

U.S. Department of Energy
Washington, D.C.

ORDER

DOE O 320.1

Approved: 9-6-02
Chg 1: 11-21-03

This directive was reviewed and certified as current and necessary by Bruce M. Carnes, Director, Office of Management, Budget and Evaluation/Chief Financial Officer, 9-18-02.

SUBJECT: ACQUIRING AND POSITIONING HUMAN RESOURCES

1. OBJECTIVES. To establish requirements and responsibilities when—
 - a. sending Department of Energy (DOE) employees on details outside the Department,
 - b. determining probationary periods for managers and supervisors,
 - c. providing part-time career employment,
 - d. conducting reductions in force,
 - e. promoting and placing candidates in the competitive service, and
 - f. taking other actions delineated.

2. CANCELLATION. This Order cancels DOE 3300.3, *Employment*, dated 1-12-95 and DOE 3335.1C, *Merit Promotion*, dated 6-23-92. Cancellation of an Order does not, by itself, modify or otherwise affect any contractual obligation to comply with the Order. Cancelled Orders incorporated by reference in a contract remain in effect until the contract is modified to delete the references to the cancelled Orders.

3. APPLICABILITY.
 - a. DOE Elements. This Order applies to all DOE elements specified in Attachment 1, including the National Nuclear Security Administration (NNSA).
 - b. Contractors. This Order does not apply to contractors.

4. REQUIREMENTS.
 - a. DOE-wide Position Qualifications Standards.
 - (1) The Office of Environment, Safety and Health must concur when qualifications standards contain physical requirements for positions that are not in NNSA.

DISTRIBUTION:
All Departmental Elements

INITIATED BY:
Office of Personnel Policy,
Programs, and Assistance

- (2) The Office of Environment, Safety and Health must be consulted when qualifications standards contain physical requirements for positions in NNSA.
 - b. Other requirements are delineated in each chapter of this Order.
5. RESPONSIBILITIES. Except for responsibilities identified directly below and in each chapter of this Order, all DOE employment program authorities are delegated to the heads of DOE elements (and other field organizations with personnel authority). In exercising delegated authorities, all individuals must ensure their actions are consistent with laws and regulations, merit principles, DOE policies and directives, provisions of applicable collective bargaining agreements, and principles of fairness and equity in dealing with employees and their representatives.
- a. Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel.
 - (1) Concurs in requests from heads of DOE elements (and other field organizations with personnel authority) for Office of Personnel Management (OPM) approval of waiver of dual compensation restrictions (the general restriction, and exceptions from, prohibiting Federal employees, civilian and military, from receiving pay from more than one Federal Government source) under Title 5 United States Code (U.S.C.), section 5533, and Title 5 CFR 550.504.
 - (2) Establishes program policies, standards, and procedures.
 - (3) Evaluates the effectiveness of programs.
 - (4) Approves requests from heads of DOE elements (and other field organizations with personnel authority) and human resources directors for the waivers of time-in-grade restrictions that would involve hardship to DOE or inequity to employees (5 CFR 300, subpart F).
 - (5) Approves Departmental qualifications standards.
 - (6) Concurs on the following requests made of OPM:
 - (a) variations to Civil Service Rule V (5 CFR, Part 5);
 - (b) extensions of time-limited promotions beyond 5 years;
 - (c) extensions of temporary appointments beyond 2 years based on major reorganization, restructuring, or other unusual circumstances; and
 - (d) establishment of delegated examining unit.

- b. Human Resources Directors.
- (1) Provide advice and technical operations support to organizational units serviced.
 - (2) Develop and review local programs.
 - (3) Maintain liaison and consult with interested DOE and non-DOE officials.
 - (4) Ensure program activities are integrated with diversity program activities.
 - (5) Maintain records and prepare reports.
6. CONTACT. Questions concerning this Order should be addressed to the Office of Human Resources Policy and Planning at 202-586-8524.



SPENCER ABRAHAM
Secretary of Energy

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ATTACHMENT 1: DEPARTMENT OF ENERGY ORGANIZATIONS TO WHICH DOE
O 320.1 IS APPLICABLE

Vertical line denotes change.

CHAPTER I. ASSIGNMENT OF DOE PERSONNEL OUTSIDE DOE

1. OBJECTIVES.

- a. To establish requirements and responsibilities when sending DOE employees on details outside the Department. (This does not include assignments under the Intergovernmental Personnel Act, which are covered in DOE M 321.1-1, Intergovernmental Personnel Act Assignments, dated 8-24-00.)
- b. To set forth requirements for the periodic collection of data to respond to requests from a variety of sources for reports.

2. REFERENCE. 5 CFR 352, Subpart C, which provides procedures for temporary assignments to international organizations.

3. REQUIREMENTS.

- a. The assignment of personnel to organizations outside DOE must be covered by a written agreement between DOE and the host.
- b. Interagency assignments must be reimbursable except when they—
 - (1) involve matters related to the DOE organization's appropriations and will aid it in accomplishing the objective for which appropriations are provided or
 - (2) will have a negligible impact on the DOE organization's appropriations.
- c. Assignments must be documented on Standard Form (SF) 52, "Request for Personnel Action."

4. RESPONSIBILITIES.

- a. The Secretary.
 - (1) Approves requests from heads of DOE elements (and other field organizations with personnel authority) for employee assignments—those at GS-15 level and below, or equivalent—to the White House, Executive Office of the President, and congressional committees.
 - (2) Authorizes heads of DOE elements (and other field organizations with personnel authority) to request national interest determinations from the Secretary of State when details and transfers to public international organizations will last more than 5 years.

- b. Director of Management, Budget and Evaluation or the NNSA Associate Administrator. Concurs in requests from heads of DOE elements (and other field organizations with personnel authority) for the Secretary's approval of details—employees at the GS-15 level and below, or equivalent—to the White House, Executive Office of the President, and congressional committees.

- c. Heads of DOE Elements (and Other Field Organizations with Personnel Authority).
 - (1) Ensure assignments of employees in their organizations are processed in accordance with this chapter and that the servicing legal, financial, and human resources offices provide staff advice and technical support concerning each detail.

 - (2) Approve requests for employee assignments outside DOE consistent with paragraph 4a.

- d. Human Resources Directors. Provide technical support to the organizations they service and ensure that within 15 days after the effective date of each detail outside the Department, the Office of Human Resources Policy and Planning receives a copy of the items required in paragraph 3a and c.

CHAPTER II. PROBATIONARY PERIODS FOR MANAGERS AND SUPERVISORS

1. OBJECTIVE. To establish requirements and responsibilities concerning probationary periods for newly appointed managers and supervisors in competitive service positions.
2. REFERENCES.
 - a. 5 CFR 315, Subpart H, "Probation on Initial Appointment to a Competitive Position."
 - b. 5 CFR 536, "Grade and Pay Retention."
 - c. 5 CFR 353, "Restoration to Duty from Uniformed Service or Compensable Injury."
 - d. 5 CFR 752, "Adverse Actions."
3. REQUIREMENTS. Employees newly appointed to managerial and/or supervisory positions must serve a single probationary period of 1 year in the type of position to which appointed. (Satisfactory completion of a probationary period in a supervisory position does not satisfy any subsequent requirement for a probationary period in a managerial position.)
 - a. Creditable Service.
 - (1) Satisfactory temporary service as a DOE supervisor or manager is creditable toward completion of the supervisory or managerial probationary period if the service is under a temporary appointment, promotion, or reassignment of at least 120 days and it is made permanent by another personnel action without a break.
 - (2) If an employee is retroactively placed in a supervisory or managerial position as a result of a complaint settlement or grievance, no credit toward completion of a probationary period may be allowed for the retroactive period.
 - (3) Prior service is not creditable toward completion of the probationary period required under subsequent appointment when—
 - (a) employees are separated or demoted under 5 CFR 752,
 - (b) employees are separated or demoted because of unsatisfactory completion of the probationary period for newly appointed managers and supervisors, or

- (c) employees are separated or demoted to a nonsupervisory or nonmanagerial position for deficiencies in supervisory or managerial performance.
- b. Failure to Satisfactorily Complete the Probationary Period.
 - (1) An action to return an employee to a nonsupervisory or nonmanagerial position under the provisions of this chapter may be taken only for reasons related to the employee's performance as a manager or supervisor.
 - (2) The decision to return an employee to a nonmanagerial or nonsupervisory position under the provisions of this chapter must be made by the employee's immediate supervisor (the evaluating official) and concurred in by a higher-level official in the organization (the reviewing official).
 - (3) If an employee had been receiving grade or pay retention before being promoted to a supervisory or managerial position, a failure to satisfactorily complete this probationary period may result in the grade or pay retention being reinstated. The 2-year period for grade retention is not extended by the amount of time spent in the higher-graded supervisory or managerial position.
- c. Local Actions. Human resources directors and heads of DOE elements (and other field organizations with personnel authority) must work closely to ensure—
 - (1) performance expectations/standards are discussed with the employee and recorded on in the employee's performance plan/on DOE F 3315.1, "Probationary Period Evaluation for Supervisors and Managers," or other appropriate method when using an automated system;
 - (2) newly appointed managers and supervisors receive managerial and supervisory orientation and training as appropriate;
 - (3) recommendations to remove probationary employees are reviewed to ensure the employees receive full and fair consideration;
 - (4) recommendations to return employees to nonmanagerial or nonsupervisory positions are reviewed to ensure the employees receive full information concerning the reasons;
 - (5) periodic self-evaluations are conducted concerning probationary periods for newly appointed managers and supervisors; and
 - (6) employees who are to be removed are made aware of all appropriate appeal procedures.

4. RESPONSIBILITIES.

- a. Director of Human Resources Management or the NNSA Director of Personnel. Makes final determinations on requirements to serve new managerial and supervisory probationary periods when initial determinations are contested.
- b. Heads of DOE Elements (and Other Field Organizations with Personnel Authority). Designate positions, as appropriate, for managerial and supervisory probationary periods.
- c. Managers and Supervisors of Employees Completing Supervisory and/or Managerial Probationary Periods.
 - (1) Establish and communicate performance criteria to affected employees.
 - (2) Encourage the use of individual development plans.
 - (3) Provide appropriate formal and on-the-job training.
 - (4) Conduct progress reviews.
 - (5) Evaluate performance and determine whether employee should be retained in supervisory/managerial position.
 - (6) Initiate actions to remove unsuccessful employees.

CHAPTER III. PART-TIME CAREER EMPLOYMENT PROGRAM

1. OBJECTIVE. To establish requirements and responsibilities for part-time career employment programs within DOE.
2. REFERENCES.
 - a. 5 USC, Chapter 34, "Part-time Career Employment Opportunities."
 - b. 5 CFR 340, "Other than Full-time Career Employment (Part-time, Seasonal, On-call, and Intermittent)."
 - c. 5 CFR 550, "Pay Administration (General)."
3. REQUIREMENTS.
 - a. Work Schedules of Less Than 16 Hours Per Week. Generally, part-time employees must be assigned tours of duty of at least 16 hours per week. However, in unusual circumstances heads of DOE elements (and heads of other field organizations with personnel authority) may authorize shorter work schedules, documenting the basis for the decision and the reason that it would be in the best interest of the Department.
 - b. Work Schedules of More Than 32 Hours Per Week. Part-time career employees may not regularly work in excess of 32 hours per week. However, the work schedule may be increased for up to 2 consecutive weeks if necessary to meet heavy workload demands, training requirements, or travel demands. Employees who were already permanent part-time as of April 7, 1979, are exempted from the 32-hour-per-week tour-of-duty limitation so long as their part-time employment continues without a break in service of more than 3 calendar days.
 - c. Short-Term Change to Full Time. A short-term change of a part-time employee to full-time status is permitted under extenuating circumstances. In such cases, the employee should be required to sign a memorandum of understanding indicating full knowledge that the full-time schedule is temporary, the reasons for the change, and the not-to-exceed date of the temporary full-time work schedule.
 - d. Program Implementation. Part-time career employment can be an effective management tool to increase productivity and job satisfaction, lower turnover rates and absenteeism, provide flexibility in meeting work requirements, and fill positions characterized by labor shortages. In conjunction with operating program officials, servicing human resources offices must provide assistance regarding the following actions and requests.

- (1) Review of Vacant Positions. Supervisors should review permanent positions which, after they become vacant, may be filled on a part-time career employment basis. The following factors should be considered:
 - (a) agency mission;
 - (b) workload fluctuations;
 - (c) size of workforce, occupational mix, turnover rate, and employment trends;
 - (d) potential for improving service to the public;
 - (e) diversity;
 - (f) geographic dispersion;
 - (g) current employee interest in part-time career employment; and
 - (h) full-time equivalencies and fiscal constraints.
- (2) Requests for Changes to Part-Time Schedules. An employee's request must be in writing, indicate that the request for conversion to part-time employment is voluntary, and include a desired effective date. The factors listed in paragraph 3d(1) above should be considered in determining the feasibility of establishing such part-time positions or approving requests for conversions to part time.
- (3) Public Announcements of Part-Time Employment Opportunities. There must be public notification of available part-time career vacancies. If two or more part-time employees share the duties of a full-time position, each person is considered to be a part-time employee for purposes of appointment, tours of duty, pay, classification, leave, holidays, benefits, position changes, service credits, record keeping, reporting, reductions in force (RIFs), adverse actions, grievances, and budgeted full-time equivalencies. Therefore, personnel records should identify all individuals who are sharing jobs and provide the reasons (e.g., to care for an ill family member, to return to school, to care for a child).

4. RESPONSIBILITIES.

- a. Director of Human Resources Management or the NNSA Director of Personnel. Provides technical assistance on part-time career employment requirements and responsibilities within DOE.

- b. Heads of DOE Elements (and Other Field Organizations with Personnel Authority).
 - (1) Establish part-time career employment programs and promote part-time career employment opportunities within their organizations, subject to resources and mission requirements.
 - (2) Authorize, in unusual circumstances, part-time career employees to work schedules of less than 16 hours per week and document the basis for such decisions (e.g., when it would be in the best interest of the organization).
- c. Human Resources Directors. Provide advice and technical assistance concerning part-time career employment within DOE.

CHAPTER IV. REDUCTION IN FORCE

1. OBJECTIVE. To establish requirements and responsibilities in planning and conducting a RIF involving DOE employees in the competitive and excepted services.
2. REFERENCES.
 - a. 5 CFR 351, "Reduction in Force."
 - b. 5 U.S.C. chapter 34, "Retention Preference, Restoration and Reemployment."
 - c. Executive Order 10450, "Security Requirements for Government Employment," signed April 27, 1953.
 - d. 5 CFR 1201, "Practices and Procedures."
3. REQUIREMENTS.
 - a. General.
 - (1) Before formal RIF procedures are initiated, a concerted effort should be made to place adversely affected employees through transfer, reassignment, or other appropriate action. Placement efforts, once undertaken, should be applied as consistently as practicable.
 - (2) If a RIF becomes necessary, adversely affected employees must be informed at the earliest possible time, advised of the regulations under which RIF actions are taken, and advised of their rights and benefits. Placement assistance, for positions inside and outside DOE, will be made available to all employees to be separated.
 - (3) Heads of DOE elements (and other field organizations with personnel authority) must assess the impact of a RIF on bargaining unit employees and will negotiate or consult with exclusive representatives as appropriate under labor relations law or negotiated agreements.
 - b. Prior Notification of RIF Plans.
 - (1) Organizations that plan to conduct a RIF must notify the Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel in writing as far in advance of the anticipated effective date as possible, but no less than 3 weeks before the date when RIF notices are to be given to employees. The following information must be included in the notification:

- (a) the proposed effective date and specific reason for the RIF (e.g., a reduction in workload or program curtailment);
 - (b) the approximate number of employees to be directly adversely affected by the RIF and related actions (e.g., numbers to be separated, downgraded, and reassigned);
 - (c) the amount of performance-related credit to be associated with each rating level and appraisal pattern, in accordance with the matrix at the end of this chapter;
 - (d) the estimated number of days of advance notice that employees will be given and whether employees will be in a nonpay status during any of this time period;
 - (e) the proposed relocation or outplacement efforts planned for the affected employees;
 - (f) the assistance required, if any, from other organizations and from the Director of Human Resources Management or, for NNSA components, the Director of Personnel, NNSA; and
 - (g) the estimated cost in terms of severance pay and lump-sum annual leave entitlements and any estimated salary savings through the remainder of the fiscal year. If the RIF results in whole or in part from a determination to obtain services by contract, the estimated additional contractor costs should also be included.
- (2) In the event of a transfer of function, the following additional information is required:
- (a) identification of the unit or function being transferred,
 - (b) identification of the gaining and losing organizations,
 - (c) reasons for the transfer,
 - (d) proposed effective date of the transfer,
 - (e) number of employees affected, and
 - (f) estimated number of employees who will accompany the function.
- (3) If circumstances beyond the control of the organization conducting the RIF prevent that organization from providing the required written

notification within the time limit required, such notification may be provided orally at the discretion of the Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel.

c. Competitive Areas.

- (1) Requests for changes in approved competitive areas should be submitted to the Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel at least 120 days in advance of any proposed RIF. If a competitive area is to be in effect less than 90 days before the effective date of the RIF, the request must be submitted to the Office of Personnel Management through the Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel. Generally, competitive areas are as follows.
 - (a) Each Headquarters first-tier organization must be a separate competitive area. Such areas include all employees of the organization within the Washington, D.C., commuting area.
 - (b) Each field element with delegated personnel authority that is operationally and functionally independent of other DOE activities in the commuting area must be in a separate competitive area. If such an office has activities in more than one commuting area, each commuting area must be a separate competitive area.
 - (c) Each field element without delegated personnel authority or that is not independent of other DOE activities in the commuting area must be considered a field activity of the appropriate Headquarters office and must be a separate competitive area.
- (2) The servicing human resources office must provide all employees with a list of the competitive areas for each organizational component. This list must be published annually. A full description of all competitive areas, including the dates they were established and the dates of any changes, must be maintained in the human resources office and be made available for review by employees and their representatives, as appropriate, to the extent that the records relate to each employee's situation.

d. Competitive Levels. Servicing human resources offices must ensure competitive levels for each position in the affected competitive area have been established in accordance with applicable regulations.

e. Retention Registers. The servicing human resources office must establish retention registers before any employee is released by RIF. Retention registers must be established in accordance with applicable regulations.

f. Assignment Rights.

- (1) An employee released from a competitive level is assigned to another position in accordance with 5 CFR 351, Subpart G, "Assignment Rights (Bump and Retreat)."
- (2) If an employee's right of assignment is to a sensitive position for which the employee does not possess the necessary access authorization, the appropriate action to obtain the authorization must be undertaken as soon as possible. The RIF assignment cannot be delayed or denied because the employee does not currently have an appropriate access authorization. Until such time as the appropriate authorization is obtained, the employee may, instead, be—
 - (a) assigned to perform only the nonsensitive duties of the position,
 - (b) detailed to a nonsensitive position or set of duties,
 - (c) granted leave (only upon the employee's request), or
 - (d) if appropriate, suspended under Executive Order 10450.
- (3) An employee in the excepted service does not have assignment rights when the employee is released from his or her competitive level.

g. Breaking Ties for Release from a Competitive Level. When employees in the same retention subgroup have identical service computation dates and are tied for release from a competitive level, the employee with the least amount of service with DOE must be released first.

h. Notices. Each competing employee selected for release from a competitive level is entitled to a specific written notice at least 60 full days before the effective date of release. Notice periods of less than 60 days must be authorized by the Office of Personnel Management via a written request from the Head of the DOE element through the Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel.

i. Transfer of Function. During a transfer of function, lump-sum and severance payments must be paid from the gaining organization's appropriations unless the losing organization chooses to fund such costs.

j. Appeal Rights.

- (1) An employee who has been furloughed for more than 30 days, separated, or demoted by a RIF action may appeal to the Merit Systems Protection Board in accordance with Merit Systems Protection Board procedures.

- (2) An employee in a bargaining unit covered by a negotiated grievance procedure that includes RIF must use the negotiated grievance procedure and may not appeal RIF actions to the Merit Systems Protection Board.
- (3) An employee, as identified in 3j(2) above, who raises an allegation of discrimination in conjunction with a RIF may pursue the matter either through the negotiated grievance procedure or by appealing the RIF action to the Merit Systems Protection Board.

4. RESPONSIBILITIES.

a. Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel.

- (1) Approves designations of competitive areas.
- (2) Concurs on requests to OPM for—
 - (a) approval to issue RIF notices less than 60 days before the effective date and
 - (b) approval of new and changed competitive areas that will be implemented less than 90 days before the effective date of a RIF.
- (3) Approves exceptions to the “Performance-Related Retention Credit Matrix” under rare circumstances when inequitable results would otherwise result. (The matrix appears on the last page of this chapter.)

b. Heads of DOE Elements (and Other Field Organizations with Personnel Authority).

- (1) Determine when a RIF will be necessary, which functions and organizations will be affected, and the amount of performance-related credit to be associated with each rating level/appraisal pattern and initiate appropriate action.
- (2) Provide the Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel in writing and in advance of any RIF action—
 - (a) a copy of the RIF plan;
 - (b) a delineation of, or any proposed changes to, competitive areas; and

- (c) requests to issue RIF notices less than 60 days in advance of the effective date or to establish new competitive areas less than 90 days before the effective date.
 - (3) Determine when a transfer of function is needed to further DOE's mission and initiate appropriate approvals, in consultation with servicing human resources office.
- c. Human Resources Directors. Provide advice and technical operations support to organizational units serviced so all RIF and transfer of function planning and personnel actions are carried out consistent with the provisions of this chapter and with applicable regulations.
- d. Managers and Supervisors.
- (1) Determine which positions are to be abolished.
 - (2) Provide information to affected employees.

PERFORMANCE-RELATED RETENTION CREDIT MATRIX
(in years)

Rating Level/Appraisal Pattern	PERFORMANCE RATING				
	Unacceptable	Marginal	Fully Successful/ Pass	Exceeds Expectations	Outstanding
2-Level (Pattern A)	0	N/A	12-20	N/A	N/A
3-Level with Outstanding (Pattern B)	0	N/A	12-16	N/A	17-20
3-Level with Exceeds (Pattern C)	0	N/A	12-16	17-20	N/A
3-Level with Marginal & Pass (Pattern D)	0	0	12-20	N/A	N/A
4-Level with Exceeds & Outstanding (Pattern E)	0	N/A	12-14	15-17	18-20
4-Level with Marginal & Outstanding (Pattern F)	0	0	12-16	N/A	17-20
4-Level with Marginal & Exceeds (Pattern G)	0	0	12-16	17-20	N/A
5-Level (Pattern H)	0	0	12-14	15-17	18-20

Notes

These ranges represent choices to be applied uniformly throughout the reduction in force competitive area, as required in 5 CFR 351.504(b)(4). Each selected value, not the range, must be the specific one applied in all instances of that rating/pattern combination in that competitive area.

Exceptions to the use of the above table may be granted by the Director of Human Resources Management or, for National Nuclear Security Administration (NNSA) components, the NNSA Director of Personnel. Such exceptions will be approved only when circumstances demonstrate that inequitable results would otherwise occur.

CHAPTER V. MERIT PROMOTION

1. OBJECTIVE. To provide requirements and responsibilities when promoting and placing individuals in the competitive service, including DOE and other Federal employees.
2. REFERENCES.
 - a. 5 CFR 335, "Promotion and Internal Placement," and 5 CFR 300, Subpart A, "Employment Practices (General)." <http://www.access.gpo.gov/nara/cfr/cfr-retrieve.html#page1>.
 - b. Qualification Standards for General Schedule Positions, United States Office of Personnel Management Operating Manual.
 - c. Handbook X-118C, Job Qualification System for Trades and Labor Occupations.
 - d. 29 CFR 1607, "Uniform Guidelines on Employee Selection Procedures (1978)." http://www.access.gpo.gov/nara/cfr/waisidx_0029/cfr1607_00.html.
3. REQUIREMENTS.
 - a. General.
 - (1) DOE will fill positions in the competitive service from the best available candidates in accordance with Departmental policy and applicable civil service laws and regulations.
 - (2) Merit promotion and other placement actions will be taken based on job-related criteria without regard to political, religious, or union affiliation or nonaffiliation; marital status; race; color; national origin; sex; age; non-disqualifying physical handicap; or sexual orientation.
 - b. Merit Promotion Plans. Merit promotion plans must be developed for employees in the competitive service. Each plan must include the following items.
 - (1) A list of all actions that must be excepted from the competitive procedures of the merit promotion plan, including giving priority consideration to candidates who were not given proper consideration in previous competitive promotion actions when they apply for appropriate vacancies (unless some other remedy is mutually acceptable to the applicants and management).
 - (2) The other requirements contained in 5 CFR Part 335.

- c. Areas of Consideration.
- (1) In determining areas of consideration, DOE elements with employees in multiple commuting areas must ensure employees at various locations are not unduly restricted from applying for vacancies. Minimum areas of consideration will normally be as follows.
 - (a) Department-wide. Positions at GS-14 and GS-15 (or equivalent Federal Wage System or negotiated hourly rate).
 - (b) Commuting Area. Positions at GS-13 and below (or equivalent Federal Wage System or negotiated hourly rate).
 - (c) Exceptions. Human resources offices may allow exceptions to the standard minimum areas of consideration if the number of qualified candidates in the alternative area is adequate and if use of the standard minimum area would be impractical. The bases for exceptions must be documented.
 - (2) Time Limits for Posting. Below is general information for posting vacancy announcements. Under the DOE Priority Placement and Career Transition and Assistance Program policy, certain DOE employees affected by reductions in force must be given 30 days to apply for vacancies.
 - (a) Vacancies announced Department-wide will be posted for a minimum of 15 calendar days. Vacancies announced for a smaller area of consideration will be posted for a minimum of 7 calendar days.
 - (b) When specific positions show a high rate of turnover or a low rate of internal applications, vacancy announcements may remain open continuously for a period not to exceed 1 year. The vacancy announcement must clearly state the continuously open nature of the announcement and the procedures to be used.
- d. Evaluation of Candidates. Basic eligibility will be determined based on selective factors, as applicable, and qualifications standards in the OPM Qualification Standards for General Schedule Positions or Handbook X-118C, Job Qualification System for Trades and Labor Occupations. Evaluation methods must include the bases for determining the best qualified candidates.

4. RESPONSIBILITIES.

- a. Director, Office of Management, Budget and Evaluation/Chief Financial Officer, through the Director of Human Resources Management or, for NNSA components, the Associate Administrator for NNSA, through the NNSA Director of Personnel. Ensures the Department's human resources management program is based on concepts of merit, efficiency, and effective mission support.
- b. Director of Human Resources Management or the NNSA Director of Personnel.
 - (1) Develops, promulgates, implements, and provides advice on policies, standards, and procedures concerning merit promotion and related personnel functions, consistent with applicable laws and regulations.
 - (2) Maintains liaison with OPM on merit promotion policy as well as on other personnel-related activities.
 - (3) Periodically evaluates the effectiveness of DOE's merit promotion program and other personnel functions.
 - (4) Actively promotes the introduction and expansion of automated systems to increase the efficiency and effectiveness of DOE's merit promotion program.
- c. Heads of DOE Elements.
 - (1) Staff their organizations by fairly selecting candidates for employment and maximizing employees' talents in accordance with merit principles.
 - (2) Use the assistance of the appropriate human resources office when planning recruitment, staffing, and promotion actions.
- d. Human Resources Directors.
 - (1) Develop merit promotion plans for the organizations they service in accordance with 5 CFR 335; 5 CFR 300, subpart A, "Employment (General)"; <http://www.access.gpo.gov/nara/cfr/cfr-retrieve.html#page>; and this Order (applicable only to all human resources offices holding delegated authority to effect personnel actions).
 - (2) Perform all phases of technical operational support, including support for automated recruitment and candidate evaluation, for organizational units serviced so all merit promotion activities are consistent with the provisions of this Order and with local merit promotion plans.

- (3) Provide day-to-day advice and guidance to managers and supervisors on merit promotion matters and on methods for improving efficiency in the merit promotion process.
- (4) Maintain liaison with appropriate OPM offices and other organizations as necessary to provide an effective human resources program for the operating organizational components for which they are responsible.
- (5) Document, maintain, release, or protect merit promotion records (as appropriate) for a minimum of 2 years, in accordance with 5 CFR 335.
- (6) Evaluate the effectiveness of merit promotion and other personnel management functions within their organizational jurisdictions.
- (7) Approve selective factors consistent with applicable regulations.
- (8) Request OPM's approval of tests, as required, and ensure any commercially developed tests meet the standards in the Uniform Guidelines on Employee Selection Procedures (29 CFR 1607) [http://www.access.gpo.gov/nara/cfr/waisidx_0029cfr1607_00.html], before administering such tests.

e. Selecting Officials, Managers, and Supervisors.

- (1) Establish job-related evaluation criteria, in conjunction with appropriate human resources staff, for use in considering candidates for merit promotion.
- (2) Give fair and objective consideration to all candidates certified for consideration.
- (3) Promptly provide appraisals of performance and potential, as requested, for subordinates who are candidates for merit promotion.
- (4) Provide appropriate formal and on-the-job training for all first-level supervisors in the operation of the merit promotion process.
- (5) Promote diversity and equal employment opportunity principles by ensuring personnel actions are consistent with the Department's policies and goals.
- (6) Consult human resources office should questions arise concerning the use of written tests.

CHAPTER VI. DOE CAREER TRANSITION ASSISTANCE PLAN

1. OBJECTIVE. To establish a Department of Energy (DOE) Career Transition Assistance Plan (CTAP) for surplus and displaced Federal employees during downsizing, restructuring, or site/facility closure.
2. CANCELLATION. This chapter cancels the DOE interim policy *Department of Energy Priority Placement and Career Transition Assistance Plan*, dated 8-20-97.
3. APPLICABILITY. This chapter applies to all DOE elements in Attachment I, including the Bonneville Power Administration.
4. REFERENCES.
 - a. Presidential memorandum on Career Transition Assistance for Federal Employees, dated 9-12-95.
 - b. Title 5 Code of Federal Regulations (CFR) 330, Recruitment, Selection, and Placement (General).
 - c. 5 CFR 351, Reduction in Force.
 - d. 5 CFR 536, Grade and Pay Retention.
 - e. U.S. Office of Personnel Management (OPM), Workforce Restructuring Office, *The Employee's Guide to Career Transition*, available online at www.opm.gov/ctap/html/egct.htm.
 - f. Chapters II, IV, and V of this Order, which cover reductions in force (RIFs), merit promotion, and issues concerning employees who fail to satisfactorily complete probationary periods as new managers or supervisors.
 - g. OPM Operating Manual *Qualifications Standards for General Schedule Positions* (also referred to as the Qualification Standards Operating Manual), available online at <http://www.opm.gov/qualifications/index.htm>.
 - h. DEFINITIONS. Unless otherwise noted, definitions found in 5 CFR 330, Subparts B, F, and G, apply. The following supplement those definitions.
 - (1) At Risk Employee. A DOE employee who has received an official notice of expected position abolishment (signed by a management official authorized to approve a RIF, and concurred in by the Office of Human Resources). At risk employees meet the definition of surplus with respect to appointment status and tenure group, but they are not considered CTAP employees for placement purposes (see paragraph 5e).

- (2) Component. The first major DOE subdivision that is separately organized and clearly distinguished from other major subdivisions in work function and operation. Examples include the National Nuclear Security Administration, Office of Environmental Management, and Bonneville Power Administration.
- (3) CTAP Employee. A surplus or displaced employee. Below is a list of common definitions of surplus or displaced employee. Other definitions may be found in 5 CFR 330.604(c), except that position abolishment pertains only as described below and as provided herein concerning at risk employees.
- (a) Surplus Employee.
- 1 A current DOE employee serving under an appointment in the competitive service, in tenure group 1 or 2, at or below the GS-15 level (or equivalent), who has received a certificate of expected separation or other official notice stating that he/she is eligible for discontinued service retirement.
 - 2 A current executive branch agency employee serving on an excepted service appointment without time limit, at or below the GS-15 level (or equivalent), who has received a certificate of expected separation or official notice stating that he or she is eligible for discontinued service retirement or an individual who has been conferred noncompetitive appointment eligibility and special selection priority by statute for positions in the competitive services.
 - 3 A current employee serving on a Schedule A or B excepted appointment without time limit, at or below the GS-15 level (or equivalent), who has received a certificate of expected separation, an official notice that he or she is eligible for discontinued service retirement, a RIF notice of separation, or a notice of proposed removal for declining a transfer of function or directed reassignment outside of the local commuting area. Such employee may exercise selection priority for permanent excepted service positions provided the position to which appointed has the same appointing authority (i.e., Schedule A or B) as the position from which he/she is being separated.

(b) Displaced Employee.

- 1 A current career or career conditional competitive service employee in tenure group 1 or 2, at or below the GS-15 level (or equivalent), who has received a specific RIF notice or notice of proposed removal for declining a directed reassignment or transfer of function outside of the local commuting area.
- 2 A current employee in the excepted service, serving on an appointment without time limit, at or below the GS-15 level (or equivalent), who has been given noncompetitive appointment eligibility and selection priority by statute for positions in the competitive service, and has received a RIF separation notice or notice of proposed removal for declining a transfer of function or directed reassignment outside of the local commuting area.

(c) Eligible Employee. A surplus, displaced, or at risk employee who applies for a vacancy and is determined well qualified for a position that has no greater promotion potential than the position from which he/she is being (or may be) separated, submits proof of his/her eligibility for selection priority, and has a current performance rating of record of at least fully successful or equivalent.

(d) Interagency Transition Assistance Plan (ICTAP) Employee. Usually an ICTAP employee is a displaced employee from another Federal agency. Below is a list of common definitions of displaced employee. Other definitions may be found in 5 CFR 330.703(c).

- 1 A current career or career conditional competitive service employee, in tenure group 1 or 2, at or below the GS-15 level (or equivalent), who has received a specific RIF separation notice or notice of proposed removal for declining a directed reassignment or transfer of function outside of the local commuting area.
- 2 A former career or career-conditional competitive service employee in tenure group 1 or 2, at or below the GS-15 level (or equivalent), who was separated through RIF or removed for declining a directed reassignment or transfer of function outside of the local commuting area.

- (e) Local Commuting Area. The geographic area that usually constitutes one area for employment purposes. It includes any population center (or two or more neighboring ones) and the surrounding localities in which people live and reasonably can be expected to travel back and forth daily to their usual employment. (For CTAP purposes each human resources office should define the local commuting area for each of its duty stations consistent with common recruitment and commuting patterns. Collocated components should collaborate on this definition.)
- (f) Permanent Employee. A DOE employee serving on a career or career-conditional appointment, in tenure group 1 or 2, or a DOE employee serving in the excepted service with comparable status who has acquired competitive status (i.e., eligibility for noncompetitive assignment to a position in the competitive service).
- (g) Vacancy. A competitive service position filled for a total of 121 days or more, including all extensions, regardless of whether a specific vacancy announcement is issued. In the excepted service, this means a permanent Schedule A or B position. [See paragraph 4h(3)(a)3.]
- (h) Well-Qualified Employee. An eligible employee whose competencies clearly exceed the minimum qualification requirements for a position. Note: A well-qualified employee may not be considered highly or best qualified when evaluated against other candidates who apply for a particular vacancy. Vacancy announcements must include the specific requirements to be used in evaluating applicants for each position. [See 5 CFR 330.604(k).]

5. REQUIREMENTS.

- a. DOE will assist its surplus, displaced, and at risk employees by providing selection priority for vacancies, outplacement assistance, retraining, career transition services, and support to help employees take charge of their careers and find new jobs within DOE, where possible, or in other Agencies and the private sector.
- b. DOE will give selection priority to eligible displaced employees from other Federal agencies after all eligible current and former DOE employees have been afforded priority for vacancies in accordance with paragraph 5g.

- c. Vacancies must be publicized so that eligible employees within and outside DOE can apply and receive selection priority, as appropriate. If it is known that there are no such eligibles, vacancies need not be announced solely to meet this requirement. Instead, the Request for Personnel Action (SF-52) would be documented to reflect that there are no surplus and displaced eligibles.
- d. Exemptions to CTAP are listed in 5 CFR 330.606(d), with one exception. The exemption in 5 CFR 330.606(d)(10) only applies when filling an excepted service position through an appointment authority not subject to the discretionary coverage of Schedule A and B positions described in 5 CFR 330.604(i)(3).
- e. Issuance of Notice of Expected Position Abolishment—At Risk Employees.
 - (1) A notice of expected position abolishment may be issued to an employee whose position is expected, with a strong degree of certainty, to be abolished within 1 year from issuance (e.g., based on skills analyses and staffing plans), provided placement opportunities within the component or elsewhere in the commuting area are extremely limited.
 - (2) Notice must be signed by a management official authorized to approve a RIF, in concurrence with the human resources office. Officials must be judicious in issuing RIF notices to ensure that all employees who need transition and placement services receive them.
 - (3) To be considered at risk, an employee must meet the tenure group and appointment status definition of surplus, but he/she is not considered an eligible “CTAP employee” for placement purposes.
 - (4) Notice is issued to grant selection priority entitlement earlier than the 6 months that is allowed with a certificate of expected separation.
 - (5) At risk employees are placed in a lower selection status than surplus and displaced employees.
- f. Operation of the Reemployment Priority List (RPL). Each human resources office will maintain an RPL for employees affected by RIFs or employees who have fully recovered from compensable injuries after more than 1 year (5 CFR 330, Subpart B). When more than one program office is located in the same commuting area, the human resources offices will collaborate to ensure that proper consideration is given to eligible individuals.
- g. Order of Selection. These requirements do not apply to employees in positions above the General Schedule- (GS)-15 level (or equivalent) or to Schedule C, Senior Executive Service, or excepted service employees except for those on Schedule A or B appointments described in paragraph 4h(3)(a)3. Individuals

seeking selection priority must apply for a specific vacancy for which they are well qualified. Unless an action is excluded by regulation or statute, the steps below must be followed in the order they are listed when filling each vacancy, regardless of the area of consideration or the source of candidates.

- (1) Component—Commuting Area.
 - (a) CTAP employees (mandatory selection).
 - (b) At risk employees (mandatory selection).
 - (c) Permanent employees (optional).
- (2) Other Component—Commuting Area.
 - (a) CTAP employees (mandatory selection).
 - (b) At risk employees (mandatory selection).
 - (c) Permanent employees (optional).
- (3) DOE Nationwide.
 - (a) Within Component.
 - 1 CTAP employees (mandatory selection).
 - 2 At risk employees (mandatory selection).
 - 3 Permanent employees (optional).
 - (b) Other Components.
 - 1 CTAP employees (mandatory selection).
 - 2 At risk employees (mandatory selection).
 - 3 Permanent employees or applicants from outside DOE (optional); must follow steps below to hire outside DOE.
- (4) RPL eligibles (mandatory selection).
- (5) Former employees displaced from DOE but not entitled to selection priority (optional), human resources must use appropriate selection procedures.

- (6) Current or former Federal employees displaced from other Federal agencies (see the ICTAP definition at 5 CFR 330.703).
 - (7) Any candidate inside or outside DOE (under appropriate selection procedures).
- h. Qualifications Review. A documented, independent second review must be conducted whenever an otherwise eligible surplus or displaced employee is determined not to be well qualified. The review may be conducted by an independent reviewer such as a supervisor in the human resources office, an equal employment opportunity official, or a subject matter specialist who was not involved in the original screening process.
- i. Certifications and Notifications of Eligibility.
 - (1) Each certification will be in writing and must include the title, series, grade, geographic location, full performance level of the employee's current position, and point of contact to verify current eligibility and to notify in the event of his or her selection for another position. Certification should have human resources office concurrence.
 - (2) At the time surplus, displaced, at risk, and RPL employees become eligible for priority consideration, selection priority, or career transition services, they must be informed of their eligibility in writing.
- j. Relocation expenses. When a surplus, displaced, or at risk employee is selected for another DOE position outside the geographic area of his/her current position, relocation expenses will be paid by the organization that is losing the employee, consistent with policy governing payment of relocation expenses, unless other mutually agreeable arrangements are made between the losing and gaining organizations.
- k. Additional Selection Provisions. In cases of downsizing in remote areas, site closure, implementation of competitive sourcing (A-76) awards, or major organizational downsizing in other geographic areas, DOE may determine that employees under notice of separation will be granted selection priority at one or more other DOE sites when employment within the commuting area of the competitive sourcing, closing site, or remote area is limited. Guidance and instructions will be provided based on specific circumstances.
- l. Priority Consideration. In addition to requirements to grant selection priority to surplus and displaced employees, there are conditions under which certain other individuals are entitled to priority consideration for vacancies. After selection priority has been given to all eligible applicants and before selecting another

applicant, bona fide consideration will be given to the application or resume of an individual eligible for priority consideration.

- (1) Eligibility. Priority consideration will be granted under the circumstances listed below and in the order listed (i.e., candidates involuntarily downgraded have the highest priority). Priority consideration begins on the earliest date on which one of the following occurs:
 - (a) an involuntary downgrade when the employee is eligible for grade and/or pay retention (e.g., RIF or job reclassification) or
 - (b) a finding that an applicant received improper consideration for a merit promotion and that priority consideration is warranted.
- (2) Priority Consideration for Employees Granted Grade and/or Pay Retention Following Involuntary Actions. Eligible employees receive priority consideration for positions up to the retained grade level (i.e., the grade level held immediately before the downgrade).
- (3) Actions That Begin Eligibility. Eligibility for priority consideration begins on the date that an employee is granted grade and/or pay retention as a result of a RIF or reclassification action. Priority consideration will be granted under the following circumstances.
 - (a) The employee applies for a vacant position that has no greater promotion potential than that of the position which conferred eligibility for grade and/or pay retention, indicates he or she is eligible and shows proof (e.g., by forwarding to the human resources office appropriate documentation such as the SF-50, Notification of Personnel Action, showing grade and/or pay retention action or a copy of the specific notice of downgrade), and is found to be well qualified for the position.
 - (b) A Headquarters employee applies for a position that is located within the local commuting area.
 - (c) A field employee applies for a position that is located in the organizational and geographic areas that constitute the employee's competitive area for RIF purposes.
- (4) Termination of Eligibility. Priority consideration terminates when one or more of the following events occur.
 - (a) The employee is placed in a permanent position at the retained grade level.

Vertical line denotes change.

- (b) Two years have passed since the date of the action that conferred eligibility for repromotion consideration.
 - (c) The employee declines an offer for a permanent position at the saved grade level within the competitive area.
 - (d) The employee resigns, transfers, or retires from DOE.
 - (e) A field employee voluntarily transfers to a different competitive area within DOE.
 - (f) A Headquarters employee transfers to a different commuting area.
- (5) Referral and Consideration. Well-qualified candidates are certified in alphabetical order before merit promotion candidates but not before current employees who are eligible for selection priority. If employees who are given priority consideration are not selected, officials must document the reasons for not selecting the employees (usually on the selection certificate).
- (6) Priority Consideration in Merit Promotion Actions. Priority consideration will be granted to employees who were not given proper consideration for merit promotions as determined based on the policies and procedures of the human resources office responsible for staffing the vacancy.
- (a) Priority consideration is appropriate when a procedural, regulatory, or program violation occurred and it can be shown that an employee did not receive proper consideration.
 - (b) Priority consideration is inappropriate if the unsuccessful employee was not disadvantaged (e.g., if an improper area of consideration was used in a promotion action and the successful and unsuccessful candidates were not in the proper area of consideration).
- (7) Voluntary Moves to Lower Grade Level Positions. This group includes employees granted optional grade and/or pay retention. These employees should be given full and fair consideration when they apply for vacancies and should be accorded active support in developing strategies for placement and career transition. At a minimum, the employees will be provided the services described in paragraph 5m(2), below, for surplus and displaced employees. (Voluntary moves to lower-graded positions do not confer priority consideration eligibility).

m. Career Transition Services.

- (1) DOE will make available career transition services to all surplus and displaced employees, including those in the excepted service and Senior Executive Service. Career transition services may be provided in various ways (directly, under contract with a private organization, etc.). At a minimum, career transition services will include—
 - (a) Federal job information,
 - (b) individual career counseling and guidance,
 - (c) job search assistance (e.g., resume preparation and interviewing skills),
 - (d) career transition workshops as appropriate and as funds permit, and
 - (e) employee assistance program counseling on a referral basis.
- (2) Surplus and displaced Federal employees have priority over other DOE employees in using career transition services and facilities. Each surplus or displaced employee will be allowed a minimum of 40 hours of excused absence. At the supervisor's discretion, more time may be approved for employees to use DOE's career transition services and facilities; conduct job placement interviews both inside and outside DOE; take examinations for professional, administrative, or clerical positions; and attend formal training to assist with transition into positions either inside or outside DOE.
- (3) Each employee separated under RIF procedures must be authorized continued access to DOE's career transition services and facilities—
 - (a) to receive career counseling and employee assistance program counseling services for up to 90 days and
 - (b) to have access to other types of career transition services such as automated job search and career planning systems, automated resume preparation systems, and use of lending library resources (which may be limited to use on site) for up to 1 year.
- (4) In addition to the above services, the following also apply.

- (a) Training must be provided to employees, managers, supervisors, and union representatives on the use of career transition services through such mechanisms as—
 - 1 Career Transition Center open houses,
 - 2 individual and group tours,
 - 3 onsite workshops and presentations,
 - 4 administrative and personnel contact meetings, and
 - 5 electronic mail notices and announcement of services.
- (b) Position and occupational retraining of up to 160 hours—to be completed before separation—must be provided in competencies related to Federal workforce occupations. Approving and authorizing officials may modify work schedules and extend up to 160 hours of excused absence to attend scheduled hours of training, as deemed appropriate and subject to the availability of funding.
- (c) Each DOE location that has available career transition services must allow access to these services for employees located at remote sites that do not ordinarily have access to these types of services, including displaced employees whose sites have closed.
- (d) Each DOE location that has available career transition services must ensure that they are accessible to employees with disabilities.
- (e) Each DOE location must have available resource information on other forms of Federal, State, and local assistance available to support career transition for surplus and displaced employees with disabilities.
- (f) Employee assistance must be an integral part of DOE's career transition services, on a referral basis. Such services must include, at a minimum, counseling to assist employees in coping with personal issues arising from the effects of involuntary downsizing.

6. RESPONSIBILITIES.

- a. Deputy Secretary approves requests from heads of components for alternative selection provisions to support employees under notice of separation as described in paragraph 5k above.

Vertical line denotes change.

- b. Heads of DOE Components.
- (1) Ensure that the provisions of this chapter are administered within their respective organizations and that employees under their jurisdiction are informed of the relevant provisions.
 - (2) Provide for the placement of individuals granted reemployment or assignment rights under statute or regulation.
- c. Director of Human Resources Management or, for NNSA components, the NNSA Director of Personnel ensures that career transition assistance policy/guidance is developed for organizations under his/her purview.
- d. Human Resources Directors ensure that measures are taken to—
- (1) provide technical assistance to management concerning career transition assistance;
 - (2) notify eligible employees of vacancies DOE is filling and what is required for applicants to be considered qualified or well qualified, as applicable;
 - (3) conduct documented, independent second reviews whenever otherwise eligible surplus or displaced employees are found not to be well qualified;
 - (4) inform applicants of the status of their applications;
 - (5) provide information to employees concerning career transition services available to them, particularly at the time certificates of expected separation or position abolishment and RIF notices are issued;
 - (6) coordinate with other DOE human resources offices in providing career transition assistance to eligible individuals, (e.g., to establish and maintain a single RPL for the commuting area), confirm selection priority eligibility, and notify employing offices of selections; and
 - (7) inform the Office of Human Resources Policy and Planning, Office of Human Resources Management, when surplus, displaced, and at risk employees are being identified to facilitate a corporate approach to providing selection priority.
- e. Selecting Officials consider and select candidates consistent with the order of selection described in 5g above.

CHAPTER VII. POSITION CLASSIFICATION

1. OBJECTIVE. To provide guidance, instructions, and responsibilities for position classification under the General Schedule (GS), Excepted Service (EJ & EK), and Federal Wage System and for processing position classification appeals within the Department of Energy (DOE).
2. REFERENCES.
 - a. Title 5, United States Code, Chapter 51, Classification.
 - b. Title 5, Code of Federal Regulations, Part 511, Classification under the General Schedule.
 - c. U.S. Office of Personnel Management (OPM) publication TS-107, *The Classifier's Handbook* (August 1991), which provides information and guidance regarding position classification standards.
 - d. OPM, *The Federal Wage System Operating Manual*, available online at <http://www.opm.gov/oca/wage/APPFUND.HTM>.
 - e. OPM publication TS-44, *Federal Grading System for Trades and Labor Occupations* (September 1981), which governs classification under the Federal Wage System.
3. REQUIREMENTS.
 - a. General. Human resources officer and chief classifier positions must be classified by or under the direction of the senior human resources officer at the next higher level in the organization. In no case may human resources officers (or any of their subordinates) classify their own positions or that of their senior human resource specialist (classification) positions.
 - b. Classification Appeals. An employee may file a classification appeal at any time. EJ and EK employees may appeal within DOE or directly to OPM. Appeals must be submitted in writing and include the required information listed in *The Classifier's Handbook*, Appendix 4, paragraph J. Employees who work under prevailing rate standards (Federal Wage System) must file appeals first within the Department. When they have received a decision, those employees may continue the appeal with OPM under the provisions of *The Federal Wage System Operating Manual*.
 - c. Effecting Classification Actions.
 - (1) All position classification errors must be corrected by the beginning of the fourth pay period from the date the error is identified.

- (2) New position classification standards must be implemented within 1 year from the date of receipt. The director of the Office of Human Resources Policy and Planning must be notified when the established time limit cannot be met.
- (3) Vacant positions identified for downgrading or upgrading because of classification error, revised standards, or action taken by a higher authority may not be filled before the position classification error has been corrected.

4. RESPONSIBILITIES.

- a. Director, Office of Human Resources Policy and Planning or the NNSA Director of Personnel for NNSA components.
 - (1) Classifies human resource officer and senior human resource specialist (classification) positions.
 - (2) Decides position classification appeals.
- b. Human Resources Directors. Assist management by providing technical advice and assistance on applying laws; regulations; merit principles; and other guiding policies, directives, negotiated agreements, and governing decisions of regulatory agencies and Federal Courts.
- c. Human Resources Offices. Classify positions at GS-15 level (or equivalent) and below.

**DEPARTMENT OF ENERGY ORGANIZATIONS TO WHICH
DOE O 320.1 IS APPLICABLE**

Office of the Secretary
Chief Information Officer
Office of Civilian Radioactive Waste Management
Office of Congressional and Intergovernmental Affairs
Office of Counterintelligence
Departmental Representative to the Defense Nuclear Facilities Safety Board
Office of Economic Impact and Diversity
Office of Electric Transmission and Distribution
Office of Energy Assurance
Office of Energy Efficiency and Renewable Energy
Energy Information Administration
Office of Environment, Safety and Health
Office of Environmental Management
Office of Fossil Energy
Office of General Counsel
Office of Hearings and Appeals
Office of Independent Oversight and Performance Assurance
Office of the Inspector General
Office of Intelligence
Office of Management, Budget and Evaluation and Chief Financial Officer
National Nuclear Security Administration
Office of Nuclear Energy, Science and Technology
Office of Policy and International Affairs
Office of Public Affairs
Office of Science
Secretary of Energy Advisory Board
Office of Security
Office of Worker and Community Transition
Bonneville Power Administration
Southeastern Power Administration
Southwestern Power Administration
Western Area Power Administration

DOE O 320.1 Chg 1

Approved: 9-6-02
 Chg 1: 11-21-03

SUBJECT: ACQUIRING AND POSITIONING HUMAN RESOURCES

1. PURPOSE. To transmit Chapters VI and VII to DOE O 320.1, *Acquiring and Positioning Human Resources*, dated 9-6-02; updated Attachment 1; and corrected and updated contents pages.

2. EXPLANATION OF CHANGES. DOE O 320.1 was approved with some chapters reserved. As chapters are completed, they are being added to the Order. Chapters VI and VII cover career transition assistance for surplus/displaced Department of Energy (DOE) Federal employees and position classification, respectively. Attachment 1 has been updated to reflect recent DOE organizational changes. Misnumbered contents pages have been corrected and contents pages have been updated to reflect the new chapters.

3. FILING INSTRUCTIONS.

Remove	Dated	Insert	Dated
Four misnumbered contents pages	9-6-02	Contents pages i–ii	9-6-02
—	—	Contents pages iii–iv	11-21-03
—	—	Chapter VI [following Chapter V]	11-21-03
—	—	Chapter VII [following Chapter VI]	11-21-03
Attachment 1, Page 1–Page 2	9-6-02	Attachment 1, Page 1 (and Page 2)	11-21-03

After filing the attached pages, this transmittal may be discarded.

BY ORDER OF THE SECRETARY OF ENERGY:



KYLE E. McSLARROW
 Deputy Secretary