

Request for Information from Merit Promotion Files

References: Article 25, Section 14 – Records
5 USC 7114(b)(4)

Upon a showing of particularized need, the following applicant information could be made available from a merit promotion file:

Resume of Selectee

- Employee history/experience with the government
- Any non-government experience directly related to the position in question
- Membership in professional organizations directly related to the position
- Indication as to Veteran's preference (actual number of points would be redacted)
- Certifications directly related to the position
- Education (if positive education requirement for a position)
- Awards
- Honors

The following information would be redacted (Privacy Act information or PII): home addresses and phone numbers, non-government salaries, membership in non-job related organizations; non job related work experience; performance evaluation rating; GPAs, references and any other personal information.

Resumes of non-selectees will not be released. Per the governing case law, the disclosure of information on unsuccessful applicants may harm or embarrass them. The public interest in obtaining information about the qualifications of non-selectees is slight.

Other information from the file could be released depending upon the articulated particularized need, e.g., interview questions and benchmarks, interview rating sheets (sanitized), EEO certificates, etc.

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Union Request for Information under Section 7114(b)(4) of the Statute:

DATE: Date of the information request.	
REQUESTER: Name of requesting union official and local, if applicable.	
UNION CONTACT: Name, position, mailing address and/or phone number of the union contact submitting the request.	
Name Title Address City, State Zip Phone	
AGENCY CONTACT: Name, position, mailing address and/or phone number of the agency representative to whom the request is being made.	
Name Title Address City, State Zip Phone	
INFORMATION REQUESTED: Description of information requested. (Include whether personal identifiers (such as names, social security numbers or other matters identifying individual employees) are included or may be deleted.)	
Attach a continuation sheet if needed.	
PARTICULARIZED NEED: Specific statements explaining exactly why the union needs the requested information. (Explain how the union intends to use the requested information and how that use of the information relates to the union's role as the exclusive representative. Include a specific statement for each type of information requested, as well as for the time period(s) encompassed by the request and the need for personal identifiers, if applicable.)	

Attach a continuation sheet if necessary

PUBLIC INTEREST: If you know or think that the requested information is within a system of records under the Privacy Act, describe how disclosure of the requested information, including any personal identifiers and the time period encompassed by the request, would shed light on the agency's performance of its statutory duties or otherwise inform citizens of the activities of the Government.

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OTHER MATTERS: Other matters related to the request for information. (Discuss any other matters not listed above which relate to the union's information request and which may assist the agency in responding to the request.)

Please contact me if the agency requires further clarification of our request or wants to meet to discuss the request, or a format or means of furnishing this information to the union, or the

SECTION 4 - CLASSIFICATION ACCURACY

A. An employee who feels his/her position description is improperly classified will meet and discuss this matter with his/her supervisor for clarification. Should the supervisor be unable to answer the employee's questions, the supervisor will arrange for a teleconference with the appropriate position classifier, the supervisor and the employee. The Union shall be afforded an opportunity to participate if requested by the employee. Should this teleconference fail to resolve the employee's classification issues, a face-to-face meeting with all parties involved may be held. This will be jointly determined by the parties. Should the issue remain unresolved to the employee's satisfaction, the employee may file a position classification appeal. Upon written request by the employee or Union in connection with the appeal, the Agency will provide the requestor with an analysis which shall cite the standards used to classify the position being appealed. Position classification standards are available on the OPM website.

B. Upon request, the employee and the Union will be provided copies of documentation and/or status information regarding any classification action affecting the employee's position.

C. If the position description appealed is identical to other encumbered positions in the Agency which may be impacted, the Union will be provided information regarding the results of any review conducted upon request.

D. If requested by the employee who files a classification appeal, the Union may observe any onsite classification audit.

SECTION 5 - SURVEYS

The Agency shall provide the DCMA Council with information on occupational surveys to be conducted or being conducted as a result of OPM direction, OPM issuance of a proposed Government-wide classification standard or development by the Agency of a supplemental classification guideline in accordance with the OPM position classification standards.

SECTION 6 - HAZARDOUS DUTY PAY

Hazardous duty pay for General Schedule employees shall be paid in accordance with governing laws and regulations.

D. Employees entitled to priority consideration will be notified when they are considered for placement under priority consideration procedures.

SECTION 4 - PERSONNEL ACTIONS COVERED BY THE MERIT PROMOTION PROGRAM (COMPETITIVE ACTIONS)

A. Competitive actions are a result of competition among applicants and that are based on job related factors, OPM or OPM-approved minimum qualification standards and basic statutory/regulatory eligibility requirements for promotional opportunities. Competitive procedures apply to the following actions:

1. temporary promotion of more than 120 days;
2. selection for detail for more than 120 days to either a higher graded position or to a position with known promotion potential;
3. reassignment or change to lower grade to a position with higher potential than the employee's current position (except as permitted by RIF regulations);
4. transfer to a higher graded position or one with more promotion potential than previously held permanently in the competitive service; or
5. reinstatement to a permanent or temporary position at a higher grade or with more promotion potential than the highest grade previously held on a permanent basis in the competitive service.

SECTION 5 - EXCEPTIONS TO THE MERIT PROMOTION PROGRAM

A. Competitive procedures may not be required for:

1. a promotion resulting from the upgrading of a position without significant change in the duties and responsibilities due to the issuance of a new classification standard or the correction of a prior classification error;
2. a position change permitted by RIF procedures;
3. promotion resulting from upgrading of a position due to the accretion of duties;
4. career promotion of an employee without further competition when at an earlier stage the employee was selected from an OPM certificate of eligibles under competitive promotion procedures for an assignment intended to prepare the employee for the position being filled. This includes any promotion up to and including the full performance level of the position;

MERIT PROMOTION PROGRAM

Guidebook Folder 179

Intent/Outcome/Purpose

Ensure an effective competitive selection of personnel to the Agency's General Schedule (GS) and Federal Wage System (FWS) competitive service positions

Process

DCMA mandatory requirements that are not appropriate for CMO Commander/Center Director deviation approval authority are preceded by the Letters "ND" - See Deviations - FAR, DFARS, DoD Directive, Other Regulatory/Government Documents and DCMA Instructions

Definitions

1. Determine MPP Applicable Actions. **(ND) Supervisors and managers will familiarize themselves with, and actively support the Agency Merit Promotion Program. Supervisors/managers will determine which personnel actions are required competition under the MPP in accordance with the following:**

1.1. Personnel Actions Requiring Competition Under the Merit Promotion Plan (Covered Actions) (i.e., competitive actions).

1.1.1. Competitive Actions. Actions that are a result of competition among applicants and that are based on job related factors, and OPM or OPM-approved minimum qualification standards and basic statutory/regulatory eligibility requirements for promotional opportunities.

1.1.2. Temporary Promotions of More than 120 Calendar Days. See 5 CFR Section 335.103(c)(i).

1.1.3. Details of more than 120 days to higher grade positions or to positions with known promotion potential. Refer to 5 CFR Section 335.103(c)(ii).

1.1.4. Selection for training as specified in 5 CFR Section 335.103(c)(iii).

1.1.5. Reassignment or change-to-lower grade to a position with higher promotion potential than an individual previously held on a permanent basis in the competitive service. This does not apply to assignment actions taken in accordance with reduction-in-force regulations. See 5 CFR Section 335.103(c)(iv).

1.1.6. Transfer to a position at a higher grade or with more promotion potential than previously held permanently in the competitive service. See 5 CFR Section 335.103(c)(v).

1.1.7. Reinstatement to a permanent position or temporary position at a higher grade or with more promotion potential than the highest grade previously held on a permanent basis in the competitive service. See 5 CFR Section 335.103(c)(vi).

1.2. Personnel Actions Not Requiring Exceptions Under the Merit Promotion Plan (Actions Not Covered) (i.e., non-competitive actions).

1.2.1. Promotion resulting from the upgrading of a position without significant change in the duties and responsibilities due to the issuance of a new classification standard or the correction of a prior classification error. See 5 CFR Section 335.103(c)(2)(i).

1.2.2. Position change resulting from the application of reduction-in-force procedures. (Refer to 5 CFR Section 335.103(c)(2)(ii)).

1.2.3. Career promotion of an employee without further competition when at an earlier stage the employee was selected from an OPM Certificate of Eligibles or under competitive promotion procedures for an assignment intended to prepare the employee for the position being filled. This includes any promotion up to, and including the full performance level of the position. (Refer to 5 CFR Section 335.103(c)(3)(i).) A Fully Successful or higher current performance rating is required for an employee to receive career ladder promotion consideration eligibility. (Refer to 5 CFR, Section 335.104.)

1.2.4. Promotion of an employee whose position has been reconstituted because of either a planned management action or a gradual accretion of additional non-supervisory duties and responsibilities. (Refer to 5 CFR Section 335.103(c)(3)(ii).) This type of promotion is an exception provided:

1.2.4.1. The employee will continue to perform the duties of the former position and the new duties assigned.

1.2.4.2. The addition of the new duties and responsibilities will not adversely affect the grade of another occupied position (e.g., result in the position being downgraded).

1.2.4.3. The additional duties and responsibilities do not change a former non-supervisory position into a supervisory position.

1.2.4.4. There are no additional employees within the same geographical area of the Parent CMO performing the same grade level work of the reclassified position.

1.2.4.5. The employee meets all other requirements for promotion to the position.

1.2.4.6. Must be approved by the Human Capital Directorate.

1.2.5. Temporary promotion to a higher graded position for 120 days or less. See 5 CFR Section 335.103(c)(3)(iii).

1.2.6. Detail to a higher graded position for 120 days or less. (Refer to Detail of Employees Instruction, Civilian Personnel Employment Instruction, paragraph 4., and 5 CFR Section 335.103(c)(3)(iii).)

1.2.7. Employees who have been changed to a lower grade or reassigned through no fault of their own are considered to have noncompetitive re-promotion eligibility to positions at grades which they have previously held, or intervening grades, and for which they qualify. (Refer to 5 CFR Section 335.103(c)(3)(iv).)

1.2.8. Promotion of an employee not given consideration in a previous competitive promotion action. (Refer to 5 CFR Section 335.103(c)(3)(vi).)

1.2.8.1. Priority consideration for promotion of employees for whom such relief is awarded as part of the disposition of an EEO complaint.

1.2.8.2. Priority consideration for the next like position for employees denied promotion consideration because of an error or promotion program.

1.2.8.3. Employees previously downgraded through no fault of their own, are entitled to