

# Hiring and Employment

- Career conditional service requirement is eliminated
- Upon conversion to NSPS, employees on career conditional appointments will obtain career status
- Tenure Groups
  - Tenure Group I – Career employees, including those serving a probationary period
  - Tenure Group III – Term and other nonstatus or nontemporary, including provisional
  - Tenure Group 0 – Temporary

- Critical to a performance-based system
- Initial probationary periods
  - One year minimum for all occupations
  - Option for three years for selected occupations, determined at Department level
- In-service probationary periods
  - Supervisory only upon initial implementation of NSPS

- Creditable service
  - Receive credit if probationary/trial period fully completed, management-reassigned or mass conversion into NSPS
  - Start over if probationary/trial period not fully completed prior to voluntary movement into NSPS
- Time spent in non-pay status in excess of one workday will extend probationary period by same amount of time, with some exceptions:
  - Compensable injury
  - Military duty
  - Peace Corps volunteer

- No change from today
  - Actions to be taken when employee fails to complete
  - Appeal rights of employees
- NSPS extended appeal rights to preference eligible veterans who have completed one year of service, regardless of appointment type

- OPM qualification standards may be used
- Quality of experience
  - Candidates must meet the minimum qualifications required for lowest level of work within the pay band (e.g., GS-05 for Pay Band 1 of Professional/Analytical Pay Schedule)
  - Must also meet specific requirements for position being filled
- Time-in-grade no longer applies
- DoD may establish new standards or modify OPM's



# Recruitment, Selection, and Placement (SC500.5.2.)

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- Continue to fill positions, in accordance with the methods prescribed in 5 CFR 330, to include:
  - Subpart B, Reemployment Priority List
  - Subpart D, Positions Restricted to Preference Eligibles
  - Subpart G, Interagency Career Transition Assistance Plan for Displaced Employees
  - Components must comply with Subpart J, Prohibited Practices
- All existing competitive and excepted appointing authorities may still be used

- “Delegated” examining now “competitive” examining
- Modified public notice requirements:
  - May limit consideration to local commuting area or other targeted recruitment sources
  - No minimum period of time vacancies must be announced
  - Open period based on type of position and availability of candidates
- Eliminates “rule of three”
- Uses current rating and ranking procedures:
  - Numerical
  - Category rating



- Filling jobs in a pay band system
  - Reduce time to fill jobs
  - Streamline process by eliminating need for personnel action(s)
    - For example, “detail” no longer required unless crosses agency or Component lines
  - Provide flexibility
    - For example, the restriction on moving an employee earlier than 90 days after initial appointment to Federal service is eliminated
- May advertise vacancies, as appropriate
- Other procedures subject to Component decisions and system requirements

- Focus on level of work vs. earning potential
- Pay bands with same/lower/higher level of work within and across pay schedules and career groups, regardless of earning potential
  - Comparable pay bands
  - Higher pay band
  - Lower pay band
- Impacts requirement for competition and pay setting, but not a direct correlation

- Promotion – Movement to a higher pay band
- Reassignment – Movement to a different position in the same or a comparable pay band
- Reduction in band – Movement to a lower pay band

- Most concepts remain the same
  - Managers have right to select or not select from a group of qualified candidates
  - Managers have right to select from appropriate sources of candidates
  - Candidate evaluation may give due weight to performance appraisals and incentive awards
- Job analysis now includes competencies

Same basic concepts apply:

- Time-limited promotion for more than 180 days to a higher band
- Reassignment or reduction in band to a position with a higher full performance band than previously held position
- Transfer to a position at a higher pay band or with higher full performance band than a position previously held
- Reinstatement to a permanent or temporary position at a higher pay band or with higher full performance band

## Same basic concepts apply:

- Movement of an employee to a higher pay band resulting from the issuance of a new classification standard
- Correction of an initial classification error
- Position change resulting from reduction in force procedures
- Promotion resulting from previous competitive selection with documented career ladder to higher pay band
- Promotion resulting from classification at higher pay band because of additional duties and responsibilities

## Exceptions to Competition (continued)

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- Temporary promotion to a position in a higher pay band for 180 days or less
- Promotion to higher pay band previously held on permanent basis in competitive service
- Promotion, reassignment, reduction in band, transfer, or reinstatement to position with promotion potential no greater than the potential of position currently held or previously held
- Consideration of a candidate not given proper consideration in a competitive promotion action

- Level of work progresses within same pay schedule from lower to higher beginning with pay band 1
- Professional/Analytical always higher than Technician/Support
- Comparability across career groups
  - Professional/Analytical
  - Technician/Support
  - Supervisory





# Movement Within and Across Career Groups (SC500.5.3.3.9.)

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- Professional and/or analytical pay schedule to supervisory pay schedule is comparable across corresponding pay bands
- Professional and/or analytical pay schedule to a higher pay band in a supervisory pay schedule is higher level of work
- Supervisory pay schedule to professional and/or analytical pay schedule – same as above
- Entry-level professional and/or analytical pay bands are not continuing work
- Technician/support pay schedule to a supervisory pay schedule
  - Pay band 1 to supervisory pay schedule (and pay band) is higher level of work
  - Pay band 2 or 3 to Pay band 1 (supervisory) is comparable
  - Pay band 1-4 to supervisory pay band 2 or 3 is higher level of work

- Assessment Boards
  - Use pre-established criteria to rank by occupation
  - Selection unique to actual vacancy
  - Referral list valid for one year
- Alternate Certification
  - By-name request of Department employee
  - Candidate must meet criteria of highest group
- Exceptional Performance Promotion
  - Requires Level 5 performance rating
  - Same occupational series and function
  - Includes all Level 5's in area of consideration

**Vacancy  
Announcements  
not required**

Pay will be based on:

- Labor market considerations.
- Special requirements of a particular position.
- Level of education and experience of the candidate.
- Scarcity of qualified applicants.
- Program needs.
- Current salary of the candidate.
- Other appropriate criteria.

- Voluntary reassignment – Employees are eligible for a discretionary increase
  - Employee-initiated – May receive up to a 5% increase in a 12-month period
  - Management-directed – May receive up to a 5% increase with each reassignment
- Involuntary reassignment – Employees may receive a reduction in pay
  - Result of poor performance or misconduct – May receive up to a 10% reduction in pay in a 12-month period

- Employee A reassigns 1 Jan and receives a 5% increase to base salary. Employee A is not eligible for another increase resulting from reassignment (or voluntary reduction in band) for 12 months from the effective date of the reassignment.
- Employee B reassigns on 1 Jan and receives a 2% increase to base salary. If Employee B reassigns again (or accepts a voluntary reduction in band) within 12 months from the effective date of the first reassignment, he or she is eligible for another increase of up to 3% (for a total of 5% in a 12-month period).

- Employees are entitled to a minimum 6% increase, unless this would cause the employee's pay to exceed the maximum of the new rate range
- Employees may receive up to a 20% increase
- Employees may receive greater than a 20% increase if:
  - Needed to reach minimum rate of new pay band
  - Approved by higher-level management official (as defined by the Component)

- Voluntary reduction in band - Employees are eligible for a discretionary increase
  - May receive up to a 5% increase in a 12-month period
- Involuntary reduction in band – Employees may receive a reduction in pay
  - Result of poor performance or misconduct – May receive up to a 10% reduction in pay in a 12-month period

- Employee A voluntarily takes a reduction in band on 1 Jan and receives a 5% increase to base salary. Employee A is not eligible for another base salary increase for 12 months from the effective date of this reduction in band.
- Employee B voluntarily takes a reduction in band on 1 Jan and receives a 2% increase to base salary. If Employee B voluntarily accepts another reduction in band (or is reassigned) again within a 12-month period from the effective date of the reduction in band, he or she is eligible for another increase of up to 3% (for a total of 5% in the 12-month period).





# New NSPS Appointing Authorities (SC500.5.5.)

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- Severe Shortage/Critical Need
  - Similar to today's direct hire authorities
  - Requested by Components, authorized by Department
  - Terminate when shortage or critical need no longer exists
  - Report use to OPM
- Expansion of Non-Citizen Hiring
  - Excepted service appointments when qualified U.S. citizens are not available
  - Immigration law and security requirements must be met

- Time-limited appointments
  - Term appointments – 1 to 5 years, maximum of 6
  - Temporary appointments – 1-year increments, maximum of 3
- May be converted to permanent under the following conditions
  - Selected under NSPS competitive examining procedures from an announcement that stated selectee would be eligible for noncompetitive conversion
  - Have completed at least 2 years of continuous service with a Level 2 or higher rating of record
  - Be converted to position in same pay band for which hired