

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

ORDER

DOE 3305.1

7-31-81

SUBJECT: PRESIDENTIAL, SUPERGRADE, AND SCHEDULE C POSITIONS

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1. PURPOSE. To provide policy and procedures for the management appointment, and removal of individuals in Presidential, Supergrade, and Schedule C positions. It does not apply to Senior Executive Service positions.
 2. SCOPE. The provisions of this Order apply to all elements of the Departmental Energy, including the Federal Energy Regulatory Commission.
 3. POLICY. Supergrade and Schedule C positions are a resource of the Secretary of energy and the Chairman, Federal Energy Regulatory Commission, and shall be deployed in the best interests of the Department of Energy. Assignments shall fully comply with equal employment opportunity policy, and Departmental employees shall receive full consideration for appropriate positions.
 4. REFERENCES.
 - a. Title 11 of Public Law 95-91, Department of Energy Organization Acts, authorizes Principal Officers, Assistant Secretaries, Administrators, General Counsel, Inspector General, Deputy Inspector General, and members of the Federal Energy Regulatory Commission to be appointed by the President by and with the advice and consent of the Senate.
 - b. Public Law 95-619, National Energy Conservation Policy Act, authorizes a Director, Office of Minority Impact, to be appointed by the President by and with the advice and consent of the Senate.
 - c. Public Law 96-294, Energy Security Act, authorizes a Director, Office of Alcohol Fuels, to be appointed by the President and with the advice and consent of the Senate.
 - d. Part 930, Subpart B of Title 5, Code of Federal Regulations, provide for the appointment, pay, and removal of Administrative Law Judges.
 - e. Public Law 95-563, Contract Disputes Act of 1978, provides for Board of Contract Appeals members to serve in the same manner as hearing examiners (also identified as Administrative Law Judges).
 - f. Part 305 of Title 5, Code of Federal Regulations, provides for the Executive Assignment System including career, noncareer, and limited executive assignment appointments.
 - g. Section 213.3301 of Title 5, Code of Federal Regulations, provides for noncompetitive appointment to positions of a confidential or policy-determining character.

DISTRIBUTION:

All Departmental Elements
Federal Energy Regulatory Commission

INITIATED BY:

Office of Personnel

- h. Section 3392, Public Law 95-454, Civil Service Reform Act of 1978, provides that a career Senior Executive Service member may elect to retain his Senior Executive Service employment entitlements if he is appointed by the President by and with the advice and consent of the Senate to a civilian position in the executive branch.
- i. Part 752 of Title 5, Code of Federal Regulations, provides for the removal of individuals in the competitive service.
- j. Part 430 of Title 5, Code of Federal Regulations, provides for the establishment of performance appraisal systems.
- k. Part 451 of Title 5, Code of Federal Regulations, provides for incentive awards for Federal employees.

5. DEFINITIONS.

- a. Senior Executive Service Position. A position primarily responsible for supervising or directing the work of an organizational unit or otherwise significant policymaking functions; and classified above GS-15 of the General Schedule and compensated between GS-16 and Executive Level IV, except for Presidential appointments, Administrative Law Judge positions, Board of Contract Appeals positions excluded by definition under Public Law 95-454. Supergrade positions such as technical advisors, special assistants, and other positions which do not manage or supervise an organization or share such responsibility with the head of an organization are excluded from the Senior Executive Service.
- b. Supergrade Position. Any position classified at grade 16, 17, or 18 of the General Schedule.
- c. Career Executive Assignment. An assignment in the competitive service to a supergrade position which does not meet the criteria for inclusion in the Senior Executive Service and which must be filled through merit staffing procedures conducted by the Executive Personnel Board (for the Department) or the Executive Resources Board (for the Federal Energy Regulatory Commission).
- d. Noncareer Executive Assignment. An assignment in the excepted service to a supergrade position which does not meet the criteria for inclusion in the Senior Executive Service and which is not subject to merit staffing procedures. To qualify as a noncareer executive assignment, the position must be one whose incumbent will serve principally as a personal assistant to or advisor of a Presidential appointee or other key political figure.
- e. Limited Executive Assignment. An assignment to a supergrade position in the competitive service, not subject to merit staffing procedures, which is authorized when the need for the position is expected to be of short duration (less than 5 years) or when an urgent or unusual staffing need arises.

- f. Administrative Law Judge Position. A career absolute, supergrade position of a quasi-judicial nature. These positions are limited in number, and classification and qualification approvals are the responsibility of the Office of Personnel Management. These positions are excluded by law from the Senior Executive Service.
 - g. Board of Contract Appeals Position. The Contract Disputes Act of 1978 (Public Law 95-563) authorizes the formation of agency Boards of Contract Appeals and provides for the selection and appointment of members to these boards to serve in the same manner as hearing examiners (also identified as Administrative Law Judges). These excepted supergrade positions are excluded from the Senior Executive Service and may be allocated by the Administrator, Office of Federal Procurement Policy, on the basis of relative workload.
 - h. Schedule C Position. Positions excepted from the competitive service due to their close and confidential relationship to policymaking officials. These positions are normally found at grade GS-15 and below of the General Schedule.
 - i. Presidential Appointments. Appointments made by the President with the advice and consent of the Senate to positions in which the incumbent serves at the pleasure of the President. Compensation for incumbents of these positions is in accordance with the Executive Schedule.
 - j. Commission. All organizational elements of the Federal Energy Regulatory Commission.
6. RESPONSIBILITIES AND AUTHORITIES.
- a. Office of Personnel Management oversees the utilization of Departmental Schedule C and supergrade authorities and exercises final approval over:
 - (1) Establishment and reestablishment of Schedule C positions.
 - (2) Change to lower grade of Schedule C positions.
 - (3) Allocation of supergrade spaces.
 - b. Executive Personnel Board approves the utilization of supergrade spaces within the Department; serves as final approving authority for the Department on the selection of supergrade appointees and for subsequent reassignments, promotions, pay adjustments, etc., involving the incumbents of supergrade positions; and provides oversight for executive merit staffing functions, including the development of position qualifications and evaluation procedures.
 - c. Executive Resources Board provides oversight on merit staffing policies and procedures for the evaluation and selection of candidates for supergrade positions in the Federal Energy Regulatory Commission.

- d. Chairman, Federal Energy Regulatory Commission, approves the utilization of supergrade spaces within the Commission, and serves as final approving authority for the Commission on the selection of supergrade appointees and for subsequent reassignments, promotions, and pay adjustments involving the incumbents of supergrade positions. Responsibility may be delegated to the Executive Director.
- e. Director of Personnel assures that the policies and procedures exercised by the Department are in compliance with guidelines and regulations of the Office of Personnel Management.
- f. Executive Resources Management Division provides advice and staff support to the Executive Personnel Board and to the Executive Director of the Commission on all aspects of supergrade position management and administrative processing of personnel actions; and serves as final Departmental point of review on Schedule C cases.
- g. Heads of Departmental Elements and Commission Office Directors.
 - (1) Recommend selection criteria to be used in evaluating candidates for supergrade positions, and recommend selections for all supergrade positions within their respective areas of responsibility.
 - (2) Assure that supergrade and Schedule C spaces and the appointment and utilization of personnel in these spaces are in compliance with all applicable Departmental directives and regulations promulgated by the Office of Personnel Management.

7. PROCEDURES.

- a. Determining Need for and Allocation of Positions.
 - (1) Supergrade Positions (excluding Board of Contract Appeals and Administrative Law Judge Positions). The Director of Personnel shall provide for a Departmentwide canvass during each even-numbered calendar year to identify the need for supergrade positions (along with the need for Senior Executive Service positions, for each of the 2 fiscal years beginning after such calendar year).
 - (a) Department. The Director of Personnel shall obtain written justification from the heads of each Departmental element for any position requested above current allocations (as related to new Legislation or other basis of justifying increased needs) and shall submit same to the Executive Personnel Board for approval.
 - (b) Commission. The Director of Personnel shall obtain written justification from the Executive Director for additional positions required by the Commission.
 - (c) Office of Personnel Management Approval. A Departmental request

will be transmitted to the Office of Personnel Management for space allocation authorizations.

- (2) Schedule C Positions. Schedule C positions are requested by the department from the Office of Personnel Management on an ad hoc, as needed basis.
 - (3) Board of Contract Appeals Positions. Pursuant to the Contract Disputes Act of 1978, the Secretary determines on the basis of a workload study the need for a Board of Contract Appeals of at least three members who shall have no other inconsistent duties. Workload studies will be updated at least once every 3 years. In addition to allocations from the Office of Federal Procurement Policy, Departmental allocations of supergrade positions outside the Senior Executive Service may be used to fill these positions.
 - (a) Justifications for additional positions and allocations must be submitted in writing to the Director, Executive Resources Management Division, and include:
 - 1 Historical caseload data indicating an increase in cases, formal hearings, settlements or written opinions which necessitate an increase in staff;
 - 2 Number of cases pending and estimated number to be docketed in the coming fiscal year;
 - 3 Number of full-time members and additional number requested; and
 - 4 Narrative summary.
 - (b) The Director, Executive Resources Management Division, will review and formulate a recommendation for action by the Executive Personnel Board.
 - (c) Requests approved by the Executive Personnel Board will be forwarded to the Administrator, Office of Federal Procurement Policy, for allocation of additional spaces.
 - (4) Administrative Law Judge Positions. Although Administrative Law Judge positions are normally allocated at the same time as other Departmental supergrades, ad hoc justifications for additional positions may be submitted for allocation by the Administrative Law Judge Office of the Office of Personnel Management. Such justifications must be approved by the Executive Director of the Commission and should be forwarded to the Director, Executive Resources Management Division, for case processing.
- b. Processing Personnel Actions. Each Departmental element desiring to fill or otherwise utilize the following positions shall submit their requests to the Director, Executive Resources Management Division. For the

Commission, requests will be forwarded to the Executive Director prior to case submission to the Director, Executive Resources Management Division.

(1) Presidential Appointees With Advice and Consent of Senate.

- (a) Appointment. These positions are excepted from competitive civil service procedures. When nominated by the President, confirmed by the Senate, and upon signing of the commission by the President and the Secretary of State, the Director, Executive Resources Management Division, will process payroll documents and establish the official personnel file.
- (b) Tenure.
 - (1) The five members of the Federal Energy Regulatory Commission are appointed for a fixed term, not to exceed 4 years, and may be removed by the President only for inefficiency, neglect of duty, or malfeasance in office.
 - (2) All other Presidential appointees serve at the pleasure of the President.
- (c) Removal. All Presidential appointees will receive written advance notification of their removal. They have no appeal rights.
- (d) Performance Evaluation. Presidential appointees are excluded from the formal performance evaluation system; however, a career appointee in the Senior Executive Service who is appointed by the President, by and with the advice and consent of the Senate, may elect to remain under the performance evaluation provisions of the Senior Executive Service while serving as a Presidential appointee. Policies and procedures governing such an election are outlined in DOE 3430.2, SENIOR EXECUTIVE SERVICE PERFORMANCE APPRAISAL SYSTEM.

(2) Career Executive Assignment.

- (a) Appointment to career executive assignment positions requires competitive merit staffing procedures.
 - 1 Requesting organizations submit a "Request for Executive Personnel Action, "DOE F 3305.4 (see Attachment I), along with all necessary supporting material listed thereon.
 - 2 The Director, Executive Resources Management Division, will arrange for the recruitment and evaluation of candidates and will prepare selection certificates. The Executive Resources Board will evaluate candidates for Commission vacancies.

- 3 Tentative selection will be made by the Heads of Departmental Elements or Commission Office Directors, as appropriate.
 - 4 Final approval for the Department will be made by the Executive Personnel Board; final approval for the Commission will be made by the Chairman.
- (b) Position Changes. An incumbent of a career executive assignment may be reassigned to another career executive assignment position subject to the following procedures:
- 1 Requesting office submits a "Request for Executive Personnel Action," DOE F 3305.4, along with all necessary supporting material listed thereon.
 - 2 The Director, Executive Resources Management Division, will determine classification and qualification propriety of the action.
 - 3 Upon approval by the Executive Personnel Board or Chairman, Federal Energy Regulatory Commission, actions will be made effective by the Director, Executive Resources Management Division.
- (c) Tenure.
- 1 Persons who do not possess competitive status and are appointed to a career executive assignment position pursuant to outside search procedures must serve a 1-year probationary period during which the employee may be removed at any time for unacceptable performance or conduct. The supervisor shall issue a written notice which describes the probationer's inadequacies of performance or conduct. The probationer may appeal to the Merit Systems Protection Board only on discrimination or improper procedure.
 - 2 Persons who do not already have competitive status acquire competitive status upon completion of the probationary period.
 - 3 Individuals completing 3 years of service acquire career tenure.
- (d) Removal. Career executive assignment employees may be removed for unacceptable performance or for such cause as will promote the efficiency of the service. Removal procedures are enumerated in Attachment 2.
- (e) Performance Evaluation. Career executive assignment employees must have their performance evaluated and rated at least once a year in accordance with policies and procedures outlined in DOE 3430.3, DEPARTMENTAL PERFORMANCE APPRAISAL SYSTEM.

(3) Noncareer Executive Assignment.

- (a) Appointment, Position Changes. These positions are excepted from competitive civil service procedures. The requesting office will submit the documentation specified on page 7, paragraph 7b(2)(b), to the Director, Executive Resources Management Division, which has delegated authority from the Office of Personnel Management to approve the classification of the position and the candidate's qualifications. In the Commission, the action must be approved by the Chairman prior to forwarding the case to the Executive Resources Management Division. In the Department, the Executive Personnel Board must give final approval before any personnel action may be effected.
- (b) Tenure. Upon an individual's appointment to a noncareer executive assignment position, the Office of Personnel will inform the appointee, in an official offer letter, that in order to remain in the position, he or she must continue to maintain the qualifications and relationships that are required for the particular noncareer executive assignment. The individual may be removed at any time when the qualifications or relationships required for the assignment change or cease to exist. In addition, when the proposed appointee is serving under a contemporary appointment in the competitive service, the excepted appointment may not be made effective until the employee has:
 - 1 Been informed that acceptance of the proposed appointment in the excepted service will take him or her out of the competitive service while he or she occupies the position; and
 - 2 Submitted a written statement that he or she understands that he or she is leaving the competitive service voluntarily to accept the appointment in the excepted service.
- (c) Removal. Noncareer executive assignment appointees removed from the Department will receive written advance notification of their removal. They have no appeal rights.
- (d) Performance Evaluation. Noncareer executive assignment appointees are not subject to the formal performance evaluation system.

(4) Limited Executive Assignment.

- (a) Appointment. Limited executive assignment positions, although in the competitive service, are not subject to merit staffing procedures. The procedures on page 7, paragraph 7b(2)(b), are applicable for these appointments.

- (b) Assignment Changes. The processing procedures on page 7, paragraph 7b(2)(b), are appropriate for any type of appointment change.
- 1 A limited executive assignment employee is not eligible for movement to another executive assignment during his or her period of service under a limited executive assignment (unless eligible for and placed under a new appointment to the position in question).
 - 2 After completion of 5 years of continuous service, one of the following actions must be taken:
 - a Convert the employee's limited executive assignment to a career executive assignment in the same position and grade;
 - b Give the employee a career executive assignment or noncareer executive assignment as appropriate in another position at the same or a lower grade (if qualification criteria is met);
 - c Give the employee a career appointment to a continuing position in the competitive service at grade GS-15 or below for which qualified; or
 - d Separate the employee.
- (c) Tenure. An employee may serve a maximum of 5 years in an agency under one or more limited executive assignments. An employee with this appointment is in retention group III of the competitive service and would be released ahead of career and career conditional executives in a reduction-in-force. Competitive status and career tenure may be acquired only if the limited executive assignment is subsequently changed to another type of appointment that confers such status and tenure.
- (d) Removal. An employee may be removed at any time from limited executive assignment upon determination, by the Executive Personnel Board or Chairman, Federal Energy Regulatory Commission, that the purpose of the assignment has been served or conditions warrant discontinuance of the assignment. The limited executive assignment employee is entitled to written notification in advance of removal but does not have appeal rights.
- (e) Performance Evaluation. Limited executive assignment employees must have their performance evaluated and rated at least once a year in accordance with policies and procedures outlined in DOE 3430.3, DEPARTMENTAL PERFORMANCE APPRAISAL SYSTEM.

(5) Schedule C Positions.(a) Appointment, Position Changes.

- 1 Requests to establish or fill a Schedule C position or make any change to the incumbent or position must be submitted to the Director, Executive Resources Management Division. All submissions must include a "Request for Personnel Action," DOE F 3300.2; position description with a DOE Form AD-772 cover sheet; an organizational chart reflecting the reporting level; and a position justification (in the case of a new position). For proposed new Schedule C appointees, the requesting office must obtain and submit an SF-171, "Personal Qualifications Statement," and appropriate conflict of interest and security forms for the person proposed for appointment.
- 2 The Director, Executive Resources Management Division, will review the submission; submit necessary paperwork to the office of Personnel Management, including requests for approval of new or downgraded positions; and process and effect the personnel actions.
- 3 Approved Schedule C positions are published in the Federal Register by the Office of Personnel Management upon their authorization.

(b) Tenure. Schedule C employees will be informed in an official letter by the Office of Personnel that in order to remain in the position, he or she must continue to maintain the qualifications and relationships that are required for the particular Schedule C position. The individual may be removed at any time that these qualifications or relationships for the position cease to exist.

(c) Removal. Schedule C employees will receive written advance notification of their removal. They have no appeal rights.

(d) Performance Evaluation. Schedule C employees must have their performance evaluated and rated at least once a year in accordance with policies and procedures outlined in DOE 3430.3, DEPARTMENTAL PERFORMANCE APPRAISAL SYSTEM.

(6) Administrative Law Judge Positions.(a) Appointment.

- 1 Requests for filling Administrative Law Judge positions require a DOE F 3300.2, "Request for Personnel Action," position description with DOE Form AD-772 cover sheet, and a written justification if this request necessitates the establishment of a new position.

- 2 Requests are submitted through the Executive Director of the Commission to the Director, Executive Resources Management Division, reviewed and forwarded to the Office of Personnel Management for position approval (if new space is involved) and to obtain a certificate, as appropriate.
 - 3 Persons serving in non-Administrative Law Judge positions may not be appointed to Administrative Law Judge positions, except by selection from a certificate of eligibles furnished by the office of Personnel Management from an open competitive register. Persons already serving in an Administrative Law Judge position may not be transferred from one agency to another sooner than 1 year after the person's last contemporary competitive appointment, unless approval is obtained from the Office of Personnel Management.
- (b) Tenure. The requirement of a probationary and career-conditional period before absolute appointment is nonapplicable.
- (c) Removal. An Administrative Law Judge may not be removed except for "good cause," established and determined by the Merit Systems Protection Board, after an opportunity for a hearing and on the record thereof.
- 1 The Chairman, Federal Energy Regulatory Commission, shall file a letter of charges (original and four copies) with the Merit Systems Protection Board setting forth specifically and in detail the reasons that are alleged to constitute good cause for the removal of the Administrative Law Judge.
 - 2 The Merit Systems Protection Board will serve a copy of the letter of charges on the Administrative Law Judge by registered mail.
 - 3 The Administrative Law Judge may contest the proceedings by filing an answer (original and four copies) to the Merit Systems Protection Board within 15 calendar days of the service of the copy of the letter of charges and may request a formal hearing before the Merit Systems Protection Board.
 - 4 The Merit Systems Protection Board shall consider the entire record and issue a final decision based on the weight of the evidence.
 - 5 The Executive Resources Management Division will effect the decision not later than 10 calendar days after receipt thereof.
- (d) Performance Evaluation. Administrative Law Judges are not subject to any performance evaluation system.

(7) Board of Contract Appeals Positions.(a) Appointment.

- 1 Requests for filling Board of Contract Appeals positions require a DOE F 3300.2, "Request for Personnel Action," position description with DOE Form AD-772 cover sheet, "Request for Executive Personnel Action," and a written justification if a new space is required. Page 5, paragraph 7a(3)(a), specifies justification requirements.
 - 2 The requesting office will submit necessary paperwork to the Director, Executive Resources Management Division, for review and, if necessary, the recruitment of candidates for selection. (Because Board of Contract Appeals positions are excepted, competitive staffing procedures are not required.)
 - 3 The Director, Executive Resources Management Division, will forward the case for Executive Personnel Board approval, request any necessary space allocation, and effect the Executive Personnel Board decision upon receipt of such allocation approval.
- (b) Tenure. Board of Contract Appeals positions are under the excepted service and as such do not acquire competitive status. Pursuant to Public Law 95-563, Board of Contract Appeals members serve in the same manner as hearing examiners (Administrative Law Judges).
- (c) Removal. Board of Contract Appeals members have excepted appointments, removal procedures follow those for Administrative Law Judge positions. Page 11, paragraph 7b(6)(c), Provides removal procedures for Board of Contract Appeals members, except that a letter of charges shall be filed by the Secretary.
- (d) Performance Evaluation. Board of Contract Appeals members are not subject to any performance evaluation system.

8. EMPLOYEE BENEFITS.

- a. Incentive Awards. Eligibility for incentive awards is outlined in Attachment 3.
- b. Pay. Unless otherwise specified in appointment conditions, the statutory pay system applicable for Presidential appointments is the Executive Schedule (divided into five pay levels) and the pay system applicable for supergrade and Schedule C employees is the General Schedule (divided into 18 pay levels). Pay levels are approved by Congress and prescribed by Executive order of the President. The rate of basic pay for General Schedule employees is limited by section 5308 of title 5, United States Code, to the rate for Level V of the Executive Schedule.

- c. Retirement. Presidential appointees, supergrades, and Schedule C employees are under the civil service retirement system by nature of their non-temporary appointment status. Employees under the civil service retirement system for at least 1 year within the 2-year period immediately preceding an involuntary separation are eligible for discontinued service retirement if the removal (or resignation in lieu thereof) was for other than misconduct or delinquency and if they meet either of the minimum age or service requirements:
- (1) Attainment of age 50 and completion of 20 years of creditable service, including 5 years of civilian service, or
 - (2) Regardless of age, completion of 25 years of creditable service, including 5 years of civilian service.
- d. Other. Employee privileges and benefits not specifically cited in this Order are the same as for any other contemporary, non-Senior Executive Service position in the Department of Energy, and Departmental subject-matter directives are applicable.



William S. Heffelfinger
Assistant Secretary
Management and Administration

DOE F 3305.4
(10-80)

U.S. DEPARTMENT OF ENERGY
REQUEST FOR EXECUTIVE PERSONNEL ACTION

I. Nature of Action Proposed: <input checked="" type="checkbox"/> Establish new position <input type="checkbox"/> Redescription of duties <input type="checkbox"/> Abolish Position <input type="checkbox"/> Other (Explain): _____	II. Type of Appointment Proposed: <input type="checkbox"/> Career Executive Assignment <input checked="" type="checkbox"/> Noncareer Executive Assignment <input type="checkbox"/> Limited Executive Assignment NTE _____ <input type="checkbox"/> Schedule A <input type="checkbox"/> Scientific and Technical <input type="checkbox"/> Other (Explain): _____	III. Type of Action Proposed: <input type="checkbox"/> Recruitment <input type="checkbox"/> Reassignment <input type="checkbox"/> Promotion/Demotion <input type="checkbox"/> Reinstatement/Transfer <input type="checkbox"/> Detail NTE _____ <input type="checkbox"/> Separation/Removal <input checked="" type="checkbox"/> Other (Explain): Appointment _____
IV. Position Status Proposed: <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Excepted *Salary Proposed: GS-16 _____	V. Position Proposed: Special Assistant to Assistant Secretary (Title) Defense Programs (Major Organization) _____ (Office) _____ (Division/Branch) _____ Position Number DEOT 999	
VI. Number of Executive Personnel Authorized: _____ SES <u>1</u> Other Number of Executive Personnel Onboard & Committed _____ SES <u>0</u> Other		

***VII. Selectee** John Jones (Name)

Has Competitive Status: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Current Position: _____ (Title) _____ (Major Organization) _____ (Office) _____ (Division/Branch)
Current Salary: ES-_____ GS-____ Step _____ Other _____	Position Number _____
Date of Last Pay Adjustment _____	

VIII. Efforts Taken in Affirmative Action: (Use additional sheets as necessary)

All necessary material supporting this Request is attached (see reverse side for documents required)

IX. Signatures:
Requesting Official _____ (Title)
Assistant Secretary Assistant Secretary (DP) _____ (Signature)
or Office Director _____ (Title) _____ (Date)
Signature: Frank White _____ (Date)

*Do not complete for recruitment actions

ATTACHMENTS REQUIRED

A. All SES Personnel Requests

- Request for Personnel Action, DOE-F-3300.2 (Formerly DOE Form AD-52)
- Narrative Summary and Justification of Request

B. Recruitment Actions

- Forms for "A" plus
- Organization Chart and Staffing Information
- Functional Statements
- Qualification Standards and Evaluation Factors for Position
- Position Description and Cover Sheet DOE Form AD-772

C. Noncareer and Limited Appointments, Reassignments, Reinstatements, Transfers; and upon tentative selection of SES Career Appointees from selection certificates

- Forms for "A" and "B" plus
- Personal Qualifications Statement, SF-171
- Candidate Profile
- Candidate Justification
- Executive Inventory Record, SF-161, or
Executive Inventory Record Continuation Sheet, SF-161A (to update SF-161 already on file)
- Conflict of Interest
DOE Form GC-460 "Report of Prior Employment" (required for all SES appointments unless on file with GC) and
SF-278 "Executive Personnel Financial Disclosure Report" (required for salary increase and/or reassignments with change in supervisor) and for initial SES appointments)
- Security Forms (See chart below)

SECURITY FORMS	CRITICAL SENSITIVE				NONCRITICAL SENSITIVE		NON SENSITIVE
	"O" SENSITIVE	"O" NON SENSITIVE	TOP SECRET	NO CLEARANCE	"L" CLEARANCE	SECRET	NO CLEARANCE
* DP 1 Parts I & II Original and 5 Copies	X	X			X		
* FD 258 or SF 87 Fingerprint Card (2 Copies)	FD 258	SF 87	SF 87	SF 87	SF 87	SF 87	SF 87
DP 15 Security Acknowledgement (1 Copy)	X	X	X		X	X	
FB: Authority To Release Information (1 Copy)	X						
OPM Authority To Release Information (1 Copy)		X	X	X			
* SF 85 Security Investigation Data (3 Copies)			X	X			
Privacy Act Statement (1 Copy)			X	X		X	X
* SF 85 Data for Noncritical Noncritical Sensitive or SF 85-A National Agency Check Data for Noncritical or Noncritical Sensitive Position (Original and 1 Copy)					SF 85-A	SF 85	SF 85
* SF 171 Personnel Qualifications Statement (1 Copy)	X	X	X	X	X	X	X

FIELD ORGANIZATIONS WITH DELEGATED AUTHORITY TO APPROVE SECURITY CLEARANCES should submit only one copy of each asterisked form, appropriate for the type of clearance required for use by the Executive Resources Management Division in making a suitability determination prior to effecting the appointment. A notification of security clearance or waiver, signed by authorized officials, must be received by the Executive Resources Management Division before the appointment can be made effective.

PROCEDURAL REQUIREMENTS FOR
REMOVAL ACTIONS FOR COMPETITIVE STATUS SUPERGRADES

IMMEDIATE SUPERVISOR CONSIDERS	<ol style="list-style-type: none">1. Decide to initiate removal action.2. Collect facts and evidence for the file.3. Consult with the Executive Resources Management Division.
IMMEDIATE SUPERVISOR PROPOSES	Issue letter of proposed action which advises the employee of at least 30 calendar days notice of removal for such cause as will promote the efficiency of the service, 10 calendar days to reply orally and in writing, the right of representation by an attorney or other representative and that a written decision will be issued at the earliest practicable date. The letter also advises that consideration will be given to extending the time limit for oral and written reply if the employee requests an extension along with the reasons for the request.
EMPLOYEE ANSWERS	<ol style="list-style-type: none">1. Review the material in support of proposed action (with or without representative).2. Answer letter orally or in writing within 10 calendar days after receipt of proposed notice.
DECIDING OFFICIAL DECIDES	<ol style="list-style-type: none">1. May have a third party official review the proposed action if he or she believes it necessary.2. Review the evidence and the employee's reply.3. Issue a letter of decision.4. Ensure that a DOE F 3305.4 is prepared and sent with appropriate attachments to the Executive Resources Management Division, if action is to be taken.
PERSONNEL PREPARES ACTION	Insure that an SF-50 is prepared to effect the adverse action no sooner than 30 calendar days from employee's receipt of the letter of proposal.
EMPLOYEE APPEALS	<ol style="list-style-type: none">1. Appeals to the Merit Systems Protection Board must be submitted no later than 15 calendar days from the effective date of the action.2. The Merit Systems Protection Board issues a decision.

EMPLOYEE ELIGIBILITY FOR INCENTIVE AWARDS

Category of Employee	Presidential Recognition (other than SES Ranks)	Invention or Suggestion Awards	Special Achievement Awards	Career Service Emblem
Administrative Law Judges	No	No	¹ No	Yes
Board of Contract Appeal Supergrades	No	No	¹ No	Yes
Executives GS-16, 17, 18	Yes	Yes	Yes	Yes
Presidential Appointees	No	Yes	² Yes	Yes
Schedule C	Yes	Yes	Yes	Yes

1. If for heroic act or other non-performance related-factor a special achievement award for a special act or service may be granted.
2. A Presidential appointee who accepts his or her appointment following a career SES appointment may elect to continue eligibility for SES performance award and Presidential rank benefits. A special achievement award is appropriate for recognition of superior performance achievements of Presidential appointees not eligible for SES awards.