

U.S. NUCLEAR REGULATORY COMMISSION

DIRECTIVE TRANSMITTAL

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To: NRC Management Directives Custodians

Subject: Transmittal of Management Directive 10.15, "Merit Staffing Program"

Purpose: Directive and Handbook 10.15 are being issued to replace Manual Chapter (MC) 4108, Parts I and III, and all other remaining parts of MC 4108 still in existence. This directive and handbook update current policies and practices regarding merit staffing activities within the agency.

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Part: 1 Employment and Staffing

Directive: 10.15 Merit Staffing Program

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Merit Staffing Program

Directive
(Formerly
Parts I and III
of MC 4108) **10.15**

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U. S. Nuclear Regulatory Commission

Volume: 10 Personnel Management

Part: 1 Employment and Staffing

OP

Merit Staffing Program Directive 10.15

Policy (10.15-01)

It is the policy of the U.S. Nuclear Regulatory Commission to operate a merit staffing program without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or disability and without favoritism based on personal relationship or patronage and with proper regard for an employee's or applicant's privacy and constitutional rights.

Objectives (10.15-02)

- To effect merit staffing actions in a fair and equitable manner following basic general employment guidelines in use within the Federal sector. (021)
- To meet organizational mission needs and efficiently utilize the skills, knowledges, and abilities of NRC employees through application of merit staffing principles. (022)
- To ensure agencywide uniformity in the application of merit staffing practices as described in Handbook 10.15. (023)
- To maintain a drug-free Federal workplace. (024)

Organizational Responsibilities and Delegations of Authority (10.15-03)

Chairman (031)

- Serves as the selecting official for executives reporting to the Chairman, for the Director and the Senior Executive Service (SES) staff of the Office of Public Affairs, and for the Director of the Office of Congressional Affairs. (a)
- Selects the personnel employed in his or her immediate office. (b)

The Commission (032)

- Serves as the selecting official for the Directors of the Offices of the General Counsel, International Programs, State Programs, Secretary of the Commission, Commission Appellate Adjudication, and the Chief Administrative Judge, Atomic Safety and Licensing Board Panel, as well as the Executive Director for Operations and the Directors of the Office of Nuclear Regulatory Research, Nuclear Reactor Regulation, and Nuclear Material Safety and Safeguards. (a)
- Each Commissioner selects the personnel employed in his or her immediate office. (e)

Executive Director for Operations (EDO) (033)

- Acts as selecting official for SES positions in his or her immediate office, other than those reserved for the Chairman or the Commission. (a)
- As appropriate, delegates to office directors and regional administrators authority to make selections for EDO level office positions. (b)
- Grants exceptions or deviations from the administrative or procedural requirements of this directive when such requirements are not based on law or Executive order. (c)

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Director, Office of Personnel (OP)
(034)

- Grants exceptions to personnel practices and procedures as specified in Handbook 10.15. (a)
- Prescribes the standards, requirements, and guidance for merit staffing actions in the NRC. (b)
- Provides staff assistance to Commissioners, office directors, and regional administrators in carrying out their merit staffing responsibilities, including the development of vacancy announcements and crediting plans. (c)
- Provides final interpretations or decisions regarding the intent and applicability of this directive. (d)
- Ensures that operating practices and procedures meet the intent of the interchange agreement with the Office of Personnel Management, as described in Exhibit 1 of Handbook 10.15. (e)
- Delegates to regional administrators personnel authorities, as appropriate, through a signed delegation agreement. (f)
- Ensures that all merit staffing actions conform to merit principles, are consistent with sound management practices, and are in accord with legal and regulatory requirements and applicable instructions. (g)
- Reviews and signs, or delegates authority to review and sign, "Notification of Personnel Action" (Standard Form 50). (h)

Director, Office of Administration (ADM)
(035)

- Determines the initial and continuing eligibility of NRC applicants for employment, clearance, and access authorization required for NRC employment. (a)
- Determines whether any security objection exists to the employment of NRC applicants before the completion of the preappointment investigation and grant of access authorization. (b)

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Director, Office of Administration (ADM)
(035) (continued)

- Requests approval of the Commission to grant interim access authorization and employment clearance to designated individuals who require access to restricted data before completion of the required investigation, based on Subsection 145b of the Atomic Energy Act of 1954, as amended. (c)

Office Directors and
Regional Administrators
(036)

As provided for in any applicable delegation agreements and in Handbook 10.15, carry out their personnel management responsibilities regarding the merit staffing of positions in their offices.

Applicability
(10.15-04)

The policy and guidance in this directive and handbook apply to all NRC employees except—

- Members of the Senior Executive Service (see MD 10.135, “Senior Executive Service (SES) Employment and Staffing Programs”) (a)
- Experts, consultants, and members of advisory committees (b)

Handbook
(10.15-05)

Handbook 10.15 describes the operational practices and procedures applicable to the competitive or merit staffing actions affecting NRC employees with exceptions as noted above.

References

(10.15-06)

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

Code of Federal Regulations—

5 CFR, Administrative Personnel

10 CFR 10, “Criteria and Procedures for Determining Eligibility for Access to Restricted Data or National Security Information or an Employment Clearance”

Energy Reorganization Act of 1974, as amended (42 U.S.C. 5801 et seq.).

Fair Labor Standards Act, Pub. L. 94-502 (29 U.S.C. et seq.).

Freedom of Information Act (5 U.S.C. 552).

Intergovernmental Personnel Act of 1970, as amended (5 U.S.C. 3371-3376).

NRC Drug Testing Program, NUREG/BR-0136, Rev. 2, December 1990.

NRC Management Directive 4.2, “Administration Control of Funds.”

Privacy Act of 1974, as amended (5 U.S.C. 552a).

“Suspension and Removal” (5 U.S.C. 7532).

United States Code, Title 5 “Government Organization and Employees.”

Merit Staffing Program

Handbook

*(Formerly
Part III of
MC 4108)*

10.15

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Part I

General Provisions

Practices (A)

The NRC operates a competitive merit system that embodies the principles of open competition and equitable consideration against uniform standards. NRC's independent merit system has been recognized by the Office of Personnel Management (OPM), as evidenced by our continuing interchange agreement with OPM (Exhibit 1). The following practices apply:

- All employees and applicants for employment with the NRC shall be treated without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or disability, and with proper regard for their privacy and legal rights. (1)
- Vacant positions in the NRC may be filled by noncompetitive appointment, by competitive appointment, by noncompetitive internal placement, or by competitive internal placement. Each job will be filled on the basis of merit, fitness, and qualifications, without discrimination based on any nonmerit reasons and without favoritism based on personal relationship or patronage. This provision shall not be interpreted as restricting the right of the selecting official to fill a vacancy by using one of the authorized exceptions to competitive procedures described in Part II of this handbook and in Management Directive (MD) 10.1, "Appointments, General Employment Issues, Details, and Position Changes," when appropriate. (2)

Practices (A) (continued)

- The NRC is subject to the restrictions on employment of relatives described in 5 U.S.C. 3110. In addition, no employee shall be retained in a position under the administrative direction or supervision of any relative, and no person shall be selected for or retained in a position in which he or she will exercise administrative direction or supervision over a relative. A more detailed discussion of nepotism restrictions may be found in MD 10.1. (3)
- Positions in the NRC will be filled with citizens of the United States, unless the Director, Office of Personnel (OP), determines that a noncitizen's potential contribution to the nuclear regulatory program will materially benefit the program by contributing unique or unusual skills or talent not possessed to any comparable degree by an available U.S. citizen. (4)
- Positions in the NRC are filled in accordance with veterans' preference requirements. (5)
- When the provisions of the collective bargaining agreement with the employees' exclusive representative are in conflict with this handbook with regard to bargaining unit employees and bargaining unit positions, the provisions of the agreement must govern. (6)
- For purposes of this handbook, when authorities and procedures have been delegated by the Director, OP, to the regional administrator, references to an OP representative will include the regional personnel officer, or his or her designee. (7)

Position Management (B)

Each action to fill a vacant position must be consistent with sound management practices and principles and with any current ceiling or budget controls. The selecting official shall review each request to fill a vacant position to decide whether it currently—

- Is necessary to fill the position (1)
- Is possible to abolish the position entirely or assign the duties of the position to other positions (2)

Position Management (B) (continued)

- Is possible to reengineer the duties of the position to permit performance at a lower grade or on a part-time basis (3)
- Meets current supervisor-to-employee-ratio targets, where applicable (4)

The Selection Process (C)

The selecting official has final responsibility for determining which qualified candidate should be selected for both bargaining unit and nonbargaining unit positions. (1)

The selecting official may select or not select from any appropriate source of candidates at any point in the selection process. (2)

The Director, OP, has responsibility, either directly or through redelegation to OP component chiefs or regional personnel officers, for—(3)

- Assisting in locating qualified candidates (a)
- Assisting in determining the basic qualification requirements and rating factors of the position (b)
- Assisting in developing methods to evaluate applicants against the rating factors of the position (c)
- Providing guidance to rating panels on panel procedures and operations (d)
- Designating the OP representative to participate as a nonvoting member on rating panels (e)
- Determining basic qualifications of individuals applying under competitive procedures (f)
- Certifying to the appropriate management official candidates in the highest available qualifications category from which a proper selection may be made (g)
- Ensuring that competitive actions comply with applicable regulations and merit principles (h)

The Selection Process (C) (continued)

- Training supervisors, managers, and panel members on all aspects of competitive staffing requirements, including developing evaluation methods and rating and ranking candidates (i)
- Taking the action to place the selected candidate in the position (j)

Part II

Coverage and Exceptions

Coverage (A)

Unless excepted as described below, the competitive procedures contained in this handbook will be used in the following circumstances:

- Whenever NRC or other Federal or former Federal employees, or non-Federal applicants compete for positions (1)
- For NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointments (2)
- For conversion to an NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointment of an employee with an appointment with a specific time limit. These employees are considered “outside candidates” and are subject to the competitive requirements of this handbook, except in the following instances: (3)
 - The original selection was a competitive one in full accord with the principles and procedures of this handbook. (a)
 - The fact that the selectee would be eligible for noncompetitive conversion to a permanent appointment was made known at the time of the original competition. (b)
- For selection of an NRC employee for temporary promotion for more than 90 calendar days or for detailing an NRC employee for more than 90 days to a higher graded position or a position with higher promotion potential than that of the employee’s current position (4)

Coverage (A) (continued)

- For making a temporary promotion permanent, unless—(5)
 - The temporary promotion was made initially under competitive procedures. (a)
 - The fact that it might lead to a permanent promotion was made known to all potential candidates. (b)
- For selection for training required for competitive promotion when the training is not available to all employees who are qualified and interested in the promotion (6)
- For initial selection of an individual to a supervisory position (7)

Required Exceptions (B)

The following actions must be taken without following the competitive procedures of this part and without regard to the priority considerations described below. The Office of Personnel (OP) will be responsible for identifying exceptions and advising management.

- An employee entitled to restoration following military service shall be selected in accordance with law and NRC policy pertaining to restoration rights when returning from military leave. (1)
- An employee entitled to reemployment following duty with an international organization shall be selected in accordance with the same legal and policy requirements that pertain to restoration rights when returning from military leave. (2)
- An employee entitled to statutory reemployment following duty as a reserve officer in the Foreign Service, or an employee in the Foreign Assistance Program or in the Peace Corps, shall be selected for the position he or she left, or a corresponding or higher position, in accordance with appropriate 5 U.S.C. or 5 CFR guidance regarding reemployment rights. (3)
- An employee entitled to reemployment rights following transfer to an emergency agency (movement between executive agencies during emergencies) shall be selected for the position he or she left, or a corresponding or higher position, in accordance with appropriate 5 U.S.C. or 5 CFR regulations. (4)

Required Exceptions (B) (continued)

- An employee entitled to return rights following duty on an NRC Limited (Excepted) appointment shall be selected for the position he or she left or one of equal grade in accordance with Management Directive (MD) 10.1. (5)
- An employee who is employed under a program that accords him or her noncompetitive conversion rights, such as a cooperative education student. (6)

Authorized Exceptions (C)

The following authorized exceptions to the competitive procedures may, at the discretion of the selecting official and with the concurrence of the Director, OP, be taken without following the competitive procedures and without regard to the priority consideration described below.

- Appointment of an individual who is currently employed as a Career or Career Conditional employee with another Federal agency to a position that has no higher known promotion potential than that of the position the person currently holds or has held permanently. (1)
- Appointment of a former employee of any Federal agency who is eligible for reinstatement in the Federal service to a position that has no higher known promotion potential than that of the position the person last held in the Federal service. (2)
- Appointment of a disabled veteran who has a compensable service-connected disability of 30 percent or more to any position for which he or she is qualified. (3)
- Appointment to a position under an Excepted appointment (Presidential), an NRC Limited (Excepted) appointment, an NRC Professional Term appointment, or an NRC Noncareer (Excepted) appointment. (4)
- Appointment to a temporary position under a temporary appointment. (5)

Authorized Exceptions (C) (continued)

- A promotion without current competition when, at an earlier stage, the employee was selected under competitive procedures for entry into a position that was publicized as being structured to allow the incumbent to rise to the full performance level identified for the position. This employee is assigned duties that result in grade-building experience and is promoted as he or she demonstrates the ability to perform at the next higher level. (See the collective bargaining agreement with the employees' exclusive representative for provisions governing bargaining unit employees and bargaining unit positions.) (6)
- A promotion resulting from the upgrading of a position without a significant change in the duties and responsibilities because of the issuance of a new evaluation standard or the correction of an initial evaluation error. (7)
- A promotion resulting from the gradual accretion of additional duties and responsibilities. (8)
- A change from one position to another position with no higher promotion potential. (9)
- A temporary promotion or detail to a higher graded position or to a position with higher promotion potential than the position of record of 90 days or less. (10)
- Conversion of a student to an NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointment upon successful completion of all legal and regulatory requirements of the Student Career Experience Program. (11)
- Conversion of a temporary promotion to permanent when the temporary promotion was made initially under competitive procedures and the fact that it might lead to permanent promotion was made known to all potential candidates. (12)
- Conversion of a physically handicapped or mentally retarded employee to an NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointment upon completion of 2 years of successful job performance as described in MD 10.13, "Special Employment Programs." (13)

Authorized Exceptions (C) (continued)

- Conversion to an NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointment of a secretary in grades up to and including GG-6 originally hired for a vacancy in the Pre-Assignment Center under an NRC Noncareer (Excepted) appointment when the initial appointment was made under competitive procedures, the appointment was for no more than 13 months, and the fact that it might lead to a permanent position was made known to all potential candidates. (14)
- Repromotion to a grade previously held under a nontemporary appointment from which the employee requested a change to a lower grade, except when the employee was demoted for misconduct or unsatisfactory performance. Repromotion within 1 year of a change to a lower grade will not result in a salary increase beyond that which the employee would have attained had he or she remained at the higher grade. (15)
- Promotion as a result of one of the priority conditions identified in Section (D) of this part. (16)

Priority Consideration (D)

Unless the position is filled as required by reference to requisite exceptions or permitted by reference to authorized exceptions, the following individuals must be given priority consideration for all vacancies filled in accordance with the competitive procedures of this handbook and for which they meet the basic qualification requirements. (1)

- An employee who fails to receive proper consideration (as defined in this paragraph) in a placement action shall be given priority consideration for the next appropriate vacancy. An appropriate vacancy is one at the same grade level, in the same commuting area, and with comparable promotion opportunities and qualification requirements as the position for which the employee did not receive proper consideration. "Failure to receive proper consideration" means that an error was made in not placing the employee's name in the highest available qualifications category referred for consideration by the selecting official. For each failure to receive proper consideration, an employee is entitled (even if referred along with other candidates entitled to priority consideration) to only one subsequent priority consideration under this provision. (a)

Priority Consideration (D) (continued)

- A former employee separated by a reduction in force (RIF) who is on the Repromotion Priority List (see MD 10.103, "Non-SES Reduction in Force") for the commuting area from which he or she is separated shall be given priority consideration for placement in a vacant position for which he or she is qualified in this commuting area. A veteran's preference-eligible candidate is entitled to be selected from the Reemployment Priority List before a nonpreference-eligible candidate. (b)
- An employee in RIF Retention Group I (Regular Excepted) (Career) or II (Regular Excepted Conditional) who has been given a notice that states that he or she will be separated from the NRC by a RIF shall be given the same priority consideration as specified in Section (D)(1)(b) of this part for a former employee separated by a RIF who is on the Repromotion Priority List. (c)
- An employee who is on a Repromotion Priority List shall be given priority consideration for repromotion to a vacant position for which he or she is qualified at the grade level formerly held and at any lower grade levels the employee agrees to accept in the commuting area of the position from which he or she was downgraded. An employee's name will be removed from the Repromotion Priority List if the employee declines a valid job offer. (d)
- An employee in RIF Retention Group I or II who has been given a RIF notice that states that he or she will be downgraded shall be given the same priority consideration as specified for employees on a Repromotion Priority List noted in (d) above. (e)

Under these conditions, OP (or, as appropriate, the regional personnel officer) will refer to the selecting official the application of the priority individual to be considered before any other effort, including issuance of a vacancy announcement, is made to identify candidates for the position. (2)

The referred individual must be given bona fide consideration and must be selected, unless the selecting official determines that the selection would not be in the best interest of NRC and this determination is approved by the Director, OP. This determination and the reasons for it must be recorded on Form NRC Form 178 (see

Priority Consideration (D) (continued)

Exhibit 2). Only after this action is taken may another candidate be selected. (3)

If two or more individuals have rights to priority consideration for the same position, their Standard Form (SF) 171s and performance appraisals will be evaluated, and they will compete against each other for the vacancy in accordance with the procedures described in Part VII of this handbook. (4)

An employee with priority consideration rights who is selected in accordance with Section (D)(4) of this part is selected (in competition with all other employees having priority consideration rights for the vacancy) as an exception to the regular competitive procedures of this handbook. (5)

Record of Exception to Competition (E)

When a position is filled without competition as provided in this part, the circumstances identifying the exception to competition are recorded on the SF 50 (see Exhibit 3).

Part III

Vacancy Announcements

Usage (A)

Except as provided under Section (I) of this part, a representative from the Office of Personnel (OP), in consultation with the selecting official, prepares and issues a vacancy announcement for all vacancies filled through the competitive procedures of this handbook.

Preliminary Preparation (B)

When a vacancy or other merit competition opportunity exists, the selecting official contacts the appropriate OP representative to discuss the position, review management's need, and develop a preliminary strategy and estimate of the availability of highly qualified candidates. (1)

A request to post a vacancy includes a Standard Form (SF) 52 (see Exhibit 4), a position description (PD), and a memorandum designating panel members. The OP representative advises the requestor whether rating factors and a crediting plan (as defined in Part VI(B)(1)(a) of this handbook) are already on file or whether they will have to be developed. (2)

The OP representative reviews the position with the selecting official to determine what the job entails (i.e., conducts a job analysis). (3)

The OP representative prepares or modifies a PD, depending on whether a PD already exists that reflects the results of the job analysis. Modification of the PD may include lowering the entry grade level of the position to be filled or designating the position as interdisciplinary

Preliminary Preparation (B) (continued)

(see Exhibit 5) to permit a larger pool of available candidates to apply. (4)

The OP representative and the selecting official identify the rating factors on the basis of the job analysis. This task must be completed before the announcement can be published. (5)

The OP representative prepares a vacancy announcement that specifies the basic qualifications and rating factors that reflect the contents of the PD (see Section (F) of this part for preparation of a vacancy announcement). (6)

Approvals (C)

Generally, when the selecting official and OP representative agree on the vacancy announcement, it will be posted. (1)

Announcements at the GG-14 or GG-15 level must be concurred in by the office director or the regional administrator. This authority may be delegated no lower than division director or equivalent. (2)

When fiscal or ceiling restraints require higher level concurrences to post vacancies, supervisors and managers will be so advised. (3)

Area of Consideration (D)

The area of consideration should be broad enough to allow for a significant number of qualified applicants, but narrow enough to prevent an excessive number of applicants. In determining the area of consideration, consideration should be given to equal employment opportunity objectives, the likelihood of producing sufficient highly qualified candidates without unreasonably restricting fair and open competition, infusion of new ideas and strengths into the organization, and budgetary constraints and cost-effectiveness. (1)

Secretarial vacancies at any level and administrative and clerical vacancies at the GG-9 level and below will normally be announced only within headquarters or the region in which they occur. (2)

Vacancies to be filled by temporary promotions of more than 90 days will normally be announced only within headquarters or the region in which they occur, and normally only applicants from within these areas will be considered. (3)

Area of Consideration (D) (continued)

All other vacancies with a full performance level at the GG-9 level or above will generally be announced throughout the entire NRC as a minimum. (4)

These areas of consideration may be expanded at the request of the selecting official. The areas may be reduced to the extent necessary to ensure bona fide consideration of all qualified candidates within the specified area when for budgetary, ceiling, or similar reasons it is not practical to announce the vacancy over a broader area. Any such exceptions to the normal area of vacancy announcement must be agreed to by the selecting official and approved by the Director, OP, on the basis of the identification of the most probable recruitment sources for highly qualified applicants. (5)

Once the area of consideration has been determined, voluntary applicants from outside the area of consideration will not be considered. (6)

Minimum Open Period (E)

Vacancy announcements must be open for a minimum of 5 working days. To ensure that applicants have adequate opportunity to compete, the open period must be long enough for applicants to obtain the necessary forms and submit them to the appropriate office. (1)

The total length of time a vacancy is posted also depends on a number of factors agreed to between the selecting official and the OP representative, including the area of consideration, the nature of recruitment efforts, urgency in filling the position, and the availability of potential applicants. (2)

Some types of vacancies, such as clerk-typist and nuclear engineer, represent frequent staffing needs in many offices and justify "open" announcements. Such announcements may be advertised as "open until filled." (3)

Contents of Vacancy Announcements (F)

Announcements should provide comprehensive information on the duties and requirements of the position. (1)

Vacancy announcements will be prepared by the cognizant personnel specialist based on input from the selecting official. In addition to the

Contents of Vacancy Announcements (F) (continued)

standard announcement contents developed by the OP representative, the selecting official and the OP representative should discuss the following items for inclusion as part of the announcement. (2)

- The announcement must list the rating factors identified through the job analysis process, including any weighting that may be assigned to individual factors. In addition, sufficient guidance must be provided so that applicants can address the rating factors in terms of evaluation method criteria. (a)
- Any special conditions of employment, special tailored supervisory performance appraisals, payment of travel and transportation expenses, drug testing, consideration of payment of monetary incentives such as a relocation or recruitment bonus, or other such factors, when applicable, must also be included in the announcement. (b)
- General guidance on the types of information that will be reviewed in evaluating rating factors, such as work history, breadth of experience in the field, training, awards, past and current performance, community activities, and so forth, should be listed. (c)
- While not mandatory, external applicants should be encouraged to complete NRC Form 750 (Exhibit 6). The OP representative should attach a copy of this form to the announcement when sent to external applicants. (d)

In describing the basic qualifications in the vacancy announcement, the first basic qualifications option should read as follows: (3)

To meet the basic qualifications for the position, current or former Federal Government employees (and/or NRC employees for NRC-wide vacancies) must have at least 1 year's experience at the next lower grade level in the occupational series (or one of the occupational series listed if the position is interdisciplinary) performing like or similar kinds of duties.

The basic qualifications statement should then continue with other options for meeting the basic or minimum qualifications requirements if the first option is not applicable. (4)

Contents of Vacancy Announcements (F) (continued)

Announcements should contain the following statement: (5)

“Executive Agencies are prohibited from accepting or considering applicants for competitive appointments or positions on the basis of political recommendations from members of Congress, congressional employees, elected State or local government officials, and political party officials. Such officials may only supply statements regarding the character and residence of the applicant.”

Distribution of Announcements (G)

A list of all vacancies is published in the NRC “Weekly Announcements” distributed to all employees and is included in several automated systems. Specific information is provided concerning the individual to be contacted for copies of the vacancy announcement. (1)

Vacancy announcements are posted, as appropriate, in NRC office buildings. (2)

Announcements for NRC-wide and larger areas of competition are distributed to regional offices. (3)

Announcements that are open to non-NRC applicants are provided to other Federal agencies and appropriate local and State employment service offices, and are posted in various vacancy listing publications, with professional groups, and other appropriate sources. (4)

Readvertising Vacancies (H)

Positions for which no action has been taken within 90 days after the closing date of the announcement or within 90 days after applicants are certified to the selecting official for selection will normally be either cancelled or readvertised. In these cases, a notice will be provided in the NRC “Weekly Announcements” vacancy listing and in automated systems advising of the cancellation or readvertisement.

Exceptions to Announcement Requirements (I)

Requirements for a specific vacancy announcement are waived when it is deemed to be in the interest of the NRC to recruit from outside the

Exceptions to Announcement Requirements (I) (continued)

agency rather than moving internal candidates (such as in situations when the agency needs to increase its overall employment strength). The Director, OP, may waive the requirements. In such instances, applicants are referred through the NRC's Applicant Review System (ARS). ARS is an expedited method to eliminate the need to post a vacancy for certain positions. The ARS contains a pool of outside applicants for current and future NRC employment. Applications for employment under ARS are submitted in response to a variety of activities, including advertisements, job fairs and campus visits, general employment inquiries, and other endeavors. (1)

If the current vacancy is, in all essential details, identical to one for which a vacancy announcement was issued within the previous 90 days, the Director, OP, may authorize the selecting official to use the results of the earlier vacancy announcement. (2)

The OP representative documents the exception, in writing, including the reasons for and the approval of the exception, and makes it part of the record. (3)

Part IV

Application Procedures

Responding to Vacancy Announcements (A)

Any NRC employee who wishes to be considered for a vacancy announcement must submit an NRC Form 115 (see Exhibit 7). (1)

All applicants, including employees, must submit an application form as indicated in the announcement. Selecting officials, in consultation with the Office of Personnel (OP), may choose to use a streamlined application format such as that shown in Exhibit 8; a Standard Form (SF) 171, "Application for Federal Employment;" or a streamlined application form that has been developed and approved for use in the NRC by the Office of Management and Budget. The announcement should specify whether the SF 171, the alternate form, or the streamlined format will be used and have a blank copy of the streamlined format or the alternate form attached if it is to be used. (2)

A record of performance assessment, either in the form of an annual appraisal, an NRC Form 561 (see Exhibit 9) for senior staff or supervisory or managerial positions, or a tailored supervisory assessment (see Exhibit 10) must be submitted in accordance with the instructions specified in the vacancy announcement. The tailored assessment forms are especially meaningful when the area of consideration extends, for example, to other Federal employees when little may be known about their annual appraisal system. When a tailored assessment form is used, it is recommended that both the current and the most recent former supervisor complete such an appraisal. If the annual performance appraisal is used, it should be the most current appraisal. If the applicant is unable to obtain a current appraisal, he or she must sign a statement to that effect. (3)

Responding to Vacancy Announcements (A) (continued)

A supplemental information statement addressing the rating factors should be used, when possible. This statement is mandatory for supervisory and managerial positions, and for all positions at the GG-14 or -15 level. In addition, applicants should be advised to include any information about training, awards, or other experiences in the supplemental statement that is directly related to a specific rating factor. (4)

When the area of competition extends beyond the NRC, applicants should be encouraged to submit an NRC Form 750 (Exhibit 6). Although the applicant does not have to complete this background survey related to equal employment opportunity (EEO), he or she should be encouraged to do so to assist the agency in the monitoring of EEO and affirmative action goals. Information on the form is used for monitoring purposes only and will not be considered in connection with the rating or selection process. (5)

OP is not responsible for supplying official personnel files or information from these files to complete or supplement an application. (6)

Only complete applications, with all required and recommended attachments, received in the OP on or before the closing date of the announcement will be considered unless a later date authorized by OP is specifically designated. (7)

List of Absent Employees (B)

OP (and, as appropriate, the regional personnel officer) will maintain lists of employees temporarily absent for military service, for service with public international organizations, or because of a compensable injury and not exceeding 1 year. These employees will be given automatic consideration for appropriate vacancies. It is the responsibility of the employee who will be temporarily absent to notify his or her personnel representative of an interest in being considered for vacancies during the absence and of the length of the absence. The employee must include an updated SF 171 or other approved alternate application form with the written notification.

Open-Until-Filled (OUF)

Application Procedures (C)

OUF announcements are used to recruit for individual hard-to-fill vacancies and to fill positions on a continuing basis over a specified timeframe indicated by the expiration date of the announcement. The timeframe (60–90–180 days or 1 year) is specified in the announcement. (1)

When the announcement is generic to a particular type of position and specifies different areas of geographic coverage, the Director, OP, may restrict the area of consideration for each vacancy. (2)

OP will determine the “closing date” for receipt and consideration of applications for any individual position covered by the announcement. Normally, when multiple positions are being filled throughout the open timeframe, the cutoff date for any individual action will depend on factors such as the number of qualified applications received at any one point or the impact of the complexity of the position on the amount of advance preparation required by a rating panel. Best-qualified preference-eligible candidates will be certified on all OUF certificates. (3)

To ensure consideration, the applicant should submit all specified documents at one time as a complete application package. Once an internal closing date is identified by OP, incomplete applications will be disqualified. The vacancy announcement will indicate which documents are required, as opposed to recommended. Applicants also should be advised that it is to their advantage to submit any recommended documentation. (4)

Applications for OUF announcements are submitted to the rating panel no earlier than 16 working days after the opening date of the announcement. If no selection is made from this group, the OP representative will submit to the rating panel those applications received later than the 16th day, or later than the last group of applications, but before the expiration date of the announcement. (5)

Rejection of Applications (D)

Applications will be rejected for the following reasons:

- A candidate was not within the area of consideration. (1)

Rejection of Applications (D) (continued)

- The applicant does not provide enough information on which to make an eligibility and/or qualifications determination, or the application was not legible. (2)
- The application contained false information, in which case, appropriate authorities will be notified. (4)
- The application was not received in OP by the closing date and no waiver of standard procedures was granted. (5)
- The application was delivered through the U.S. mail in official Government “franked” envelopes, in which case, the application will be returned. (6)
- The application was received after the expiration date of an OUF announcement. (7)
- The application was received after all selections had been made for an OUF vacancy. (8)

Acknowledging Applications (E)

After receipt and before the rating of the application, the OP representative will send the applicant an acknowledgment that indicates receipt of the application and whether the applicant meets the basic qualification requirements for the vacancy.

Keeping Applicants Informed (F)

The OP representative will notify all applicants if the position is cancelled. (1)

The OP representative will notify all qualified candidates of the final outcome of the competition. (2)

Part V

Basic Qualification Requirements

General (A)

The basic qualifications required of candidates for any position are developed through consultation between the selecting official and the cognizant representative from the Office of Personnel (OP). The basic qualifications are determined on the basis of a comprehensive job analysis and must be job related. The basic qualification requirements will be recorded, and information concerning them will be furnished upon request.

Identification of Basic Qualification Requirements (B)

In general, NRC follows the guidance contained in the basic qualification standards for related occupations of the Office of Personnel Management (OPM). (1)

The primary source of basic qualification requirements is the current position description. In using position descriptions, the description of skill required in "Basic Skills" is for full performance after orientation in the position rather than upon entry into the position. Also considered are anticipated expanded functions of the position, if any, such as duties and responsibilities of the future full performance level of a trainee position. (2)

Additional sources of information include the following: (3)

- The immediate supervisor's knowledge of the position (a)
- Requirements of related positions (b)
- Opinions of experts in the occupational field (c)

Selective Placement Factors (C)

Basic qualifications must include any job-related selective placement factors that have been identified through the job analysis, for example, proficiency in a foreign language.

Prohibitions, Limitations, and Special Provisions (D)

Minimum Age (1)

Candidates must be at least 18 years, except the following candidates, who must be at least 16: (a)

- High school graduates, including candidates who have been awarded a High School General Equivalency Diploma or a High School Proficiency Certificate by a State or territorial-level Board or Department of Education. (i)
- Persons who have not graduated (who have “dropped out”) from high school, but who meet either of the following conditions: (ii)
 - Completed a formal training program sponsored by a public or private organization concerned with providing work training for youths that has prepared them for gainful employment (a)
 - Been out of school at least 3 months, not including the summer vacation, and have received a certificate from school authorities agreeing to their employment (b)
- Youth employed during the summer employment program period (May 12 to September 30)—(iii)
- Students employed during vacation periods other than the summer employment program period. (iv)
- Students employed on a part-time basis during the school year on temporary appointments, provided all of the following conditions are met: (v)
 - The work schedule for the student has been established through agreement with school authorities. (a)
 - The school authorities have certified that the student is capable of maintaining good standing in school while employed. (b)

Prohibitions, Limitations, and Special Provisions (D) (continued)

Minimum Age (1) (continued)

- It is clearly understood that as a condition for continuing the part-time employment the student must remain enrolled in school. (c)

The provisions of the Fair Labor Standards Act relating to the appointment of minors under 18 to positions in occupations classified as hazardous should be followed. (b)

State laws concerning minors are applicable to all types of appointments. The OP representative is responsible for ensuring that all requirements of State law are met and for informing the minor's immediate supervisor of any State restrictions on the employment of minors. These restrictions include the number of hours to be worked or the time of day the minor may work. (c)

Maximum Age (2)

A maximum age requirement may not be established in any qualification standard unless specifically required by applicable law or Federal regulation.

Requirements Based on Gender or Physical Factors (3)

Requirements on the basis of candidates' gender or on any special physical factors may be established only when essential to the officially described duties and must be approved by the Director, OP. (a)

Any physical requirements thus established must be waived for any applicant with veterans' preference if, after consideration of the recommendation of an accredited physician, the applicant appears to be physically able to perform the duties of the position efficiently without hazard to self or others. (b)

Special provisions relating to preference-eligible applicants with a 30-percent disability are described in Section (E)(5) of this part. (c)

Educational Requirements (4)

Minimum educational requirements may be established only for a scientific, technical, or professional position when the duties of the position cannot be performed by a person without that education. (a)

Prohibitions, Limitations, and Special Provisions (D) (continued)

Educational Requirements (4) (continued)

NRC generally uses the list of occupations specifying positive educational requirements published by OPM. However, this list shall not be construed as being all-inclusive. If educational requirements are established beyond those described by OPM, this requirement must be approved by the Director, OP, and the reasons for the requirement must be made part of the record. (b)

Personality Tests (5)

Personality tests that are used to appraise personal characteristics are prohibited.

Nepotism (6)

Nepotism prohibitions described in Management Directive (MD) 10.13, "Special Employment Programs," are applicable to special employment programs such as the summer employment and student educational employment programs. Nepotism restrictions described in MD 10.1, "Appointments, General Employment, Details, and Position Changes," are incorporated in this directive by reference.

Basic Qualification Determinations (E)

The designated OP representative, after consultation with the selecting official and other subject matter experts, as appropriate, makes the final determination as to whether a candidate meets the basic qualification requirements for a position. (1)

In cases in which the OP representative and the selecting official cannot agree, the matter will be decided by the Director, OP. (2)

Applicants, to be considered basically eligible, must meet all qualification requirements, including any time-in-grade (rate of promotion) requirements, on or before the closing date of the vacancy announcement. In the case of open-until-filled (OUF) announcements, eligibility requirements must be met upon submission of the application to OP. (3)

Basic Qualification

Determinations (E) (continued)

Applicants will be allowed to update their applications for an OUF vacancy announcement in accordance with guidelines specified in the announcement. If no guidelines are specified, qualification requirements must be met at the time the application is submitted to OP. (4)

If the OP representative, in conjunction with the selecting official, determines that on the basis of evidence before him or her a preference-eligible applicant who has a compensable service-connected disability of 30 percent or more is not able to fulfill the physical requirements of a position for which he or she has applied, the OP representative shall so notify the Director, OP. At the same time, the OP representative, via the Director, OP, shall notify the preference-eligible applicant of the reasons for the determination and of the applicant's right to respond to OP within 15 days of the date of the notification. OP will ensure that the notification was promptly sent to the last known address of the preference-eligible applicant and will, before the selection of any other person for the position, make a final determination on the physical ability of the preference-eligible applicant to perform the duties of the position, taking into account any additional information provided. When the Director, OP, has completed a review of the case, the preference-eligible applicant will be notified. (5)

For vacancies advertised at multiple grade levels, the OP representative will determine whether the applicant meets the basic qualifications for the lowest of the advertised grade levels for which the applicant has indicated availability, as well as for any of the higher advertised grade levels. (6)

Qualification Requirements for

Operation of a Federal Motor

Vehicle (F)

For the special qualifications and examination requirements that must be met before an appointment to an NRC position requiring the regular operation of a Federal motor vehicle, see MD 13.5, "Motor Vehicle Operator Standards."

Part VI

Developing Rating Factors

Rating Factors (A)

The selecting official, with the advice and assistance of the Office of Personnel (OP) representative, will establish, on the basis of a comprehensive job analysis, the job-related rating factors for the position to be filled. The factors should include only those considered to be valid predictors of successful performance in the position. (1)

Rating factors are established in addition to the basic or minimum qualifications for a position described in Part V of this handbook. (2)

Rating factors based on careful job analysis should include not only the occupational knowledges needed to perform the duties of the position, but also the skills and abilities required. These abilities include interpersonal skills and teamwork when they are directly related to the position, such as in project or team leader positions or supervisory or managerial positions. (3)

Rating factors must identify and be described in terms of the measurable skills, knowledges, and abilities for which a method can be developed that distinguishes the best qualified "A" candidates from the qualified "C" candidates (see (B)(2)(b) of this part for evaluation levels). (4)

Rating factors are listed in the vacancy announcement, along with sufficient guidance for the applicant to use in describing skills, knowledges, and abilities for the position. (5)

Rating Factors (A) (continued)

Rating factors may receive equal weight, or, if one or more factors is/are more important to successful performance in the job, it/they may be weighted. Any weighting must be clearly stated in the vacancy announcement. (6)

Generally, from three to seven rating factors are identified for evaluation purposes, with five being the most common number. The OP representative and selecting official should keep the number of rating factors to the minimum required for evaluating candidates and making meaningful distinctions among them. (7)

Generally, rating factors should be identified when the position is described and evaluated. The factors should remain constant as long as the described duties and responsibilities are unchanged. When a position is modified, the rating factors should be reviewed to determine whether they also should be modified. (8)

When positions to be filled are interdisciplinary in nature, that is, they can be filled by individuals from several occupational backgrounds, this fact must be reflected in the rating factors. (9)

Once the vacancy announcement is published, no change can be made in the rating factors, including any weighting, unless an amended vacancy announcement is published to describe the changes. (10)

All supervisory and managerial positions, in addition to identifying appropriate job-related technical rating factors, must include the two mandatory supervisory/managerial factors: the interpersonal skills factor and the leadership skills factor, as described below. Additional supervisory/managerial factors may be added if relevant to the type and level of supervisory or managerial position being filled. (11)

- **Interpersonal Skills (a)**

This factor should address the skills involved in oral and written communication, networking, problem-solving and conflict resolution, coaching and counseling, flexibility and decisiveness, negotiating and representation abilities, and working with subordinates, supervisors, peers, and others. (i)

The following is a sample rating factor: (ii)

Rating Factors (A) (continued)

- **Interpersonal Skills (a) (continued)**

Sample Rating Factor for Interpersonal Skills. Demonstrated ability to communicate well, both orally and in writing; demonstrated ability to use informal and formal networks to build support for programs; demonstrated ability to establish effective working relationships with subordinates, supervisors, peers, and Government and industry officials of diverse backgrounds to foster a motivated team atmosphere; and demonstrated ability to develop and implement successful approaches to problem-solving and conflict resolution.

- **Leadership Skills (b)**

This factor should address the abilities involved in managing a diverse workforce; team building; identifying personnel needs; selecting, motivating, and developing personnel; applying equal employment opportunity (EEO) principles and practices; balancing work to establish a range of career opportunities; planning for the short range and the long range; establishing standards and evaluating performance; ensuring adequacy of internal controls; identifying labor market conditions affecting availability of resources; recognizing potential; and the ability to delegate authority. (i)

The following is a sample rating factor: (ii)

Sample Rating Factor for Leadership Skills. Ability or potential to provide technical and programmatic leadership and to effectively utilize human resources. Ability or potential to supervise a technical staff as demonstrated by success in formulating program goals and objectives, planning long-term and short-term program activities, establishing and controlling procedures and schedules of work products or programs, coordinating and managing technical personnel, establishing methods for evaluating the effectiveness of work programs or procedures, and reviewing and evaluating technical findings and conclusions.

Rating Factors (A) (continued)

Each of these two mandatory rating factors should be tailored to fit the specific requirements of the supervisory or managerial position being filled. The tailored supervisory appraisal format for appraising supervisory and managerial positions should be used to assess potential and performance (see Exhibit 10). (12)

All other nonsupervisory positions at the GG-14 or GG-15 level must include as a mandatory rating factor interpersonal skills unless the Director, OP, waives this requirement on the basis of a job analysis that determines interpersonal skills are not part of the requirements of the position. (13)

Evaluation Against Rating Factors (B)

General Information (1)

The selecting official with the advice and assistance of OP determines the method by which the skills, knowledge, and abilities of applicants are evaluated in relation to the rating factors that are identified for the position.

Structure (2)

For each of the rating factors identified for the position, candidates will be evaluated and placed in the following three qualification categories: (a)

- Category “A” describes the requirements for those candidates whose overall qualifications for the position are *best qualified* in relation to the requirements of the position. The qualifications of the candidates, as determined through evaluation of the application and, when used, interview and reference materials, substantially exceed the basic requirements to the extent that it appears that the candidates will be *exceptionally effective* in the position. (i)
- Category “B” describes the requirements for those candidates whose qualifications are *highly qualified* for the position, that is, the candidates exceed the requirements but are not among the best qualified. The qualifications of the candidates, as determined through evaluation of the application and, when used, interview and reference materials, exceed the basic requirements to the extent that it appears that the candidates will be *very effective* in the position. (ii)

Evaluation Against Rating Factors (B) (continued)

Structure (2) (continued)

- Category “C” describes the requirements for those candidates whose qualifications *meet but do not exceed*, the *requirements* of the position. The qualifications of the candidates meet basic requirements to the extent that it appears that the candidates will be *reasonably effective* in the position. (iii)

Intermediate ratings such as “B+” or “A–” may not be used as overall qualifications category ratings. (b)

Content (3)

The qualifications that distinguish among the three categories should include multiple measures that assess the candidate’s qualifications. The category descriptions must be specific enough to distinguish differences in the qualifications but not so narrow as to eliminate high-quality candidates from nontraditional recruiting sources. Descriptors must contain empirical evidence that supports them as representative of the specified level of quality. The category description for each factor should discuss the following:

- Experience in terms of quality. Breadth and depth of experience by category should be included. Appropriate examples are helpful. Recency of experience may be a factor in the evaluation process and should be indicated when applicable. (i)
- Education, including recency and application to the position being filled, when directly related. If credited, an education beyond any basic minimum occupational educational requirements must be identified as predictive of competency and quality at the level to which it is assigned. (ii)
- Awards applicable to both the rating factor being evaluated and representative of the category level. (iii)
- Development and training, including self-development activities. (iv)
- Outside activities enhancing the candidate’s ability to effectively perform the duties of the position in relation to the rating factors. (v)
- Appraisals of performance, especially when performance is linked directly to the rating factors being evaluated. (vi)

Part VII

The Evaluation Process

General Information (A)

Although a rating panel is preferred, the evaluation and rating of candidates may be performed by the selecting official, a rating official, or a rating panel. (1)

All evaluation and rating of candidates must be accomplished with the assistance and advice of the designated representative of the Office of Personnel (OP). (2)

All vacancies at the GG-12 level and above and all supervisory or managerial positions must use a rating panel. The collective bargaining agreement with the employees' exclusive representative also may require the use of rating panels for certain bargaining unit positions. (3)

If a rating official is used, that official must be an NRC employee chosen by the selecting official. The rating official's grade level must be equal to or exceed the highest grade of the vacancy. (4)

In any case in which there are three or fewer qualified applicants for a position otherwise subject to rating panel review, the Director, OP, may grant an exception to the required use of a rating panel. (5)

The OP representative will provide guidance to selecting officials, rating officials, and/or panel members on their specific responsibilities in evaluating candidates before the evaluation process. (6)

When a rating official or panel is used, their ratings of candidates will become the final ratings of the candidates. The selecting official may not change the ratings. (7)

Tests (B)

No test shall be used in the NRC unless it has been approved by OP, thus ensuring proper validation. (1)

Whenever tests are used for qualification evaluation purposes, steps will be taken to ensure the following: (2)

- Administration, scoring, and interpretation of results are in accordance with accepted professional standards. (a)
- Results are released to employees and management officials only in such form as will be meaningful to the recipients. (b)

Basic Qualifications Review (C)

The OP representative evaluates the applicants to determine which applicants meet the basic or minimum qualifications and eligibility requirements. (1)

After the OP representative determines eligibility, the application materials from all qualified applicants are referred to the rater for evaluation against each of the rating factors. Applicants who are eligible for reassignment and do not have to be rated may be referred to the selecting official. All applicants eligible for reassignment to supervisory positions and to nonsupervisory positions at the GG-15 level will be rated. (2)

When the rater is either the selecting official or a designated rating official, the rater will evaluate qualified applicants against the rating factors following the guidelines described in this part for rating panels. (3)

Before the evaluation process by a rating official or a rating panel begins, the selecting official has the opportunity to address the rater(s) to clarify his or her perspective on the rating factors, the crediting plan, and the position requirements. Any discussion will be limited to job-related information and will not include applicants or projected outcomes. All comments must be made in the presence of the OP representative to ensure adherence to merit principles. (4)

Selection of Rating Panel Members (D)

All rating panel members must be approved by the office director or the regional administrator (or designee), who also will designate a chairperson from among the members to preside over the panel proceedings. (1)

The designated OP representative will be a nonvoting member of the panel. The grade level of the OP representative is not restricted because the OP representative is a nonvoting member. (2)

Rating panels also will consist of at least three voting members. The grade levels of these voting members will be equal to or exceed the highest grade of the vacancy. An odd number of panel members is helpful in order to avoid tie votes during evaluation deliberations. (3)

To allow for as wide a point of view as possible, at least one panel member should be an employee of an office other than the office in which the vacancy exists. (4)

Each office may designate a roster of potential rating panel members if sufficient staff are available. (5)

- Diversity should be considered when appointing individuals to rosters. (a)
- The roster should consist of a sufficient number of panel members at the grade levels appropriate to the grade levels of the anticipated vacancies. (b)
- OP will coordinate the selection of panel members for specific panels from these rosters, if they have been drawn up. (c)
- The roster should be changed periodically, for example, every 6 months to 1 year. (d)

All panel members, once designated to serve, will receive an orientation on the panel's responsibilities and the panel rating process. (6)

The selecting official and the supervisor of the vacant position are prohibited from serving on the rating panel. Additionally, a direct subordinate in the chain of command to the supervisor normally should not serve on the panel. (7)

Selection of Rating Panel

Members (D) (continued)

Individuals serving as mentors are prohibited from serving as panel members if their current mentees are applicants for the position. (8)

If the subject matter expertise of persons subordinate to the supervisor is required for the effective evaluation of the candidates, no more than one such person may serve on the panel. (9)

The selecting official and the supervisor are prohibited from taking any action that might influence the vote of any panel member. (10)

The Director of OP, the Inspector General, the Director of Small Business and Civil Rights, the Civil Rights Program Manager, and the Affirmative Action and Federal Women's Program Manager are prohibited from serving on any rating panel. This prohibition is invoked to preserve their objectivity in the possible future investigation, counseling, and/or processing of any formal complaint of impropriety or discrimination filed in connection with the actions of a panel or the selection process in general. This prohibition does not extend to other OP employees. (11)

Functions of Panel Members (E)

The functions of the OP representative are to ensure that merit principles are observed and to provide professional advice to the voting panel members concerning personnel policies, practices, and procedures, as well as to provide assistance to the panel members. The OP representative has the authority to stop the panel proceedings if he or she determines that a prohibited personnel practice or a violation of merit principles is occurring. (1)

Rating panel members are responsible for—(2)

- Observing merit principles in their deliberations (a)
- Evaluating the qualifications of all qualified applicants so that they can assign a rating to each specific factor for each qualified applicant (b)

Functions of Panel Members (E) (continued)

- Assigning a final overall qualifications category rating to each qualified applicant (Within each category, applicants are considered to be equivalently qualified thereby providing the selecting official the broadest possible choice of candidates. Refer to the collective bargaining agreement with the employees' exclusive representative for provisions concerning candidates for bargaining unit positions.) (c)
- Providing a list of all eligible applicants rated in each qualifications category for certification to the selecting official (d)

Convening the Panel (F)

After the OP representative has determined which applicants meet the basic or minimum qualifications and eligibility requirements, the panel chair or the OP representative will convene the panel and forward materials to the panel as quickly as possible. (1)

The OP representative will attend all panel meetings as a nonvoting member and technical advisor. In special cases, for example, when the panel is located in a different commuting area, the OP representative may participate in the meeting through a telephone conference call. (2)

Designated panel members who have not been provided with a basic orientation on panel responsibilities and the rating process will be briefed before the first full meeting of the panel. (3)

Preliminary Panel Review (G)

Panel members will ensure they are familiar with the requirements of the position to be filled through review of appropriate documents, including the position description and the vacancy announcement as a minimum. At this time, the supervisor of the position or a designated subject matter expert may wish to discuss the requirements of the position and to answer any question the panel may have regarding position requirements, the rating factors, or the method of evaluation. (1)

Panel members should work with the OP representative in determining how to resolve any questions that arise from the panel's review of factual material presented by applicants in support of their qualifications. (2)

Preliminary Panel Review (G) (continued)

If there are a large number of qualified applicants, the panel may choose to tentatively rate each qualified applicant independently and then reconvene to compare ratings and agree on a mutual rating for each qualified applicant. (3)

The panel may prefer to tentatively rate each qualified applicant together, arriving at a mutual rating without having independently made an individual rating. (4)

Tentative Ratings (H)

Panel members must evaluate all applicants the OP representative finds basically or minimally qualified. Panel members must review and evaluate each qualified applicant's materials (application, supplemental statement, appraisals, training, awards information, and so on) against the factor level descriptions in the crediting plan, with due regard for any required capacity for growth and development. Panel members should give significant consideration to performance in relation to the qualifications categories for each factor. (1)

The panel must assign a tentative qualifications category rating of "A," "B," or "C" to each rating factor and to an overall rating for each applicant. The overall qualifications category rating must be agreed to by a majority of the panel members. (2)

The panel may use any logical and consistent system for rating individual factors and for arriving at a tentative overall qualifications category rating of "A," "B," or "C" for each qualified applicant. The panel must apply the system consistently to each applicant. (3)

The tentative overall rating must be logically tied to the tentative individual factor ratings. In cases in which an applicant's overall rating falls evenly between two qualifications categories, the higher of the two qualifications category ratings shall be assigned. (4)

When the vacancy announcement has been publicized at multiple grades, candidates shall be rated at the lowest grade for which they have indicated availability and also for any higher grades for which they meet the basic qualifications. This practice may result in the applicant's receiving the same ratings at all three grade levels or lower ratings at the higher grade levels because the requirements of the higher graded position are more stringent. This result will vary from case to case, depending on the type of position, the span of grade levels involved, and the qualifications of individual applicants. (5)

Tentative Ratings (H) (continued)

On the basis of the tentative ratings, the panel may wish to obtain further information from reference checks with supervisors or others knowledgeable about the applicants skills, knowledges and abilities, or interviews with applicants within a qualifications category. This procedure is most frequently followed when a large number of individuals are tentatively assigned to the "A" group. Panels may prefer to interview tentative "A" category applicants for positions at GG-14 and GG-15. The reason(s) for any interviews, including a general statement explaining what information about the candidate the interview was intended to elicit, should be prepared for the record. (6)

When interviews are not used, the tentative ratings become the final ratings. (7)

Evaluation Interviews (I)

The panel may hold evaluation interviews to assess job-related qualities in the applicant that can be determined through the interview process, such as oral communications skills or to refine evaluations tentatively made through the review of the application documents. These assessments may include determining the depth or breadth of experience of the applicant, obtaining additional information about the applicant not readily obtainable otherwise, or similar reasons. (1)

Information obtained during the interview may influence one or more of the ratings tentatively assigned to the applicant. (2)

Before conducting any interviews, the panel must have completed the tentative rating process. (3)

When the panel determines it is necessary to interview candidates before assigning a final rating, the panel must ensure the consistency of the interview policy to ensure merit principles are observed. All candidates in a group (e.g., tentative A candidates) should be interviewed if one is interviewed. (4)

Interviews may be in person or by telephone. (5)

Interviews should be well planned in terms of observations, the evaluation standards to be applied, questions to be asked, and the procedures for conducting the interview session. (6)

A written record of the interview should be developed. (7)

Evaluation Interviews (I) (continued)

Each interviewed applicant must be treated uniformly. Thus, each interviewed applicant must be interviewed by the panel as a group rather than by individual panel members. If it is not possible for all members of the panel to be present, the results of the interview must be communicated to the absent member by the members who were present. In no instance may only one member of a panel conduct the interview. (8)

The same general subject matter must be covered with each interviewee. (9)

Because interviews give only a brief, general impression of the applicant and are conducted in a setting that may not be representative of the work situation. (10)

At its option, NRC may authorize travel expenses for interviews in accordance with applicable travel regulations. (11)

Final Ratings (J)

Once the panel factors any additional information obtained by reference checks or interviews into the ratings, the panel will assign a final rating of "A," "B," or "C" to each qualified applicant. (1)

Within each category, applicants are considered to be equivalently qualified, thereby providing the selecting official the broadest possible choice of candidates. The panel cannot "rank" applicants within the category. See the collective bargaining agreement with the employees' exclusive representative for provisions concerning candidates for bargaining unit positions. (2)

The panel must use the same system to assign final ratings as that used to assign individual factor and overall tentative ratings, and the panel should ensure that overall ratings are logically tied to the individual factor ratings. (3)

Final evaluation ratings will be based solely on application documents submitted by the applicants, reference inquiries, performance appraisals (annual and/or tailored), and applicant interviews, if any. (4)

A majority of the panel members must agree to the overall qualifications category rating. (5)

Documentation (K)

All individual rating factor ratings and the agreed-upon final ratings will be recorded on the selection certificate by the OP representative. Panel members shall sign the form to indicate that the recorded ratings accurately reflect the panel's action. This form, all application materials, and all official records of the panel, including formal interview summaries and reference checks, will be given to the OP representative for review of compliance with applicable regulations. (1)

The panel must develop a record of their proceedings sufficient to ensure that any resulting selection action can be reconstructed when necessary. (2)

The OP representative is responsible for ensuring that the merit competition record file contains the documents necessary to reconstruct the action. (3)

Uncirculated personal notes, preliminary candidate evaluations, and other documents and working papers of a panel member are not agency records and should not be included as part of the official records of panel proceedings. These uncirculated personal notes are the individual panel member's personal property and may be retained as a memory aid or discarded. However, if personal notes are shown to another panel member, or to anyone else, they become an agency record, and if retained by the panel member or included in the panel record, the notes are subject to disclosure. (4)

Records of panel proceedings are subject to the requirements of the Freedom of Information and Privacy Acts and are maintained by OP or the regional personnel officer, as appropriate, for 2 years after the date of selection. (5)

Exceptions to the Rating Panel Procedures (L)

Any exception or deviation from the described administrative or procedural requirements, in addition to the exception for three or fewer qualified applicants, may be granted by the Director, OP. Each exception or deviation and the reasons for it will be documented in writing and will become part of the selection action record for the position to which it pertains.

Part VIII

The Selection Process

Order of Consideration (A)

General (1)

In the event that no candidates possess priority consideration rights or merit an exception to competition that is required or authorized, candidates for a vacant position will be certified for selection by qualifications category. Candidates in the highest qualifications category will be considered first. Candidates in a lower category such as "B" cannot be certified for selection or considered if candidates are available in the higher category of "A." (a)

At no time can candidates in a lower qualifications category appear on the same certificate as candidates in a higher qualifications category. (b)

All qualified applicants who are eligible for noncompetitive movement (including lateral reassignments, transfers, and individuals eligible for repromotion) into the position are certified to the selecting official in alphabetical order, without individual factor ratings and without being placed in an overall qualifications category, with the exception noted below. They are certified on the basis of eligibility only and are considered along with the competing candidates certified in the highest available qualifications category. An exception to this practice covers applicants who are eligible for noncompetitive movement into GG-15 positions or into supervisory positions at any grade level. These applicants are rated. (c)

Veterans' Preference (2)

Except as noted below, outside non-Federal candidates are considered in accordance with veterans' preference requirements as follows:

Order of Consideration (A) (continued)

Veterans' Preference (2) (continued)

- Outside candidates for professional and scientific positions at the GG-9 level or higher, or at comparable pay levels, are considered *within each qualifications category* in the following order: (a)
 - Ten-point veteran preference-eligible candidates (i)
 - Five-point veteran preference-eligible candidates (ii)
 - Nonveterans (iii)
- Outside candidates for positions other than those described above are considered in the above order with the following exceptions: (b)
 - Qualified disabled veterans who have compensable, service-connected disabilities of 10 percent or more are considered before any other outside candidates *regardless of the qualifications categories of the other candidates*. (i)
 - Regardless of qualifications category, outside candidates not entitled to veterans' preference may not be selected for positions of guard, elevator operator, messenger, or custodian if there are any qualified outside candidates with veterans' status. (ii)
- The above procedures pertaining to veterans' preference considerations also will be applied to any group of applicants being referred for consideration as part of the Applicant Referral System (ARS). (c)
- Generally, when considering outside non-Federal candidates, a nonveteran may be hired only when veterans are not available within the highest rating category. (d)
- Veterans' preference procedures are not applicable to NRC applicants with NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) status or to other Federal Government applicants with Career or Career Conditional status. (e)

Order of Consideration (A) (continued)

Veterans' Preference (2) (continued)

- When the selecting official wishes to pass over a veterans-preferred outside candidate (except for guards, elevator operators, messengers, or custodians) to select another outside candidate without veterans' preference other than an outside candidate covered by an exception listed below, the reasons must be described in writing and approved by the Director, Office of Personnel (OP). A copy of the reasons must be given to the veterans' preference-eligible candidate upon his or her request. (f)
- Outside candidates in the following groups may be considered and selected without regard to the veterans' preference requirements described above. (g)
 - Former employees of the NRC or the Atomic Energy Commission (AEC) eligible for reinstatement to a position in the NRC. (i)
 - Former employees of any Federal agency who are eligible for reinstatement to a Federal position. (ii)

Positions at Multiple Grades (3)

When the vacancy has been publicized at multiple grade levels, applicants are certified and considered separately in the order indicated above for each grade level.

- Applicants in the highest available qualifications category and noncompeting candidates are certified and considered for the lowest grade for which they have indicated availability, and also for any higher grades for which they are in the highest available qualifications category. (a)
- The selecting official may select a candidate from among the competing candidates in the highest available qualifications category in any given grade level, regardless of the possible availability of candidates in a higher qualifications category at another grade level. Similarly, the selecting official may select a noncompeting candidate at any grade level. (b)

Order of Consideration (A) (continued)

Reinstatement Eligibility (4)

Former NRC and/or former AEC employees and former Federal employees from other Federal agencies who have served under any appointment without time limitation that was subject to the NRC merit selection system are eligible for reinstatement when reinstatement is made within the time limits, as follows:

- Former employees who have completed the service requirement for an NRC Regular (Excepted) appointment may be reinstated without time limitation. (a)
- Former employees entitled to veterans' preference may be reinstated without time limitation. (b)
- Former nonveteran employees who have not completed service requirements for an NRC Regular (Excepted) appointment may be reinstated within 3 years following the date of their separation from NRC employment. (c)

Exception to the Order of Consideration (B)

When authorized by the Director, OP, consideration may be limited to NRC employees or NRC employees within a specific office if, for budgetary, ceiling, or similar reasons, it is not practical to appoint any additional personnel.

Responsibilities of the Selecting Official (C)

Options Concerning Panel Ratings (1)

The selecting official may not change the panel's final overall qualifications category rating. (a)

If the selecting official disagrees with the ratings, he or she may remand the merit selection package or the selection certificate to the rating entity, along with reasons for the disagreement, for the rating entity's reconsideration. (b)

The selecting official is not required to select any of the applicants rated and certified by the panel. (c)

Responsibilities of the Selecting Official (C) (continued)

Options Concerning Panel Ratings (1) (continued)

- The selecting official may reject the panel's findings after consultation with the OP representative and seek additional candidates through reposting the vacancy and initiating a new recruitment process. (i)
- The selecting official may select a noncompeting, and thus not rated, candidate for the vacancy (see Section (A)(1)(c) of this part). (ii)
- The selecting official may cancel the vacancy and not fill the position. (iii)

If the selecting official exercises any of these options, he or she must have a sound managerial reason for doing so and should document the reason in the selection file. (d)

The selecting official may make a selection from those certified as best qualified. (e)

Reference Checks (2)

Selecting officials should conduct reference checks with current and previous supervisors, and, as appropriate, others who can provide job-related information on the candidates. (a)

Selecting officials may consider any job-related information in evaluating candidates. (b)

Interviews (3)

Interview information collected by the selecting official is not intended to refine or change the ratings, but rather to serve as an aid in making a selection from among essentially equivalently qualified candidates. (a)

Responsibilities of the Selecting Official (C) (continued)

Interviews (3) (continued)

As with panel interviews, if the selecting official interviews, the interviews should be well planned, structured, and applied uniformly to all best qualified candidates on the selection certificate. Interviews may be in person or by telephone. (b)

Travel expenses for interviews by the selecting official may be authorized at the NRC's option in accordance with applicable travel regulations. (c)

Suspension of Selecting Authority (4)

The Director, Office of Small Business and Civil Rights (SBCR), has the authority to recommend to the Executive Director for Operations (EDO) that the authority of any office to make personnel selections be suspended if the office demonstrates a lack of good faith in complying with NRC equal employment opportunity (EEO) policies and procedures. (a)

The Director, SBCR, will recommend to the EDO the establishment of rating panels in these instances. The Chairman will be informed of any panel recommendations and subsequent actions. (b)

An apparent lack of good faith may stem from many sources. Suspension of selection authority will depend on the particular facts in a given situation, the seriousness of the allegation, if any, and will occur only after consultation with the selecting official, the office director, and any other appropriate agency officials. (c)

If efforts to resolve the problem are unsuccessful, the EDO will inform the office director by memorandum of the details of the suspension of selecting authority. A copy of this memorandum will be forwarded to the Director, OP, who will institute appropriate procedures. (d)

Selection (5)

The selecting official will then make a selection from the certificate and notify OP or return the selection certificate to OP without making a selection.

Certification and Records (D)

The OP representative will supply NRC Form 178 (Exhibit 2) to record applicant evaluation, certification, and selection. This form documents the selection and verifies that it has been made in accordance with merit selection principles and appropriate veterans' preference requirements. It is completed as part of the process of filling positions under the competitive procedures discussed in this handbook. The component parts of the form are used as follows: (1)

- The "Candidate Evaluation Record" shows all qualified candidates who have been considered, the qualifications categories assigned, and the veterans' preference status, if applicable. It also shows the rating factors used. The final qualifications category rating is also shown. This part is generally completed by the rating panel, with technical assistance from the OP representative. (a)
- The "Certification Record" lists only those candidates certified for selection from whom a selection may be made in accordance with merit principles and requirements. This part is completed by the OP representative, who then forwards it to the selecting official along with the application materials of the candidates listed and the "Candidate Evaluation Record." (b)
- The "Selection Record" shows the candidate(s), if any, selected by the selecting official from among those listed in the "Certification Record." If no candidate is selected, this fact is documented. This section is signed by the selecting official. (c)

OP (or the regional personnel officer, as appropriate) will maintain records of each vacancy filled under the competitive procedures described in this handbook for 24 months from the date of selection; OP will then destroy these records unless legal considerations require that the records be maintained for a longer period. The OP representative will ensure that each merit competition file contains all records, including panel records, necessary for the possible reconstruction of the action. (2)

Any materials forming a part of the selection files will be disclosed, as required, in accordance with provisions of the Privacy and Freedom of Information Acts. (3)

Confidentiality of any crediting plan will be maintained as required by law. (4)

Grievances (E)

Employees have the right to file a complaint relating to an action processed in accordance with the competitive procedures described in this handbook. (1)

Complaints will be resolved under EEO procedures, the agency grievance procedure, or the negotiated grievance procedure, as appropriate. (2)

Although the application of the procedures used by NRC to identify and rate qualified applicants is a proper subject for a grievance, nonselection from among a group of properly rated and certified candidates is not. (3)

If it is determined that an employee's name, through error, was not placed in the highest available qualifications category referred for consideration by the selection official when it should, absent the error, have been on the list, the employee is entitled to priority consideration as described in Part II of this handbook. This determination may be the result of a formal process or through a subsequent finding by the OP representative. (4)

Release of Employees (F)

General (1)

Every employee within the area of consideration specified in the vacancy announcement has a right to apply for any vacancy for which he or she is qualified, irrespective of whether the position would represent a promotion, a voluntary change to a lower grade, or a lateral reassignment. (a)

Every selecting official is obliged to genuinely consider each certified applicant for the vacancy. (b)

Promotion (2)

The applicant who is selected for promotion or for a position that offers known promotion potential has a right to the position because his or her value to the organization will be enhanced when the employee assumes more significant duties. This employee will normally be released by the employing organization by the end of the first full pay period following the request for release on a case-by-case

Release of Employees (F) (continued)

Promotion (2) (continued)

basis. A release may be delayed based on workload considerations if agreed to between the employing and acquiring organizations; however, in this case, the individual will normally be promoted to the position and then detailed to the former position during the period of extension.

Reassignment Issues (3)

An applicant for a lateral reassignment or a voluntary change to a lower grade, without known promotion potential or with promotion potential that does not exceed that of the individual's current assignment, has a right to be considered for a position but does not have a right to that position. This individual's value to the agency may be as great or greater in his or her current position. Every such candidate must be considered. If selected, and if the applicant's current employing organization objects to releasing the employee, the losing organization may document its reasons, and the issue will be decided by the NRC official exercising managerial direction over both organizations. (a)

The individual's contributions to the agency in the current position versus potential contributions in the new position and the priorities of the respective programs; the individual's personal desires and career aspirations; and the negative effect on the employee's motivation and morale resulting from a denial of the reassignment will be carefully weighed in making the final decision. (b)

Exhibit 1

Agreement for the Movement of Personnel Between the Civil Service System and the Nuclear Regulatory Commission (NRC)

In accordance with the authority provided in section 6.7 of the Civil Service Rules, employees serving in positions in the Nuclear Regulatory Commission (NRC) may be appointed to positions in the competitive civil service, and employees serving in positions in the competitive civil service may be appointed to positions in the NRC subject to the following conditions:

1. Type of appointment held before movement

Employees of the NRC must be serving in continuing positions under NRC regular appointments (excepted) or NRC regular appointments (excepted) (conditional). Employees in the competitive civil service must be serving in continuing positions under career-conditional or career appointments.

2. Qualification requirements

Employees of the NRC must meet the qualification standards and requirements for the position to which they are to be appointed in accordance with Civil Service Commission (CSC)* established regulations for transfer of employees within the competitive civil service. Employees in the competitive service must meet the regular standards and requirements established by the NRC for appointment to the position.

3. Length of service requirement

Employees of the NRC must have served continuously for at least 1 year in the NRC before they may be appointed to positions in the competitive civil service under the authority of this agreement. Employees in the competitive civil service must have completed the 1-year probational period required in connection with their career-conditional or career appointments in the competitive service before they may be appointed to positions in the NRC under the authority of this agreement.

4. Selection

Employees of the NRC may be considered for appointment to positions in the competitive civil service in the same manner that employees of the competitive service may be considered for transfer to such positions. Employees in the competitive service may be considered for appointment to a position in the NRC on the basis of their qualifications for the positions to be filled without regard to the order of selection within qualification

*Now the Office of Personnel Management (OPM).

Exhibit 1 (continued)

4. Selection (continued)

categories provided for in the special plan approved by the CSC for the NRC under Section 302.104 of the Civil Service Regulations.

5. Type of appointment granted after movement

Employees of the NRC who are appointed to competitive positions under the terms of this agreement will have career or career-conditional appointments, depending upon whether they meet the 3-year service requirement for career tenure. The service which commences with an NRC regular appointment (excepted) or an NRC regular appointment (excepted) (conditional) will be acceptable toward meeting the service requirement. Employees of the competitive civil service who are appointed to positions in the NRC under the terms of this agreement will receive NRC regular (excepted) appointments or NRC regular (excepted) (conditional) appointments, depending upon whether they meet the 3-year service requirement for career appointment.

6. Probationary and trial periods

Employees who are appointed under this agreement will not be required to serve new probationary or trial periods.

7. Status

NRC employees who are appointed in the competitive civil service under the terms of this agreement will receive competitive civil service status. Thereafter, such employees will be entitled to the benefits and privileges provided by the CSC's rules, regulations, and instructions for persons having a competitive civil service status. Employees of the competitive civil service who are appointed by the NRC under the terms of this agreement will have whatever privileges are normally provided by the NRC to persons who initially receive NRC regular (excepted) to NRC regular (excepted) (conditional) appointments in that agency.

8. Effective date

This agreement becomes effective on October 1, 1975, and shall expire, unless renegotiated, on December 31, 1978.* Further, this agreement may be terminated thirty (30) days following notice from either agency.

//S//

William S. Anders, Chairman
Nuclear Regulatory Commission

10/28/75
(Date)

//S//

Robert E. Hampton, Chairman
United States Civil Service Commission

10/6/75
(Date)

*Extended without time limitations by Federal Personnel Manual (FPM) Letter 315-12, dated December 29, 1978.

Exhibit 1 (continued)

Office of Personnel Management (OPM) Clarification of Requirements for Noncompetitive Movement

In response to a March 23, 1984, query to OPM regarding the Interchange Agreement and the issue of noncompetitive movement of career employees between the Nuclear Regulatory Commission (NRC) and the competitive civil service, OPM sent the following response.

“Dear Mr. Bird:

This refers to your letter of March 23, 1984, and subsequent discussions concerning the requirements for noncompetitive movement of career employees between the Nuclear Regulatory Commission and the competitive civil service.

In your letter, you voice concern that the provisions of the Federal Personnel Manual (FPM), regarding noncompetitive appointment in the competitive service based on service under other merit systems (FPM chapter 315, subchapter 6, paragraph 2(c)), are more restrictive than, and significantly different from, the language of the Interchange Agreement for the Movement of Personnel Between the Civil Service Commission-now OPM-and NRC in 1975). Specifically, you point out two areas of contention: the type of appointment an NRC employee must serve under to be eligible for noncompetitive appointment into the competitive service; and the period of service required for eligibility to move under the agreement. In both instances, the language of the interchange agreement, in comparison to the FPM, is seemingly open to more than one interpretation.

Implicit in OPM’s decision to enter into an interchange agreement under civil service rule 6.7 is an affirmative finding that the agreement meets the requirements of law concerning appointments to the competitive service and that the movement permitted by the agreement will promote good civil service administration. Any interpretation of an agreement that is adverse to OPM’s responsibility to administer the civil service system, pursuant to established requirements, is void and lacking of any legal effect. OPM cannot be made to accept an interpretation that was beyond its understanding of the terms of the agreement at the time the agreement was entered into.

Thus, it is our opinion that the interchange agreement, though not as precisely stated, was intended to mirror the meaning of the FPM language regarding the length of service required for movement. We cannot agree, that the language of the agreement clearly affords eligibility for noncompetitive appointment to persons who do not have 1 year of continuous service immediately before the move. Paragraph 3 of the agreement states that, “Employees of the NRC must have served continuously for at least 1 year in the NRC before they may be appointed to positions in the competitive civil service”. This requirement, in conjunction with the requirement in Paragraph 1 that the employees be serving in qualifying NRC appointments at the time of noncompetitive movement, should be read as requiring that employees have 1 year of continuous service before the move.

Exhibit 1 (continued)

Further the use of the word "continuous" clearly indicates that breaks in service affect eligibility for movement. Although the agreement does not contain a direct reference to breaks in service, the use of the word "continuous" demonstrates an intent that breaks in service will affect that eligibility. In contravention of the fact that the language of the agreement is somewhat imprecise, we can find no basis to conclude that it was intended to provide noncompetitive appointment eligibility to persons who do not have 1 year of current, continuous service, even though these persons may have satisfied the service requirement during an earlier period of employment.

As to your other point of contention, we believe that the language of the interchange agreement would, indeed, permit service in a temporary appointment to be credited toward the 1-year service requirement as long as the employee held a permanent appointment at the time of the noncompetitive appointment. Therefore, any NRC employee who meets the service requirement set out in the agreement is eligible for noncompetitive appointment into the competitive civil service. However, since temporary service is not credited toward career tenure in the civil service, only service under the permanent appointment, would be considered in determining whether the individual received a career-conditional or a career appointment in the competitive service.

In conclusion, we believe that the requirement for current, continuous service contained in FPM chapter 315 is correct and its intent is mirrored in the interchange agreement between OPM and NRC. Further, FPM chapter 315 implicitly recognizes and permits service in a temporary appointment to be credited toward the one year service requirement as long as the employee held a permanent appointment at the time of noncompetitive appointment.

Sincerely,

/s/

Donald L. Holum, Chief
Staffing Policy Analysis Division"

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Exhibit 1 (continued)



UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, D.C. 20415

OFFICE OF THE DIRECTOR

JUN 24 1994

Mr. Paul E. Bird
Director, Office of Personnel
Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Bird:

I have approved your request to amend the personnel interchange agreement between the Nuclear Regulatory Commission (NRC) and the competitive service. Effective immediately, employees who are involuntarily separated without personal cause will be eligible for noncompetitive appointment for 1 year from the date of separation.

This amendment brings the provisions of NRC's interchange agreement into line with the provisions of agreements established with other agencies. In accordance with the intent of 5 CFR 6.7 that agreements be reciprocal, the new provisions will apply to employees of both NRC and the competitive service. We will notify other agencies of this amendment and of NRC employees' expanded eligibility for noncompetitive appointments.

Sincerely,


Lorraine A. Green
Deputy Director

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Exhibit 2

NRC Form 178, "Candidate Evaluation, Certification and Selection Record"

<small>NRC FORM 178 (2-86) NRCM 4108</small>	CANDIDATE EVALUATION, CERTIFICATION AND SELECTION RECORD			<small>U.S. NUCLEAR REGULATORY COMMISSION</small>
PART B – CERTIFICATION RECORD				
TO: (Authorized Selecting Official) 	<small>VACANCY ANNOUNCEMENT NO.</small>	<small>CERTIFICATE NO.</small>	<small>BARGAINING UNIT STATUS</small>	
	<small>POSITION TITLE</small>		<small>GRADE</small>	
	<small>DIVISION OR OFFICE</small>			
	<small>BRANCH AND SECTION</small>			
THIS CERTIFIES THAT: 1. Part A contains a proper listing and categorization of candidates in accordance with the NRC Merit System and other applicable provisions of NRC Manual Chapter 4108. 2. The candidates listed below comprise an appropriate group in accordance with the NRC Merit System and other applicable provisions of NRC Manual Chapter 4108 from which a selection may properly be made.				
BEST QUALIFIED CANDIDATES		REASSIGNMENT ELIGIBLES		
<small>SIGNATURE/RATING OFFICIAL OR PANEL CHAIR</small>	<small>SIGNATURE/PANEL MEMBER</small>		<small>SIGNATURE/PANEL MEMBER</small>	
<small>SIGNATURE/CERTIFYING OFFICIAL</small>	<small>TITLE</small>		<small>DATE</small>	
PART C – SELECTION RECORD				
THE FOLLOWING CANDIDATE(S) HAS (HAVE) BEEN SELECTED FOR THE POSITION(S) DESIGNATED. 				
<small>SIGNATURE/SELECTING OFFICIAL</small>	<small>TITLE</small>		<small>DATE</small>	

NRC FORM 178 (2-86)

Exhibit 2 (continued)NRC FORM 175 (7-88)

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Exhibit 3

Standard Form 50, "Notification of Personnel Action"

Standard Form 50-B Rev. 7/91 U.S. Office of Personnel Management FRM Supp. 296-33, Subch. 4											
NOTIFICATION OF PERSONNEL ACTION											
1. Name (Last, First, Middle)						2. Social Security Number		3. Date of Birth		4. Effective Date	
FIRST ACTION 5-A. Code 5-B. Nature of Action						SECOND ACTION 6-A. Code 6-B. Nature of Action					
5-C. Code 5-D. Legal Authority						6-C. Code 6-D. Legal Authority					
5-E. Code 5-F. Legal Authority						6-E. Code 6-F. Legal Authority					
7. FROM: Position Title and Number						15. TO: Position Title and Number					
8. Pay Plan		9. Occ. Code		10. Grade/Level		11. Step/Rate		12. Total Salary		13. Pay Basis	
16. Pay Plan		17. Occ. Code		18. Grade/Level		19. Step/Rate		20. Total Salary/Award		21. Pay Basis	
12A. Base Pay		12B. Locality Adj.		12C. Adj. Basic Pay		12D. Other Pay		20A. Base Pay		20B. Locality Adj.	
20C. Adj. Basic Pay		20D. Other Pay		22. Name and Location of Position's Organization		22. Name and Location of Position's Organization					
EMPLOYEE DATA 23. Veterans Preference 1 - None 3 - 10-Point/Disability 5 - 10-Point/Other 2 - 5-Point 4 - 10-Point/Compensable 6 - 10-Point/Compensable/30%											
24. Tenure 0 - None 1 - Permanent 2 - Conditional 3 - Indefinite						25. Agency Use		26. Veterans Preference for RIF YES NO			
27. FEGLI						28. Annuitant Indicator		29. Pay Rate Determinant			
30. Retirement Plan						31. Service Comp. Date (Leave)		32. Work Schedule		33. Part-Time Hours Per Biweekly Pay Period	
POSITION DATA 34. Position Occupied 1 - Competitive Service 3 - SES General E - Exempt 2 - Excepted Service 4 - SES Career Reserved N - Nonexempt						35. FLSA Category		36. Appropriation Code		37. Bargaining Unit Status	
39. Duty Station Code						39. Duty Station (City - County - State or Overseas Location)					
40. AGENCY DATA		41.		42.		43.		44.			
45. Remarks											
46. Employing Department or Agency						50. Signature/Authentication and Title of Approving Official					
47. Agency Code		48. Personnel Office ID		49. Approval Date							
5-Part 50-316 2 - OPF Copy - Long-Term Record - DO NOT DESTROY Editions Prior to 7/91 Are Not Usable After 6/30/93 NSN 7540-01-333-8238											

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Exhibit 4
Standard Form 52, “Request for Personnel Action”

Standard Form 52 Rev. 7/91 U.S. Office of Personnel Management FPM Supp. 296-33, Subch. 3		REQUEST FOR PERSONNEL ACTION	
PART A – Requesting Office (Also complete Part B, Items 1, 7-22, 32, 33, 36 and 39)			
1. Actions Requested		2. Request Number	
3. For Additional Information Call (Name and Telephone Number)		4. Proposed Effective Date	
5. Action Requested By (Typed Name, Title, Signature, and Request Date)		6. Action Authorized By (Typed Name, Title, Signature, and Concurrence Date)	
PART B – For Preparation of SF 50 (Use only codes in FPM Supplement 292-1. Show all dates in month-day-year order.)			
1. Name (Last, First, Middle)		2. Social Security Number	3. Date of Birth
		4. Effective Date	
FIRST ACTION		SECOND ACTION	
5-A. Code	5-B. Nature of Action	6-A. Code	6-B. Nature of Action
5-C. Code	5-D. Legal Authority	6-C. Code	6-D. Legal Authority
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority
7. FROM: Position Title and Number		15. TO: Position Title and Number	
8. Pay Plan		9. Occ. Code	10. Grade or Level
11. Step or Rate		12. Total Salary	
13. Pay Basis		14. Pay Plan	17. Occ. Code
18. Grade or Level		19. Step or Rate	
20. Total Salary/Award		21. Pay Basis	
12A. Basic Pay		12B. Locality Adj.	12C. Ad. Basic Pay
20A. Basic Pay		20B. Locality Adj.	20C. Ad. Basic Pay
20D. Other Pay		20E. Other Pay	
14. Name and Location of Position's Organization		22. Name and Location of Position's Organization	
EMPLOYEE DATA:			
23. Veterans Preference		24. Tenure	
1 - None 2 - 5-Point 3 - 10-Point/Disability 4 - 10-Point/Compensable 5 - 10-Point/Other 6 - 10-Point/Compensable/30%		0 - None 1 - Permanent 2 - Conditional 3 - Indefinite	
25. Agency Use		26. Veterans Preference for RIF	
YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>	
27. FEGLI		28. Annuity Indicator	
30. Retirement Plan		29. Pay Rate Determinant	
31. Service Comp. Date (Leave)		32. Work Schedule	
33. Part-Time Hours Per Biweekly Pay Period			
POSITION DATA:			
34. Position Occupied		35. FLSA Category	
1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career Reserved		E - Exempt N - Nonexempt	
36. Appropriation Code		37. Bargaining Unit Status	
38. Duty Station Code		39. Duty Station (City - County - State or Overseas Location)	
40. Agency Data		41.	
42.		43.	
44.		45. Educational Level	
46. Year Degree Attained		47. Academic Discipline	
48. Functional Class		49. Citizenship	
50. Veterans Status		51. Supervisory Status	
1 - USA 8 - Other			
PART C – Reviews and Approvals (Not to be used by requesting office.)			
1. Office/Function		Initials/Signature	
Date		Office/Function	
Initials/Signature		Date	
A.		D.	
B.		E.	
C.		F.	
2. Approval: I certify that the information entered on this form is accurate and that the proposed action is in compliance with statutory and regulatory requirements.		Signature	
		Approval Date	
CONTINUED ON REVERSE SIDE			
52-118			
OVER			
Editions Prior to 7/91 Are Not Usable After 6/30/93 NSN 7540-01-333-6238			

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Exhibit 4 (continued)

PART D - Remarks by Requesting Office

(Note to Supervisors: Do you know of additional or conflicting reasons for the employee's resignation/retirement?
If "YES", please state these facts on a separate sheet and attach to SF 52.)

☐ YES ☐ NO

PART E - Employee Resignation/Retirement

Privacy Act Statement

You are requested to furnish a specific reason for your resignation or retirement and a forwarding address. Your reason may be considered in any future decision regarding your re-employment in the Federal service and may also be used to determine your eligibility for unemployment compensation benefits. Your forwarding address will be used primarily to mail you copies of any documents you should have or any pay or compensation to which you are entitled.

This information is requested under authority of sections 301, 3301, and 8506 of title 5, U.S. Code. Sections 301 and 3301 authorize OPM and agencies to issue

regulations with regard to employment of individuals in the Federal service and their records, while section 8506 requires agencies to furnish the specific reason for termination of Federal service to the Secretary of Labor or a State agency in connection with administration of unemployment compensation programs.

The furnishing of this information is voluntary; however, failure to provide it may result in your not receiving: (1) your copies of those documents you should have; (2) pay or other compensation due you; and (3) any unemployment compensation benefits to which you may be entitled.

1. Reasons for Resignation/Retirement (NOTE: Your reasons are used in determining possible unemployment benefits. Please be specific and avoid generalizations. Your resignation/retirement is effective at the end of the day - midnight - unless you specify otherwise.)

2. Effective Date

3. Your Signature

3. Date Signed

4. Forwarding Address (Number, Street, City, State, ZIP Code)

PART F - Remarks for SF 50

• U.S. GPO: 1992-0-320-826/90015

Exhibit 5

Guidance to Offices Regarding the Establishment of Interdisciplinary Jobs

1. Developing Interdisciplinary Positions

Interdisciplinary positions are positions involving duties and responsibilities closely related to more than one occupation or position, the duties of which can be performed by individuals with a variety of educational and/or work backgrounds. As a result, these positions can be classifiable to two or more occupation series.

These positions may involve duties characteristic of one profession and other duties characteristic of another profession. By comparison, positions may involve knowledge characteristic of either two or more occupational series, involving work performed in either of the occupations named. The concept of “interfunctional” positions is used to describe positions in which a combination of administrative versus technical occupational series is applied.

In determining whether a position may be interdisciplinary or interfunctional, a review of the work and the skills required must be completed.

2. Identifying Programmatic Area

Management should identify specific technical programmatic areas in which it is appropriate to establish interdisciplinary jobs or recruit persons without a degree in an engineering or scientific field. Management should determine programs in which this type of recruitment and classification of position will be consistent with the NRC Five-Year Plan (and with major fields and specialties identified in the NRC Five-Year Staffing Plan).

3. Defining Work and Basic Skills

For each position, a statement of duties and corresponding skills, knowledge, and credentials should be written to outline specific responsibilities and functions that need to be accomplished to support the organizational and technical program goals. Viable skills, knowledge, experience, abilities, and credentials should be listed as “Basic Skills.”

These functions and skills should be “realistic” in terms of work to be done, that is, they should not be functions necessarily designed to fit the background of a particular person being recruited. A review of the present and projected workload, current incumbents, and known full-time equivalent (FTE) resources should be completed as a first step in developing a new position.

Exhibit 5 (continued)

4. Identifying Other Than Engineering/Scientific and/or Interdisciplinary Work

Assess whether current work can be restructured to accommodate nontechnical individuals with a degree. Determine specific functions (necessary to the technical mission) that can be performed by other than engineering or scientific personnel. Determine the occupational series or mix of series that will define the work to be accomplished.

To create a general "project management" position not requiring an engineering or scientific background, identify the predominant duties and responsibilities associated with that function and the paramount skills, knowledge, and experience required to fill the position. Standardized Project Manager position descriptions may be established to incorporate a variety of functions.

Consult with a classification specialist in writing the position descriptions. As an example, basic skills may be worded in such a way as to state "familiarity with engineering designs, components, systems" versus "knowledge of general engineering as evidenced by completion of a bachelor's degree in nuclear or mechanical engineering."

5. Assessing Qualifications of Individuals Without a Technical Degree for Engineering Positions

Consult with an OP staffing specialist to assess satisfaction of "equivalent experience" factor versus completion of academic degree.

Exhibit 6

NRC Form 750 "Applicant Background Survey"

NRC FORM 750 (1-83)		U.S. NUCLEAR REGULATORY COMMISSION		1. VACANCY ANNOUNCEMENT NUMBER	
APPLICANT BACKGROUND SURVEY				2. DATE (MM/DD/YY)	
				3. POSITION	
GENERAL INSTRUCTIONS The information from this survey is used to help ensure that agency personnel practices meet the requirements of Federal law. Your responses are voluntary. Please answer each of the questions to the best of your ability. Please print entries in pencil or pen. USE ONLY CAPITAL LETTERS. Read each item thoroughly before completing the appropriate code number in each box.					
4. NAME (Last, First, MI)		5. YEAR OF BIRTH		6. SOCIAL SECURITY NUMBER	
		1 2			
7. How did you hear about the particular position for which you are applying? (You may check up to three boxes.)					
<input type="checkbox"/> A. PRIVATE INFORMATION SERVICE <input type="checkbox"/> B. MAGAZINE <input type="checkbox"/> C. NEWSPAPER <input type="checkbox"/> D. RADIO <input type="checkbox"/> E. TV <input type="checkbox"/> F. POSTER <input type="checkbox"/> G. PRIVATE EMPLOYMENT OFFICE <input type="checkbox"/> H. STATE EMPLOYMENT OFFICE (UNEMPLOYMENT OFFICE) <input type="checkbox"/> I. AGENCY PERSONNEL DEPARTMENT (BULLETIN BOARD OR OTHER ANNOUNCEMENT)			<input type="checkbox"/> J. AGENCY OR OTHER FEDERAL GOVERNMENT RECRUITMENT AT SCHOOL OR COLLEGE <input type="checkbox"/> K. FEDERAL, STATE, OR LOCAL JOB INFORMATION CENTER <input type="checkbox"/> L. RELIGIOUS ORGANIZATION <input type="checkbox"/> M. SCHOOL OR COLLEGE COUNSELOR OR OTHER OFFICIAL <input type="checkbox"/> N. FRIEND OR RELATIVE WORKING FOR AGENCY <input type="checkbox"/> O. FRIEND OR RELATIVE NOT WORKING FOR AGENCY <input type="checkbox"/> P. OTHER (Specify)		
8. DO YOU HAVE ANY DISABILITIES?		9. CHECK THE APPROPRIATE BOX TO SHOW YOUR SEX		10. PLEASE CATEGORIZE YOURSELF IN TERMS OF RACE/ETHNIC BACKGROUND. CHECK THE APPROPRIATE BOX.	
<input type="checkbox"/> A. YES <input type="checkbox"/> B. NO		<input type="checkbox"/> A. MALE <input type="checkbox"/> B. FEMALE		<input type="checkbox"/> A. AMERICAN INDIAN OR ALASKAN NATIVE <input type="checkbox"/> B. ASIAN OR PACIFIC ISLANDER <input type="checkbox"/> C. BLACK, NOT OF HISPANIC ORIGIN <input type="checkbox"/> D. HISPANIC <input type="checkbox"/> E. WHITE, NOT OF HISPANIC ORIGIN	
FOR AGENCY USE ONLY					
DATE RECEIVED (MONTH/DAY/YEAR)		CODE		CODE	
PRIVACY ACT INFORMATION Pursuant to 5 U.S.C. 552a, enacted into law by Section 3 of the Privacy Act of 1974 (Public Law 93-579), the following statement is furnished to individuals who supply information to the U.S. Nuclear Regulatory Commission on NRC Form 750. This information is maintained in a system of records designated as OPM/GOVT-7, APPLICANT RACE, SEX, NATIONAL ORIGIN, AND DISABILITY STATUS RECORDS, and described at 57 Federal Register 35719 (August 10, 1992).					
1. AUTHORITY – 5 U.S.C. 7201, Sections 4A, 4B, 15A(1) and (2), 15B(11), and 15D(11); Uniform Guidelines on Employee Selection Procedures (1978); 43 FR 38297 et seq. (August 23, 1978); 29 CFR 720.301; and 29 CFR 1613.301.					
2. PURPOSES AND ROUTINE USES – The information from this survey is used for research and for a Federal Equal Opportunity Recruitment Program to help ensure that agency personnel practices meet the requirements of Federal law.					
3. EFFECTS OF NONDISCLOSURE – Providing this information is voluntary. No individual personnel selections are made based on this information.					
4. INFORMATION REGARDING DISCLOSURE OF YOUR SOCIAL SECURITY NUMBER UNDER PUBLIC LAW 93-579, SECTION 7(b) – Solicitation of the Social Security Number (SSN) by the Office of Personnel Management is authorized under provisions of Executive Order 9397, dated November 22, 1943. It is used to relate this form with other records that you file with Federal agencies.					
5. SYSTEM MANAGER AND ADDRESS: Assistant Director, Office of Personnel Research and Development, Career Entry Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415.					

NRC FORM 750 (1-83)

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Exhibit 7

NRC Form 115 "Vacancy Application Status Notice"

NRC Form 115 (11-88) NRCM 4108		U.S. NUCLEAR REGULATORY COMMISSION		1. VACANCY ANNOUNCEMENT NUMBER
VACANCY APPLICATION STATUS NOTICE				2. DATE OF APPLICATION
INSTRUCTIONS. APPLICANTS MUST COMPLETE ITEMS 1 THROUGH 4; FAILURE TO DO SO WILL RESULT IN YOUR NOT BEING NOTIFIED OF THE DISPOSITION OF YOUR APPLICATION. IN ADDITION, APPLICANTS MUST ATTACH ALL MATERIALS REQUIRED BY THE VACANCY ANNOUNCEMENT.				
3. POSITION TITLE (for which applying)		SERIES AND GRADE		TO BE COMPLETED BY THE PERSONNEL OFFICE This document reflects status of your application for the vacancy posted in item 1. Your qualifications and application materials have not been reviewed yet; additional information will be provided to you later.
ORGANIZATION		INITIAL SCREENING Your application was received after the announced closing date and not in time to be considered for the vacancy. Your application was received after the closing process commenced and could not be considered for the vacancy. Your application is incomplete and will not be considered because the following is/are required: <input type="checkbox"/> An updated SF-171 <input type="checkbox"/> Your latest performance appraisal <input type="checkbox"/> Other (Specify) _____		
4. NAME AND COMPLETE MAILING ADDRESS (NRC employees use Mail Stop)		You did not meet the requirements stated on the vacancy announcement. <input type="checkbox"/> Not in Grade <input type="checkbox"/> State Qualifications You are qualified for the vacancy; your application has been forwarded to: <input type="checkbox"/> A rating official for further evaluation <input type="checkbox"/> The selecting official <input type="checkbox"/> A rating panel for further evaluation <input type="checkbox"/> Other (Specify) _____		
TO BE COMPLETED BY THE PERSONNEL OFFICE				
FINAL REPORT <input type="checkbox"/> Vacancy Cancelled <input type="checkbox"/> You were basically qualified for the position, but you were not among the best qualified candidates certified to the selecting official. <input type="checkbox"/> You were among the best qualified candidates certified to the selecting official, but you were not selected for the position.		<input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> The Candidate(s) Selected Was (Were): _____		
DISPOSITION OF APPLICATION MATERIALS:		TELEPHONE NUMBER _____ DATE NOTICE SENT _____		
<input type="checkbox"/> RETURNED (Attached)		<input type="checkbox"/> RE-SAVED (With Merit Promotion Record)		

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Exhibit 8
Streamlined Application Format

For initial applications to fill competitive vacancies, a Standard Form (SF) 171, "Application for Employment," need not be used. The OPM streamlined format or résumé may be used instead.

Form Approved
OMB No. 3208-0219

OPTIONAL APPLICATION FOR FEDERAL EMPLOYMENT - OF 612

You may apply for most jobs with a resume, this form, or other written format. If your resume or application does not provide all the information requested on this form and in the job vacancy announcement, you may lose consideration for a job.

1 Job title in announcement 2 Grade(s) applying for 3 Announcement number

4 Last name First and middle names 5 Social Security Number

6 Mailing address 7 Phone numbers (include area code)

City State ZIP Code Daytime

Evening

WORK EXPERIENCE

8 Describe your paid and nonpaid work experience related to the job for which you are applying. Do not attach job descriptions.

1) Job title (if Federal, include series and grade)

From (year)	To (year)	Salary	per	Hours per week
		\$		
Employer's name and address			Supervisor's name and phone number	
Describe your duties and accomplishments				

2) Job title (if Federal, include series and grade)

From (year)	To (year)	Salary	per	Hours per week
		\$		
Employer's name and address			Supervisor's name and phone number	
Describe your duties and accomplishments				

50612-101 NSN 7540-01-351-9178 Optional Form 612 (September 1994)
U.S. Office of Personnel Management

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Exhibit 8 (continued)

9 May we contact your current supervisor?

YES [] NO [] ▶ If we need to contact your current supervisor before making an offer, we will contact you first.

EDUCATION

10 Mark highest level completed. Some HS [] HS/GED [] Associate [] Bachelor [] Master [] Doctoral []

11 Last high school (HS) or GED school. Give the school's name, city, State, ZIP Code (if known), and year diploma or GED received.

12 Colleges and universities attended. Do not attach a copy of your transcript unless requested.

Name	Total Credits Earned	Major(s)	Degree (if any)	Year Received
City	Semester			
State	Quarter			
ZIP Code				
1) _____	_____	_____	_____	_____
2) _____	_____	_____	_____	_____
3) _____	_____	_____	_____	_____

OTHER QUALIFICATIONS

13 Job-related training courses (give title and year). Job-related skills (other languages, computer software/hardware, tools, machinery, typing speed, etc.). Job-related certificates and licenses (current only). Job-related honors, awards, and special accomplishments (publications, memberships in professional/honor societies, leadership activities, public speaking, and performance awards). Give dates, but do not send documents unless requested.

GENERAL

14 Are you a U.S. citizen? YES [] NO [] ▶ Give the country of your citizenship.

15 Do you claim veterans' preference? NO [] YES [] ▶ Mark your claim of 5 or 10 points below.
5 points [] ▶ Attach your DD 214 or other proof. 10 points [] ▶ Attach an Application for 10-Point Veterans' Preference (SF 15) and proof required.

16 Were you ever a Federal civilian employee? YES [] NO [] ▶ For highest civilian grade give:
Series _____ Grade _____ From (MM/YY) _____ To (MM/YY) _____

17 Are you eligible for reinstatement based on career or career-conditional Federal status?
NO [] YES [] ▶ If requested, attach SF 50 proof.

APPLICANT CERTIFICATION

18 I certify that, to the best of my knowledge and belief, all of the information on and attached to this application is true, correct, complete and made in good faith. I understand that false or fraudulent information on or attached to this application may be grounds for not hiring me or for firing me after I begin work, and may be punishable by fine or imprisonment. I understand that any information I give may be investigated.

SIGNATURE

DATE SIGNED

Exhibit 8 (continued)

GENERAL INFORMATION

You may apply for most Federal jobs with a resume, the attached *Optional Application for Federal Employment* or other written format. If your resume or application does not provide all the information requested on this form and in the job vacancy announcement, you may lose consideration for a job. Type or print clearly in dark ink. Help speed the selection process by keeping your application brief and sending only the requested information. If essential to attach additional pages, include your name and Social Security Number on each page.

- For information on Federal employment, including job lists, alternative formats for persons with disabilities, and veterans' preference, call the U.S. Office of Personnel Management at 912-757-3000, TDD 912-744-2299, by computer modem 912-757-3100, or via the Internet (Telnet only) at FJOBJMAIL.OPM.GOV.
- If you served on active duty in the United States Military and were separated under honorable conditions, you may be eligible for veterans' preference. To receive preference if your service began after October 15, 1976, you must have a Campaign Badge, Expeditionary Medal, or a service-connected disability. Veterans' preference is not a factor for Senior Executive Service jobs or when competition is limited to status candidates (current or former career or career-conditional Federal employees).
- Most Federal jobs require United States citizenship and also that males over age 18 born after December 31, 1953, have registered with the Selective Service System or have an exemption.
- The law prohibits public officials from appointing, promoting, or recommending their relatives.
- Federal annuitants (military and civilian) may have their salaries or annuities reduced. All employees must pay any valid delinquent debts or the agency may garnish their salary.
- Send your application to the office announcing the vacancy. If you have questions, contact that office.

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER

PRIVACY ACT AND PUBLIC BURDEN STATEMENTS

- The Office of Personnel Management and other Federal agencies rate applicants for Federal jobs under the authority of sections 1104, 1302, 3301, 3304, 3320, 3361, 3383, and 3394 of title 5 of the United States Code. We need the information requested in this form and in the associated vacancy announcements to evaluate your qualifications. Other laws require us to ask about citizenship, military service, etc.
- We request your Social Security Number (SSN) under the authority of Executive Order 9397 in order to keep your records straight; other people may have the same name. As allowed by law or Presidential directive, we use your SSN to seek information about you from employers, schools, banks, and others who know you. Your SSN may also be used in studies and computer matching with other Government files, for example, files on unpaid student loans.
- If you do not give us your SSN or any other information requested, we cannot process your application, which is the first step in getting a job. Also, incomplete addresses and ZIP Codes will slow processing.
- We may give information from your records to: training facilities; organizations deciding claims for retirement, insurance, unemployment or health benefits; officials in litigation or administrative proceedings where the Government is a party; law enforcement agencies concerning violations of law or regulation; Federal agencies for statistical reports and studies; officials of labor organizations recognized by law in connection with representing employees; Federal agencies or other sources requesting information for Federal agencies in connection with hiring or retaining, security clearances, security or suitability investigations, classifying jobs, contracting, or issuing licenses, grants, or other benefits; public and private organizations including news media that grant or publicize employee recognition and awards; and the Merit Systems Protection Board, the Office of Special Counsel, the Equal Employment Opportunity Commission,

the Federal Labor Relations Authority, the National Archives, the Federal Acquisition Institute, and congressional offices in connection with their official functions.

- We may also give information from your records to prospective nonfederal employers concerning tenure of employment, civil service status, length of service, and date and nature of action for separation as shown on personnel action forms of specifically identified individuals; requesting organizations or individuals concerning the home address and other relevant information on those who might have contracted an illness or been exposed to a health hazard; authorized Federal and nonfederal agencies for use in computer matching; spouses or dependent children asking whether the employee has changed from self-and-family to self-only health benefits enrollment; individuals working on a contract, service, grant, cooperative agreement or job for the Federal Government; non-agency members of an agency's performance or other panel; and agency-appointed representatives of employees concerning information issued to the employee about fitness-for-duty or agency-filed disability retirement procedures.
- We estimate the public reporting burden for this collection will vary from 20 to 240 minutes with an average of 40 minutes per response, including time for reviewing instructions, searching existing data sources, gathering data, and completing and reviewing the information. You may send comments regarding the burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to U.S. Office of Personnel Management, Reports and Forms Management Officer, Washington, DC 20415-0001.
- Send your application to the agency announcing the vacancy.

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Exhibit 9

NRC Form 561, “Supervisory Appraisal of Demonstrated Performance or Potential”

NRC FORM 561 (1-84) NRCMD 10.15				U. S. NUCLEAR REGULATORY COMMISSION								
SUPERVISORY APPRAISAL OF DEMONSTRATED PERFORMANCE OR POTENTIAL												
ANNOUNCEMENT NUMBER				POSITION								
NAME OF APPLICANT				INSTRUCTIONS: Please have this appraisal completed by your supervisor and submit it with your application (SF-171). If the appraisal is submitted directly by the supervisor, the applicant will be permitted to review and/or obtain a copy of the appraisal upon request.								
SECTION I – DEMONSTRATED PERFORMANCE OR POTENTIAL												
BASIS FOR APPRAISAL				RANKING FACTORS				LEVEL OF PERFORMANCE				
EXTERNAL ACTIVITIES	ON-THE-JOB PERFORMANCE	FORMAL TRAINING	POTENTIAL	KNOWLEDGE, SKILLS, ABILITIES, AND PERSONAL CHARACTERISTICS				Please check as appropriate: 4 – Outstanding 3 – Excellent 2 – Fully Successful 1 – Minimally Successful 0 – Unacceptable				
								4	3	2	1	0
SECTION II – NARRATIVE STATEMENT												
BRIEFLY EVALUATE THE CANDIDATE'S OVERALL ABILITY TO PERFORM THE DUTIES AND RESPONSIBILITIES OF THE POSITION <i>(Narrative comments are required for all factors. If additional space is needed, use reverse side.)</i>												
EMPLOYEE'S MOST RECENT OFFICIAL PERFORMANCE APPRAISAL OF RECORD IS:												
<input type="checkbox"/> OUTSTANDING <input type="checkbox"/> EXCELLENT <input type="checkbox"/> FULLY SUCCESSFUL <input type="checkbox"/> MINIMALLY SUCCESSFUL <input type="checkbox"/> UNACCEPTABLE												
CAPACITY OF APPRAISER FOR MAKING APPRAISAL <i>(Check one)</i>												
<input type="checkbox"/> PRESENT IMMEDIATE SUPERVISOR <input type="checkbox"/> PRESENT 2ND-LEVEL SUPERVISOR <input type="checkbox"/> OTHER <i>(Specify)</i>												
<input type="checkbox"/> FORMER IMMEDIATE SUPERVISOR <input type="checkbox"/> FORMER 2ND-LEVEL SUPERVISOR												
PERIOD DURING WHICH APPRAISER SUPERVISED THE APPLICANT:								FROM		TO		
SIGNATURE – APPRAISER								DATE		TELEPHONE NUMBER		
SIGNATURE – EMPLOYEE								DATE				

NRC FORM 561 (1-84)

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Exhibit 10

Format for Supervisory Appraisal of Demonstrated Performance or Potential

To Be Used for All Senior Staff, Supervisory or Managerial Positions

Announcement No:

Position:

Name of Applicant:

Instructions: Information should be obtained either by phone or in writing from the current and, when possible, the former immediate supervisor. If information is submitted directly by the supervisor, the applicant will be permitted to review and/or obtain a copy of the appraisal upon request.

Basis for Appraisals				Factor and Narrative Assessment
External Activities	On the Job	Formal Training	Potential	
Supervisory/Managerial Mandatory Rating Factors				
				Interpersonal Skills: (Define)
				Leadership Skills: (Define) (Applicable only to supervisory or managerial positions)
				Other (Optional – Define)
Technical Rating Factors (3 to 7 – Define)				

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Exhibit 10 (continued)

Basis for Appraisals				Factor and Narrative Assessment
External Activities	On the Job	Formal Training	Potential	

Employee's Most Recent Official Summary Performance Rating of Record

☐ Outstanding ☐ Excellent ☐ Fully Successful ☐ Minimally Successful ☐ Unacceptable

Appraiser

☐ Present Immediate Supervisor

☐ Present Second Level Supervisor

☐ Former Immediate Supervisor

☐ Former Second Level Supervisor

☐ Other

Period During Which Appraiser Supervised Applicant—From:

To:

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Exhibit 10 (continued)

Appraiser's Signature or Telephone Concurrence	Date	Phone
Employee's Signature	Date	Phone