

c. Interviews and reference checks are highly encouraged, but not required.

d. Selections will be based on merit (job-related) reasons. The selecting official will document reasons for competitive selections on the referral list in accordance with the provisions of Reference (x).

e. The HRSC will verify eligibility and qualifications of the selected candidate and verify all legal and regulatory requirements have been met prior to the job offer.

f. The following is a list of types of permanent placement considerations in their order of priority and must be adhered to, in accordance with applicable regulations:

- (1) Statutory, Reemployment, or Restoration Placements,
- (2) Directed Placements (Courts, Merit Systems Protection Board, and EEO Commission, Office of Special Counsel) or other corrective actions,
- (3) RIF actions or placements in lieu of RIF,
- (4) Local re-promotion eligible,
- (5) Certain actions permitted under the DoD Program for Stability of Civilian Employment (e.g., job swaps, medical accommodations, etc.),

(6) Reemployment Priority List registrants for positions at or below grade last held by the registrant,

(7) DoD PPP registrants and the remainder of the Reemployment Priority List candidates,

(8) Special consideration after failure to receive consideration under the MPP Plan,

(9) ICTAP eligibles

(10) All other competitive/noncompetitive placement actions involving DoD applicants/non-DoD applicants.

## 11. SELECTION NOTIFICATION AND EFFECTIVE DATES

a. The HRSC or designated office will notify candidates of their selection, make tentative and official job offers, and establish entrance on duty effective dates.

b. Effective dates will be negotiated between the selecting official, the HRSC or designated office, and the losing personnel office.

c. Employees selected for promotion will be released within two (2) weeks after official notification of selection, as long as pre-screening requirements are met. An earlier or later date may be arranged by mutual agreement between officials of the gaining and losing organization.

d. Employees selected for reassignment or change to lower grade will be released after serving the remainder of the pay period during which the final offer is made and the subsequent full pay period. An earlier or later date may be arranged by mutual agreement between officials of the gaining and losing organization.

e. If a geographic move within the Continental United States is involved, the selected employee will normally be released within 30 calendar days from the final job offer. If a geographic move from Outside the Continental United States is involved, the selected employee will normally be released within 45 calendar days from the final job offer. An earlier or later date may be arranged by mutual agreement between officials of the gaining and losing organization.

f. Actions will normally be effective on the first day of the pay period. Actions returning an employee to pay status will be affected earlier if a delay would cause a break in service.

g. If movement of an employee is to a position under this MPP Plan with no known promotion potential (e.g., reassignment, change to lower grade), and it will be detrimental to the organizational mission, the losing manager (or designee) may delay the reassignment or change to lower grade up to 120 calendar days; however, any delay extending more than 45 calendar days from initial notification will be approved by the Director, J-1, Director of DHA

Components, or designee. Only under extenuating circumstances, such as mission failure or the employee's unique/rare skill sets, will supervisors deny employee movement. This applies to any position covered under this MPP Plan.

h. An employee selected for DoD positions outside the Continental United States (OCONUS) may be entitled to return rights based on Reference (n). When granted return rights, the position vacated will be considered obligated to the employee who accepted the overseas position. When recruiting for and filling an obligated position, the Continental United States activity must make the obligated status of the position clear to the individual being selected.

## 12. MISSED CONSIDERATION

a. Applicants who miss consideration for a vacancy due to administrative error will be granted priority consideration for the next "like" competitive vacancy.

b. A "like" competitive vacancy is one with the same position title, series, and grade equivalency for which the applicant would have been on the referral list had the error not occurred.

## 13. RECORDS

a. The HRSC will maintain records for personnel actions and positions filled through internal competitive procedures as required by part 335 of Reference (e). Electronic files, in accordance with OPM and DoD recordkeeping requirements, may be used, provided enough documentation is maintained for a clear audit trail, and to permit reconstruction of any personnel action under this Instruction.

b. These records may be destroyed after 2 years or after the program has been formally evaluated by OPM, whichever comes first, and if the time limit for grievance has passed. All candidates will have equal access to information on merit promotion.

## 14. REQUESTS FOR INFORMATION

a. Requests for information will be evaluated and processed under the provisions of the Privacy Act governing the collection, maintenance, use, and dissemination of personally identifiable information about individuals maintained in systems of records by Federal agencies and other applicable or relevant regulations. This does not restrict the rights of an official who has responsibility for investigating, examining, or adjudicating a complaint from access to any relevant information.

b. Personal or sensitive matters about an individual will only be released to recognized labor organizations with written consent of the individual concerned.

c. Candidate assessment tools, such as questionnaires and rating skills, used to rate candidates are not to be reviewed or released outside MPP Plan channels absent appropriate and written authorization from the Selecting Official. This does not restrict the rights of an official who has responsibility for investigating, examining, or adjudicating a complaint from access to any relevant information. Information will be released to only authorized personnel.

d. When requested in writing, the HRSC will provide the inquiring applicant with the following information from the merit promotion file as appropriate:

(1) Selection remains pending,

(2) Referred for selection,

(3) Another candidate was selected. Specific information pertaining to the selectee will not be provided.

#### 15. CORRECTIVE ACTIONS

a. Immediate action should be taken to correct a violation or program deficiency. Appropriate corrective action required because of a procedural, regulatory, or program violation of this AI or applicable regulation will be accomplished in accordance with Section 5.3 within Reference (e).

b. To ensure actions are processed in accordance with regulatory and/or procedural requirements, corrections of errors will be made as soon as they are discovered to include correcting any outstanding referral lists.

#### 16. GRIEVANCES AND EEO COMPLAINTS

a. Employee questions or complaints about a specific action should first be discussed with their immediate management. Management will make every appropriate effort to informally resolve employee concerns regarding placement actions under this plan.

b. Employee grievances related to procedures under this plan must be submitted under applicable grievances procedures in accordance with negotiated bargaining agreement procedures.

c. Failure to be selected from a properly constituted referral list is not a grievable issue except where non-selection is alleged to be due to illegal discrimination and/or the conduct of a prohibited personnel practice.

d. Allegations of discrimination will generally be considered under relevant provisions of the EEO Program.

ENCLOSURE 4

CERTIFICATE SELECTION, EXTENSION, AND EXPIRATION

1. RESPONSIBILITIES

a. Hiring Officials. It is the hiring official's responsibility to return certificates by the certificate due date or request an extension prior to the due date (obtaining appropriate approval if necessary).

b. DHA Headquarters Support Division (HSD), Human Capital Division (HCD), and Human Resource Business Partner (HRBP). It is the responsibility of the HRBP to follow-up with hiring officials on the status of the certificate selection and elevate requests for certificate extension through the HSD or HCD chain of command.

c. DHA HSD and HCD Chief. It is the responsibility of the HSD and HCD Chief, or designee, to approve/deny requests for certificate extensions within their Divisions.

d. The Human Resource Service Center (HRSC). It is the responsibility of the servicing civilian personnel office, the HRSC, to properly annotate due dates in USA Staffing. If selections or extensions are not received in a timely manner, it is HRSC's responsibility to follow-up with the DHA HRBP.

2. PROCEDURES

a. Certificate Due Date. In accordance with this DHA-AI, MPP selections are due preferably within 14 calendar days from the date of issuance; however, a due date of 28 calendar days will be annotated in USA Staffing.

(1) In accordance with this DHA-AI MPP interviews and/or reference checks are not required but are highly encouraged. If interviews and/or reference checks will be conducted, hiring officials should preposition interview/reference check questions, identify potential interview dates/time, and select panel members (if using a panel) prior to receiving the certificate, as this will help the hiring official be able to make a selection by the certificate due date.

(2) When submitting a selection, a merit-based reason for selection should be annotated in USA Staffing, and if feasible, at least two alternate selections should be identified.

b. Certificate Follow-Up and Requesting Extensions

(1) If a selection is not made within 14 calendar days, the HRSC will request a status update from the HRBP, and the HRBP will follow-up with the hiring official.

(2) If a selection is not made within 25 calendar days, the HRSC will request a second status update from the HRBP, and the HRBP will follow-up with the hiring official.

(3) If a selection cannot be made within 28 calendar days (by the initial due date), the hiring official should request an extension through the HRBP, and the HRBP will elevate the request through their HSD or HCD chain of command to the HSC or HCD Chief, or delegate, who will approve/deny the request.

(a) If the extension request is approved, the HRBP will communicate the extension to the HRSC, and the HRSC will annotate the new due date in USA Staffing.

(b) If the extension request is denied, the hiring official will make a selection within 2 business days of notification of the denied request.

(4) If a selection is not made or an extension is not requested/approved by the due date, the HRSC will recall the certificate.

(a) If a hiring official wants to make a selection for a position and the certificate has been recalled, the hiring official should request the certificate be re-issued. The request will be sent through the HRBP to the HSD or HCD Chief for which the approval authority exists. If approved, the HRBP will notify the HRSC to re-issue the certificate.

(b) If the certificate has been recalled and is otherwise valid and unexpired, the position may not be re-advertised using the same recruitment method.

c. Certificate Expiration Dates. Certificates may be utilized past the certificate's due date up until the certificate's expiration date. Except as described in paragraph 2.c.(2) (below), if a certificate is re-issued close to the expiration date of the certificate, best judgement will be applied in determining if the certificate may still be utilized after the expiration date has passed.

(1) In accordance with the DHA MPP, all merit promotion certificates will expire 180 calendar days from original date of issuance.

(2) In accordance with the Civilian Human Resources Agency Standard Operating Procedure for Delegated Examining Certificates, all delegated examining certificates will expire 90 calendar days from the original date of issuance; however, they may be extended up to 180 calendar days from the original date of issuance if the hiring official has adequate justification and would like to still utilize the certificate. The expiration date may be extended beyond 180 days from the original date of issuance ONLY in cases where the certificate is pending an objection and/or passover approval from the OPM. If an open-continuous/standing register is utilized, each certificate issued from the recruitment has its own expiration date.

(3) Direct Hire Authority certificates utilizing a vacancy announcement and all Expedited Hire Authority certificates will expire 30 calendar days from the original date of issuance; however, they may be extended up to 180 calendar days from the original date of

issuance if the hiring official has adequate justification and would still like to utilize the certificate.

GLOSSARY

PART I. ACRONYMS AND ABBREVIATIONS

DHA	Defense Health Agency
DHA-AI	Defense Health Agency-Administrative Instruction
EEO	Equal Employment Opportunity
EDOM	Equal Opportunity and Diversity Management
GS	General Schedule
HCD	Human Capital Division
HR	Human Resources
HRBP	Human Resources Business Partner
HSD	Headquarters Support Division
HRSC	Human Resource Service Center
ICTAP	Interagency Career Transition Assistance Plan
MPP	Merit Promotion and Placement Plan
OPM	Office of Personnel Management
PPP	Priority Placement Program
RIF	Reduction-in-force
VRA	Veterans Recruitment Appointment

PART II. DEFINITIONS

area of consideration. Description and categories of candidates who may apply for a vacancy announcement. An area of consideration may be defined geographically, organizationally, or by recruitment source or appointment status.

bargaining unit. A group of employees represented by a labor organization.

change to lower grade. The change of an employee to a position with a lower representative rate of basic pay.

competitive service. Federal positions normally filled through open competitive examination under civil service rules and regulations.



conversion. The process of changing an employee's tenure from one type of appointment to another, e.g., conversion from temporary to career-conditional or conversion from excepted service to competitive service.

detail. A temporary assignment of an employee to a different position for a specified period of time when the employee is expected to return to his or her regular duties at the end of the assignment. There is no change in pay entitlements.

DHA Component. Under the authority, direction, and control of DHA. *NOTE: Includes Direct Reporting Markets, Small Market and Stand Alone Military Treatment Facility Organization, Defense Health Agency Regions, Small Markets, and all Military Medical Treatment Facilities/Dental Treatment Facilities/Veterinary Treatment Facilities.*

eligible. The determination that an applicant meets the minimum qualification and requirements for a position.

examination. A method of evaluating applicants for employment in specific positions.

excepted service. Positions in the Federal Civil Service not subject to the appointment requirements of the competitive service. Exceptions to the normal competitive requirements are authorized by law, executive order, or regulation.

federal wage system. Wage system covering employees in trades, crafts, or labor occupations, whose pay is fixed and adjusted periodically in accordance with prevailing rates. (Wage Grade, Wage Leader, Wage Supervisor and others.)

full performance level. The grade of a career ladder position at which an employee has learned the full range of duties in a specific occupation. All jobs below the full performance level are developmental levels, through which each employee in the occupation may progress to full performance. Also called "journey", "journeyman level", or "target grade."

GS. The graded pay system as presented by Chapter 51 of Reference (i).

grade. All classes of positions that, although different with respect to subject matter of work, are sufficiently equivalent in the level of difficulty and responsibility, and level of qualification requirements of the work to warrant the inclusion of such classes of positions within one range of rates of basic compensation.

grade retention. The right of a GS or prevailing rate employee, when demoted for certain reasons, to retain the higher grade, for most purposes, for a period of two (2) years.

Interagency Career Transition Assistance Plan (ICTAP). Regulations that provide selection priority to displaced federal employees when applying for jobs in other federal agencies.

intermittent. Work schedule less than full time requiring irregular hours, which cannot be pre-scheduled.

job analysis. Identifies major job requirements and essential job skills required to successfully perform the duties of a position being filled.

job title. The formal name of a position as determined by official classification standards.

journey or journeyman level. See "full performance level."

leave without pay (LWOP). Temporary authorization of non-pay status.

non-competitive appointment. Employment without competing with others, in the sense that it is done without regard to civil service registers, as determined by statute or regulation.

Office of Personnel Management (OPM). The federal agency that regulates, administers, and evaluates the civil service program according to merit principles.

position. A specific job consisting of the current major duties and responsibilities assigned or delegated by management.

position change. Movement of an employee to another position during continuous service under the same appointment within the same agency when the move establishes or continues the eligibility for grade retention under section 5362 of Reference (i).

Priority Placement Program (PPP). A DoD-wide placement system used to provide placement opportunities and promote the stability of employment for DoD civilian employees.

promotion. The change of an employee to a position at a higher-grade level under the GS, wage grade schedule (or equivalents), to a position with a higher representative rate of basic pay.

qualifications. Education, experience, and other prerequisites to employment or placement in a position as defined by OPM.

qualified candidates. Those applicants who meet established qualification requirements for the position to be filled.

reassignment. The change of an employee from one position to another without promotion or change to lower grade while serving continuously with the same agency.

recruitment. The process of attracting highly qualified candidates for employment consideration.

Reduction-in-Force (RIF). A management process that may be required due to lack of work or funds, changes resulting from reorganization, downward reclassification of a position, or the need to make room for an employee with reemployment/restoration or return rights. It involves removing an employee from his or her current position, but does not necessarily result in separation or downgrading.

reemployment priority list. Career and career-conditional employees, separated by RIF, who are identified, in priority order, for reemployment into competitive service positions within the same agency and commuting area from where the separation occurred within the commuting area where the separation occurred.

register. A list of eligible applicants compiled in the order of their relative standing for referral to Federal jobs, after a competitive civil service examination (known as delegated examining).

reinstatement. Noncompetitive reemployment in the competitive service based on previous service under career or career-conditional appointment.

relative. An individual who is related to the selecting/approving official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister. As defined in Chapter 3110 "Employment of relatives; restrictions" of Reference (i).

Senior Executive Service. A separate personnel system for persons who set policy and administer programs at the top levels of the government (equivalent to GS-15 through Executive Level IV).

staffing. Use of available and projected personnel through recruitment, appointment, reassignment, promotion, RIF, etc., to support the work force required to fulfill the agency's mission.

supervisor. An employee having the authority, in the interest of the agency, to hire, direct, assign, promote, transfer, furlough, recall, suspend, discipline, or remove employees, to adjust their grievances or to effectively recommend such action.

target grade. See "full performance level".