EPA
ORDER

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CAREER TRANSITION ASSISTANCE PLAN

I. PURPOSE

This order establishes the U.S. Environmental Protection Agency's policy on the Reemployment Priority List, Career Transition Assistance Plan and Interagency Career Transition Plan pursuant to Title 5, Code of Federal Regulations Part 330, Subparts, B, F and G.

The EPA is committed to providing assistance to its employees who become surplus or displaced through workforce actions or who are separated due to compensable injury or disability. This policy must be used in conjunction with the statutory and regulatory requirements referenced herein. The program office or region's servicing human resources Shared Service Center should always be consulted for further information and guidance.

II. DEFINITIONS

(a) *Competitive area*: An organizational unit and geographical location includes all employees within the competitive area. A competitive area may consist of all or part of the agency. The agency competitive areas are described in its reduction in force policy (currently, EPA Order 3110.10D).

(b) *Competitive service appointment*: New appointments, reinstatements, reemployment and transfers as defined in 5 CFR 210.102 and conversions.

(c) *CTAP eligible*: An agency surplus or displaced employee who has a current performance rating of record of at least fully successful or equivalent.

(d) *CTAP selection priority candidate*: A CTAP eligible who applied for and was determined to be well qualified by the agency and whom the agency must select over any other applicant for the vacancy, unless the action to be taken is listed as an exception under 5 CFR 330.609.

(e) *Displaced employee:*

(1) Under CTAP

(i) A current career or career-conditional (tenure groups I or II) competitive service employee at grade GS-15 or equivalent or below who:

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(A) Received a reduction in force separation notice and has not declined an offer of a position with the same type of work schedule and a representative pay rate at least as high as that of the position from which the employee will be separated; or

(B) Received a notice of proposed removal for declining a directed geographic relocation outside of the local commuting area (e.g., a directed reassignment or change in duty station).

(ii) A current excepted service employee on an appointment without time limit at grade level GS-15 (or equivalent) or below who:

(A) Is covered by a law providing both noncompetitive appointment eligibility to, and selection priority for, competitive service positions; and

(B) Received a RIF separation notice or a notice of proposed removal for declining a directed geographic relocation outside the local commuting area (e.g., a directed reassignment or a change in duty station).

(2) Under ICTAP

(i) A current career or career-conditional (tenure group I or II) competitive service employee of any agency at grade GS-15 or equivalent or below whose current performance rating of record is at least fully successful (or equivalent) and who:

(A) Received a RIF separation notice and has not declined an offer of a position with the same type of work schedule and a representative pay rate at least as high as that of the position from which the employee will be separated; or

(B) Received a notice of proposed removal for declining a directed geographic relocation outside the local commuting area (e.g., a directed reassignment or a change in duty station).

(ii) A former career or career-conditional (tenure group I or II) competitive service employee of any agency at grade GS-15 or equivalent or below whose last performance rating of record was at least fully successful (or equivalent) who was either:

(A) Separated by RIF and did not decline an offer of a position with the same type of work schedule and a representative pay rate at least as high as that of the position from which the employee was separated; or
(B) Removed for declining a directed geographic relocation outside the local commuting area (e.g., a directed reassignment or a change in duty station).

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(iii) A former career or career-conditional employee of any agency who was separated because of a compensable work-related injury or illness whose compensation was terminated and who has received certification from the former employing agency that it is unable to place the employee.

(iv) A former career or career-conditional (tenure group I or II) competitive service employee of any agency who retired with a disability annuity under 5 USC 8337 or 8451 and who has received notification from OPM that the disability annuity has been or will be terminated.

(v) A former Military Reserve Technician or National Guard Technician receiving a special disability retirement annuity under 5 USC 8337(h) or 8456 and who has certification of such annuity from the military department or National Guard Bureau.

(vi) A current or former excepted service employee on an appointment without time limit at grade GS-15 or equivalent or below whose current or last performance rating of record is or was at least fully successful (or equivalent) and who:

(A) Has been provided by law with both noncompetitive appointment eligibility and selection priority for competitive service positions; and

(B) Has received a RIF separation notice or notice of proposed removal for declining a directed geographic relocation outside the local commuting area (e.g., a directed reassignment or a change in duty station) or has been separated by RIF procedures or removed for declining a geographic relocation outside the local commuting area.

(f) *ICTAP eligible*: An individual who meets the definition of displaced under subsection (e)(2) above.

(g) *ICTAP selection priority candidate*: An ICTAP eligible who applied for a vacancy, was determined by the agency to be well qualified for that vacancy, and who the agency must select over any other candidate from outside the agency's current competitive service workforce for the vacancy, unless the action to be taken is listed as an exception under 5 CFR 330.707.

(h) *Injury (under RPL)*: A compensable injury sustained under the provisions of Title 5, USC Chapter 81, Subchapter 1, including accidental injury, a disease approximately caused by the employment.

(i) *Local commuting area*: A geographic area that usually constitutes one area for employment purposes. It includes any population center (or two or more neighboring centers) and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment.

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(j) *Qualified RPL registrant*:

(1) Meets OPM-established or approved qualification standards and requirements for the position, including minimum educational requirements, and Agency-established selective factors;

(2) Will not cause an undue interruption that would prevent the completion of required work by the registrant 90 days after the registrant is placed in the position;

(3) Is physically qualified, with or without reasonable accommodation, to perform the duties of the position;

(4) Meets any special OPM-approved qualifying conditions for the position; and

(5) Meets any other applicable requirements for competitive service appointment.

(k) *Representative pay rate*: Is defined in 5 CFR 351.203.

(l) *RPL eligible (current or former employee of the Agency):*

(1) For eligibility based on RIF, the eligible:

(i) Must be serving in an appointment in the competitive service in tenure group I or II;

(ii) Must have received either a specific notice of separation or a Certification of Expected Separation that has not been cancelled, rescinded, or modified so that the employee is no longer under notice of separation;

(iii) Must have received a rating of record of at least fully successful or equivalent as the most recent performance rating of record; and

(iv) Must not have declined an offer of a position with the same type of work schedule and with a representative pay rate at least as high as that of the position from which the employee will be separated.

(2) For eligibility based on recovery from a compensable work-related injury after more than one year, the employee or former employee:

(i) Must be serving in, or separated from, an appointment in the competitive service in tenure group I or II;
(ii) Must either have accepted a position at a lower grade or pay level in lieu of separation or have been separated because of a compensable injury or disability;

(iii) Must have fully recovered more than one year after compensation began; and

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(iv) Must have received notification from the Office of Workers' Compensation Programs, Department of Labor, that injury compensation benefits have ceased or will cease.

(m) *RPL placement priority candidate*: An RPL registrant who is qualified and available for a specific agency vacancy.

(n) *RPL registrant*: An RPL eligible who submitted a timely RPL application and who is registered on the agency's RPL.

(o) *Surplus employee:* Is an agency employee in one of the following categories:

(1) A current career or career-conditional (tenure group I or II) competitive service employee at grade GS-15 (or equivalent) or below who received a Certification of Expected Separation or other official agency certification or notification indicating that the employee's position is surplus (e.g., a notice of position abolishment or a notice of eligibility for discontinued service retirement).

(2) A current excepted service employee on an appointment without time limit at grade GS-15 (or equivalent) or below who:

(i) Is covered by a law providing both noncompetitive appointment eligibility to, and selection priority for, competitive service positions; and

(ii) Received a Certification of Expected Separation or other official agency certification or notification indicating that the employee's position is surplus (e.g., a notice of position abolishment or a notice of eligibility for discontinued service retirement).

(3) A current excepted service employee on a Schedule A or B appointment without time limit at grade level GS-15 (or equivalent) or below who:

(i) Received a Certification of Expected Separation or other official agency certification indicating that the employee is surplus (for example, a notice of position abolishment, or notice of eligibility for discontinued service retirement); or

(ii) Received a RIF notice of separation or a notice of proposed removal for declining a directed geographic relocation outside the local commuting area (e.g., a directed reassignment or a change in duty station).

(p) *Tenure Group I*: Career employees who are not serving a probationary period.

(q) *Tenure Group II*: Career-conditional employees and employees serving a probationary period.

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(r) *Undue interruption*: It is the degree of interruption that would prevent the completion of work required by the employee within 90 days after the employee has been placed in a different position through RIF or agency priority placement program. A well qualified employee should not need a significant amount of training in the actual duties of the position, though he or she could require orientation in organizational structure, terminology, office policies and other matters that are normally required of any new but well qualified employee. The 90-day standard should be considered within the allowable limits of time and quality, taking into account the pressures of priorities, deadlines, and other demands.

(s) *Vacancy:*

(1) Under RPL: Means any vacant position to be filled by a competitive service permanent or time-limited appointment.

(2) Under CTAP: A vacant competitive service position at grade GS-15 (or equivalent) or below to be filled for a total of 121 days or more, including all extensions, regardless of whether the agency issues a specific vacancy announcement.

(3) Under ICTAP: A vacant competitive service position at grade GS–15 (or equivalent) or below to be filled for 121 days or more, including extensions.

(t) *Well qualified (under CTAP and ICTAP)*: The eligible has the knowledge, skills, abilities, and/or competencies clearly exceeding the minimum qualification requirements for the vacancy (i.e., a score of 85 or above as evaluated through merit promotion or delegated examining procedures). A well-qualified CTAP/ICTAP eligible is not necessarily the best-qualified candidate as determined by the assessment criteria established for the vacancy. Additional requirements are discussed in Appendix B, section VII, and Appendix C, section III.

III. COVERAGE

The policy covers all Agency employees defined as eligible under the RPL, CTAP and ICTAP, as defined in section II above.

IV. AUTHORITY AND REFERENCES

- 5 CFR 210 – Basic Concepts and Definitions
- 5 CFR 301 – Overseas Employment
- 5 CFR 315 – Career and career-conditional employment
- 5 CFR 330 – Recruitment, selection and placement (general)
- 5 CFR 335 – Promotion and internal placement
- 5 CFR 337 – Examining System
- 5 CFR 351 – Reduction in Force
- 5 CFR 353 – Restoration to Duty from Uniformed Service or Compensable Injury
- 5 CFR 410 – Training
- 5 CFR 536 – Grade and Pay Retention
- EPA Order 3110.10D – Reduction in Force Procedures

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- HR Bulletin 11-001B – Category Rating

V. ROLES AND RESPONSIBILITIES

(a) OHR:

(1) Will develop and administer policies and procedures for career transition assistance.

(2) Will ensure agency compliance with the regulations, policies and procedures governing RPL, CTAP and ICTAP.

(3) Will approve any waivers or exceptions to this policy.

(4) Must approve RIF actions involving the release of five or more employees from their competitive levels.

(5) Will submit reports to OPM as required and will ensure that any corrective actions mandated by OPM are fully implemented.

(6) May conduct accountability reviews of career transition activities at any time.

(b) SSCs:

(1) Will conduct RIF's and issue appropriate notices.

(2) Will provide each eligible employee with written information about CTAP assistance and special selection priority at the time a RIF separation notice, certificate of expected separation, or other official certification that identifies an employee as likely to be separated by RIF, or removed under adverse action procedures for declining a directed reassignment or a transfer of function outside the local commuting area, is issued.

(3) Will provide each eligible employee with information, in writing, about ICTAP assistance and special selection priority at the time a specific RIF separation notice or notice of proposed removal for declining a directed reassignment or transfer of function outside the local commuting area, is issued. Guidance on applying for vacancies under ICTAP and the documentation generally required as proof of eligibility shall be included.

(4) Will provide each eligible employee with information about the RPL, including appeal rights, at the time the employee is given a specific RIF notice of separation or a certification of expected separation.

(5) Will maintain the agency RPL that includes all commuting area locations and is responsible for giving placement priority to the RPL registrants for each local commuting area.

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(6) Will work with the program offices and regions to ensure employees receive all the rights and benefits that they are legally entitled to receive.

(7) Will work with program offices and regions to ensure employees are properly notified of their rights when they are RPL or CTAP-eligible.

(8) Will report on career transition activities and results as requested by OHR.

(9) Will provide an orientation program for surplus and displaced employees at the time they become eligible for services in accordance with this Order and OPM governing regulations.

(10) Will provide pertinent materials and resources to surplus and displaced employees and keep them informed of program changes, placement opportunities and available resources.

(11) Will verify program eligibility and notify displaced and surplus employees of eligibility and loss of eligibility.

(c) Program Offices and Regions:

(1) Must notify, work and consult with the servicing SSC when considering personnel actions for which the SSC has responsibility. Please see section V(b).

(2) Will ensure that employees are advised of the RIF or similar action contemplated as early as possible in the process so that the employees can use available resources to find continuing employment and keep employees informed of any changes on a regular basis.

(3) Will advise supervisors, managers, union representatives and affected employees on the importance of attending a mandatory orientation on career transition assistance services and eligibility for selection priority.

(4) Will provide information to the SSC for reports as necessary and required.

(5) Will support the spirit and intent of the priority placement provisions including the RPL, CTAP and ICTAP by authorizing excused absence, to the extent practicable to enable affected employees to use the career transition assistance that is available.

(6) Will work in conjunction with the servicing SSC and the Employee Assistance Program Manager/Coordinators to identify services for surplus and displaced employees who are having difficulties on the job.

(7) Will cooperate fully in the placement of surplus and displaced employees and assist affected employees in finding continuing employment.

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(8) In consultation with OHR and the SSC, will decide the funding and other resources that will be provided to assist employees adversely affected by reorganization or RIF.

(d) Employee Assistance Program (EAP) Manager/Coordinators: Will provide counseling and assistance to employees to cope with stress and other difficulties associated with displacement.

(e) Employees:

(1) Employees seeking agency assistance must comply with this policy and explore all available resources to maximize placement opportunities to include, but not limited to the following:

(i) Attending an orientation on career transition assistance and priority selection;

(ii) Completing an application for registration in the Agency's RPL program within the timeframes established in Appendix A, section III(a)(3);

(iii) Advising the servicing SSC of any changes in address, phone number, etc;

(iv) Applying for jobs for which they are qualified and providing documentation of status;

(v) Submitting all documents required in vacancy announcements;

(vi) Responding to inquiries of availability within the specified timeframes;

(vii) Taking advantage of the career transition assistance that is made available by the servicing SSC;

(viii) Attending appropriate training or retraining opportunities available through the Department of Labor via state employment offices; and

(ix) Notifying the servicing SSC when they have received a valid job offer.

VI. POLICY

Due to the length of the agency requirements for RPL, CTAP and ICTAP, detailed information can be found in the following attachments:

- Appendix A - Reemployment Priority List
- Appendix B - Career Transition Assistance Program
- Appendix C - Interagency Career Transition Assistance Program
- Appendix D - EPA Career Transition Assistance Program at a Glance

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VII. RECORDS

Please see EPA's Record Schedules policies at http://www.epa.gov/records/policy/schedule/index.htm for detailed retention instructions for the following:

(a) EPA Records Schedule 553: Official Personnel Folders (OPF) - Civilian

(b) EPA Records Schedule 556: Examining and Certification Records

(c) EPA Records Schedule 557: Offers of Employment Files

(d) EPA Records Schedule 558: Certificate of Eligibles Files

(e) EPA Records Schedule 560: Notifications of Personnel Actions - Standard Form 50

(f) EPA Records Schedule 560: Merit Promotion Case Files

VIII. MATERIALS SUPERSEDED

EPA Order 3115.1 – Career Transition Assistance Program dated 03/18/1997.

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Reemployment Priority List

I. Purpose

RPL is a required component of the agency's placement programs to assist current and former competitive service employees who will be or were separated by RIF under 5 CFR 351, or who have recovered from a compensable work-related injury after more than one year, as required by 5 CFR 353.

II. Agency Requirements

(a) When filling vacancies, the agency must give its RPL registrants placement priority for most competitive service vacancies before hiring someone from outside its own permanent competitive service workforce.

(b) May consider RPL placement priority candidates before other agency permanent competitive service employees after fulfilling its obligations to CTAP selection priority candidates.

(c) The RPL must be used to give placement priority to:

(1) Current competitive service employees with a specific notice of RIF separation or a Certification of Expected Separation issued pursuant to 5 CFR 351;

(2) Former competitive service employees separated by RIF pursuant to 5 CFR 351; and

(3) Former competitive service employees fully recovered from a compensable injury (as defined in 5 CFR 353) after more than one year.

(d) The SSCs will maintain one RPL that includes all commuting area locations for the agency and are responsible for giving placement priority to the RPL registrants for each local commuting area.

(e) The SSC must give each RPL eligible information about the RPL program, including information on Merit Systems Protection Board appeal rights, when:

(1) A RIF separation notice or a Certification of Expected Separation is issued; or

(2) The employee accepts a position at a lower grade or pay level or is separated because of a compensable work-related injury.

(f) The servicing SSC must register an RPL eligible on the RPL no later than 10 calendar days after receiving the eligible's written application.

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(g) The servicing SSC must provide the following information to each RPL eligible:

(1) Instructions on how to request an RPL application;

(2) A point of contact who the RPL eligible may contact to receive help to complete the RPL application; and

(3) A POC who the RPL eligible may contact to receive help in identifying and listing on the RPL application those positions within the agency for which the eligible is qualified and interested.

(h) The servicing SSC must not remove an individual from the RPL without evidence showing that the offer, inquiry or scheduled interview was made in writing. For example, a U.S. Postal Service return receipt signed by the addressee only, or, if by email, an acknowledgment from the eligible in writing that he or she received notice of the offer, inquiry, or scheduled interview. The written offer, inquiry or scheduled interview must clearly state that failure to respond will result in removal from the RPL for positions at that grade or pay level and for positions at lower grades and pay levels for which the individual is registered.

(i) The agency RPL application must:

(1) Allow an RPL eligible to register for positions at the same representative pay rate and work schedule as the position from which the RPL eligible was, or will be, separated; and

(2) Allow an RPL eligible to specify the conditions under which he or she will accept a position, including grades or pay levels, appointment type (permanent or time-limited), occupations (e.g., position classification series or career groups), and minimum number of hours of work per week, as applicable.

III. Registration

(a) To register, an RPL eligible must:

(1) Be a RIF or compensable work-related injury eligible.

(2) Complete an RPL application from the current or former agency and keep the SSC informed of any significant changes in the information provided; and

(3) Submit the RPL application on or before the RIF separation date or, if a compensable work-related injury eligible, within 30 calendar days after the:

(i) Date the injury compensation benefits cease; or

(ii) Date the Department of Labor denies an appeal for continuation of injury compensation benefits.

(b) RPL eligibles may register and receive placement priority for positions for which they are qualified and have:

(1) A representative pay rate no higher than the position from which they were, or will be, separated unless the eligible was demoted as a tenure group I or II employee in a previous RIF. If the eligible was so demoted, the eligible can register for positions with a representative pay rate up to the representative pay rate of the position held on a permanent appointment immediately before the RIF demotion was effective;

(2) No greater promotion potential than the position from which they were, or will be, separated; and

(3) The same type of work schedule as the position from which they were, or will be, separated.

(c) Generally, RPL registration is limited to the local commuting area in which the eligible was, or will be, separated. The two exceptions to this requirement are:

(1) If there are no competitive service positions remaining in the local commuting area from which the RPL eligible will be separated, the servicing SSC may designate a different local commuting area where there are continuing positions for the RPL eligible to exercise placement priority. The use of this option is at the agency's discretion. The servicing SSC must consider the size and locations of the workforce, available vacancies and available funds before making a decision.

(2) If the RPL eligible was, or will be, separated from an overseas position (pursuant to 5 CFR 301), RPL registration is limited to the local commuting area in which the eligible was, or will be, separated, unless:

(i) The servicing SSC approves a written request by the RPL eligible for registration in the local commuting area from which employed for overseas service or in another area within the United States that is mutually acceptable to the eligible and the agency. The use of this option is at the agency's discretion. The servicing SSC must consider the size and locations of the workforce, available vacancies and available funds before making a decision.

(d) If the RPL eligible agreed to transfer with his or her function but will be separated by RIF from the gaining competitive area, registration is limited to the gaining competitive area's local commuting area.

(e) For a compensable work-related injury eligible, registration is initially limited to the local commuting area of the position from which the employee was separated. If there are no competitive service positions remaining in the local commuting area from which the RPL eligible will be separated, the RPL eligible may elect to receive placement priority for the next best available position in the former local commuting area.

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(f) RPL registration expires two years from the date of RIF separation or two years from the date the servicing SSC registers the RPL eligible because of recovery from a compensable work injury.

(g) OPM may extend the registration period when an RPL eligible does not receive a full two years of placement priority (e.g., because of an agency's administrative or procedural error). Either the servicing SSC or the RPL eligible may request OPM to extend the registration period. Instructions on how to submit a request can be found in 5 CFR 330.208(b)(2).

IV. Removal from an RPL

(a) An RPL registrant is removed from the RPL at all registered grades or pay levels if the registrant:

(1) Declines or fails to reply to the servicing SSC's inquiry about an RPL offer of a career, career-conditional, or excepted appointment without time limit for a position having the same type of work schedule and a representative pay rate at least as high as the position from which the registrant was, or will be, separated;

(2) Receives a written cancellation, rescission or modification to:

(i) The RIF separation notice or Certification of Expected Separation so that the employee no longer meets the conditions for RPL Eligibility; or

(ii) The notification of cessation of injury compensation benefits so that injury compensation benefits continue;

(3) Separates from the agency for any other reason (e.g., retirement, resignation or transfer) before the RIF separation effective date. Registration continues if the RPL registrant retires on or after the RIF separation effective date. This does not apply to RPL registrants eligible due to a compensable work-related injury.

(4) Requests the servicing SSC to remove his or her name from the RPL;

(5) Is placed in a position without time limit at any grade or pay level within the agency;

(6) Is placed in a position under a career, career-conditional, or excepted appointment without time limit at any grade or pay level in any agency; or

(7) Is ineligible for continued overseas employment because of previous service or residence.

(b) An RPL registrant is removed from the RPL at registered grades or pay levels with a representative pay rate at and below the representative pay rate of a position offered by the agency if the offered position is below the last grade or pay level held and the registrant:

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(1) Declines or fails to reply to the servicing SSC's inquiry about an RPL offer of a career, career-conditional, or excepted appointment without time limit for a position meeting the acceptable conditions shown on the RPL registrant's application; or

(2) Declines or fails to appear for a scheduled interview.

(c) An RPL registrant removed from the RPL in accordance with paragraph V(b) at lower grades or pay levels than the last grade or pay level held remains on the RPL for positions with a representative pay rate higher than the offered position up to the grade or pay level last held, unless registration expires or otherwise terminates.

(d) Declination of time-limited employment does not affect RPL eligibility.

V. Applying RPL Placement Priority

(a) RPL placement priority applies to:

(1) Permanent and time-limited positions to be filled by competitive service appointment; and

(2) The grade or pay level at which the agency fills the position. If a position is available at multiple grades or pay levels, placement priority applies at the grade or pay level at which the position is ultimately filled.

(b) The servicing SSC must not effect a permanent or time-limited competitive service appointment of another individual if there is an RPL placement priority candidate registered for the vacancy, unless the action is listed as an exception in 5 CFR 330.211.

(c) The servicing SSC must document that there are no RPL placement priority candidates for the vacancy when requesting a competitive certificate of eligibles. Similarly, the servicing SSC must offer the vacancy to any RPL placement priority candidate(s) before effecting an appointment under a noncompetitive appointing authority.

(d) Once the servicing SSC has ensured there are no RPL placement priority candidates for a particular vacancy and documents in writing an employment offer that is accepted by another individual, it may fulfill that employment offer to that individual.

VI. Agency Flexibilities

(a) The servicing SSC will suspend an RPL registration for all positions, permanent and time-limited, if it is unable, through documented written means, to contact the RPL registrant; however, the agency must reactivate an RPL registration when the registrant submits an updated application or otherwise requests reactivation in writing. Registration suspension and reactivation do not change the expiration date of the original registration period.

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(b) The servicing SSC may modify the OPM or OPM-approved qualification standard used to determine if an RPL eligible is qualified for a position in accordance with 5 CFR 330.212(c). Modification to the qualification standard does not authorize a waiver of the selection order required under section VII.

(c) RPL eligibles may register for positions with work schedules different from the work schedule of the position from which they were, or will be, separated.

(d) RPL registrants may update their qualifications or conditions for accepting positions during the RPL registration period. The servicing SSC must update the RPL registrant's registration information within ten calendar days of receipt of the registrant's written request. The updated registration information would apply to only those vacancies becoming available after the SSC updates the RPL registrant's registration.

VII. Selection from an RPL

(a) For each vacancy to be filled, the servicing SSC will use category rating and selection procedures.

(b) The agency will assess RPL placement priority candidates against job-related evaluation criteria and then place each candidate into one of three quality categories: best qualified; well qualified; and qualified, based on their having similar levels of KSAs and competencies.

(c) Veterans' preference must be applied pursuant to 5 USC 3319.

(d) Selection must be made from the highest quality category.

(e) Additional information on the category rating process can be found in HR Bulletin 11-001B, *Category Rating*.

VIII. Appeal Rights

An RPL registrant who believes the agency violated his or her reemployment rights by employing another person who otherwise could not have been appointed properly may appeal to the Merit Systems Protection Board.

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Career Transition Assistance Plan

I. Purpose

CTAP provides intra-agency selection priority for the agency's eligible surplus and displaced employees.

II. Agency Requirements

(a) Agency must:

(1) Establish a CTAP for surplus and displaced employees.

(2) Uniformly and consistently apply its CTAP and applicable regulations to all surplus and displaced employees.

(3) Not procure temporary help services until a determination is made that no CTAP eligible is available.

(4) Provide reasonable accommodation for qualified employees with disabilities who are seeking career transition services.

(b) SSCs must:

(1) Not place any other candidate from within or outside the agency into a vacancy if there is an available CTAP selection priority candidate, unless the personnel action to be effected is an exception under 5 CFR 330.609.

(2) Create, maintain, and regularly update a list of all eligible agency surplus and displaced employees.

(3) Define what constitutes a well-qualified candidate for *each* vacancy and uniformly apply that definition to all CTAP eligibles being considered for the vacancy.

(4) Make a career transition orientation session available to all agency surplus and displaced employees with information on selection priority under CTAP, ICTAP and RPL. The orientation sessions may be in person, web-based, video conference or other appropriate method.

(5) Provide an orientation for supervisors and managers on the meaning of selection priority.

(6) Give each CTAP eligible written information on selection priority and explain how to locate and apply for agency vacancies and request selection priority.

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(7) Take reasonable steps to ensure that CTAP eligibles have access to information on all vacancies, including how CTAP eligibles can apply, what proof of eligibility is required, and the agency definition of "well qualified" for the vacancy.

(8) Conduct an independent second review and document the specific job-related reasons whenever a CTAP eligible is determined to be not well qualified under the agency's definition. Examples of a second independent reviewer would be a supervisor in the servicing HR Office/SSC or a subject matter expert.

(9) Provide a CTAP eligible who applied for a specific vacancy written notice of the final status of his or her application, including whether the eligible was determined to be well qualified. The notice must include the results of the independent, second review, if applicable; whether another CTAP selection priority candidate was hired; whether the position was filled under an exception listed in 5 CFR 330.609; and whether the recruitment was cancelled.

(c) Program office or regions:

(1) Must authorize excused absence for displaced and surplus employees for purposes of career transition. Employees who have received a certificate of expected separation may be authorized up to eight hours of excused absence per pay period by their supervisor (the amount of excused absence may be subject to negotiation with unions, please contact the servicing Labor and Employee Relations office for guidance). Additional time may be provided, as warranted by individual situations, subject to supervisory approval and workload priorities.

(2) May authorize additional excused absence for employees who have received a RIF separation notice at the discretion of his or her supervisor.

(3) Must work with the Employee Assistance Program Manager/Coordinators in tailoring services to affected employees.

(d) OPM has oversight of CTAP and may conduct reviews of agency compliance and require corrective action at any time.

(e) SSCs may issue joint standard operating procedures to supplement this order to the extent practicable and feasible.

III. Career Transition Services

(a) To the extent practicable, and within available funding, surplus and displaced employees will be provided the following career transition services:

(1) Skills assessment, resume preparation, counseling and job search assistance.

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(2) Career transition services, equipment, facilities, materials and resources for placement opportunities (i.e. access to computers and assistance in interviewing skills, etc.).

(3) Information on the availability of career transition services and facilities and how to access them, including any changes in the level and kind of services offered.

(4) Access to facilities and career transition assistance for employees who have been separated for at least 90 days after the date of separation.

(5) Training for employees, managers, supervisors and union representatives (e.g., job search skills, resume writing, interview techniques, financial management, stress management, transition management, etc.).

(6) The Department of Labor will be contacted by the servicing SSC regarding retraining options through the DOL Job Training Partnership Act and the employee with be advised accordingly.

IV. CTAP eligibility period

(a) CTAP eligibility begins on the date the employee meets the definition of surplus or displaced.

(b) CTAP eligibility ends on the date the employee:

(1) Separates from the agency either voluntarily or involuntarily;

(2) Receives a notice rescinding, canceling or modifying the notice which established CTAP eligibility so that the employee no longer meets the definition of surplus or displaced;

(3) Is placed in another position within the agency at any grade or pay level, either permanent or time-limited, before the employee is separated; or

(4) Is appointed to a career, career-conditional, or excepted appointment without time limit in any Federal agency at any grade or pay level.

V. Establishing CTAP Selection Priority

(a) CTAP selection priority for a specific agency vacancy begins when:

(1) The CTAP eligible submits all required application materials, including proof of eligibility, within the timeframes established by the vacancy announcement or servicing SSC; and,

(2) The agency determines the eligible is well qualified for the vacancy.

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(b) If the CTAP eligible declines an offer of permanent appointment at any grade level (whether it is a competitive or excepted appointment), future CTAP selection priority for agency positions will be denied.

VI. Proof of Eligibility

(a) The CTAP eligible must submit a copy of one of the following to establish selection priority:

(1) A RIF separation notice;

(2) A notice of proposed removal for declining a directed geographic relocation outside of the local commuting area;

(3) A Certification of Expected Separation; or

(4) Other official agency certification or notification indicating that the employee's position is surplus (e.g., a notice of position abolishment or a notice of eligibility for discontinued service retirement).

(b) The CTAP eligible may also submit a copy of a RIF notice with an offer of another position, accompanied by the signed declination of the offer. The RIF notice must state that declination of the offer will result in separation under RIF procedures

VII. Definition of Well Qualified

(a) The CTAP eligible must meet the basic criteria specified in the *Definitions* section of this Order. In addition, a well qualified eligible must:

(1) Meet the basic eligibility requirements, qualification standards and any applicable selective factors;

(2) Be physically qualified, with or without reasonable accommodation, to perform the essential duties of the position;

(3) Meet any special qualifying conditions of the position; and

(4) Be able to satisfactorily perform the duties of the position upon entry.

VIII. Notification, Announcement and Filling of Vacancies

(a) The agency must take reasonable steps to ensure that agency CTAP eligibles have access to information on all vacancies. All CTAP eligibles should receive notification of vacancies in their local commuting area. Eligible employees should register on USAJOBS (or the current federal job application system) to receive automatic notification of vacancies.

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(b) Vacancy announcements must be issued for all vacancies covered by this order, except when there are no CTAP eligible employees within the agency, or other exceptions allowed by regulation.

(c) The servicing SSC does not need to post a vacancy if it can document that there are no CTAP eligibles in a local commuting area.

(d) Servicing SSCs must verify the agencywide listing is clear of any CTAP employees before making internal hires utilizing merit promotion or other appropriate procedures.

(e) If the agencywide list is not clear, a vacancy announcement must be posted agencywide for the specific geographic area only.

(f) Servicing SSCs with surplus employees shall advise federal human resources offices outside of the agency in the commuting area that they have surplus employees, and request placement assistance of affected employees.

(g) When filling competitive service positions, surplus excepted service employees must be considered if they have competitive status or are serving under an appointment which can be used to fill the position. Nothing in this plan confers competitive status upon excepted service employees or requires a program office or region to attempt to hire an excepted employee through the competitive examining process.

(h) When filling excepted service positions, surplus competitive service employees must be considered if they would qualify for positions under the excepted service appointing authority being used.

(i) If a position is being filled under a formal agency training program, surplus employees who apply must be considered for both the trainee and target positions except that a surplus employee does not have to be considered under this plan for a position which would involve a promotion or which has a greater promotion potential than the employee's current or most recently held position. A program office or regional selecting official may not bypass a surplus employee for selection who meets the requirements in this plan for either the trainee or target position by filling the other position. It is up to the program office or regional selecting official to decide which position (trainee or target) to offer the surplus employee.

(j) Noncompetitive Actions. If a position is being filled by an action not requiring competitive procedures, surplus employees must be selected if they meet the basic qualifications for the position, possess documented selective factors, can perform the duties of the position without undue interruption and are eligible for noncompetitive placement. Surplus employees are not required to meet quality-ranking factors for noncompetitive actions.

(k) Competitive Actions. If a position is being filled by a selection from a certificate, the surplus employee must be rated and ranked under the same procedures as applicants. If, after the rating and ranking process, the surplus employee is determined to be well qualified as defined and published on the vacancy announcement, he/she must be selected.

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IX. Exceptions to Priority Selection under CTAP

The complete list of exceptions to the requirements for CTAP can be found in 5 CFR 330.609.

X. Selection Order for Filling Vacancies

(a) CTAP selection priority applies to a vacancy that:

(1) Is at a grade or pay level with a representative pay rate no higher than the representative rate of the grade or pay level of the CTAP eligible's permanent position of record;

(2) Has no greater promotion potential than the CTAP eligible's permanent position of record;

(3) Is in the same local commuting area as the CTAP eligible's permanent position of record;

(4) Is filled during the CTAP eligible's eligibility period; and, if applicable,

(5) Is filled under the same excepted appointing authority as the CTAP eligible's permanent position of record if the CTAP eligible is an excepted service employee.

(b) Selection priority must be given to well-qualified, eligible Agency employees who apply for vacancies within their local commuting area.

(c) If two or more eligible program office/region employees apply for a vacancy in a specific organization and are determined to be "well qualified," either of those employees in the commuting area may be selected.

(d) If previous steps have not resulted in a placement, qualified agency employees on grade and pay retention that are eligible for repromotion under the repromotion program may be selected as an exception to merit staffing requirements. Promotions may not be made to positions at a higher grade or with greater promotion potential than an employee would otherwise be eligible.

(e) When the obligation to select employees covered under CTAP within the local commuting area has been met, priority selection may be provided to agency surplus and displaced employees from another commuting area.

(f) If no eligible employees apply or none are found "well qualified," another agency employee may be selected without regard to this section.

(g) The agency may deny a CTAP eligible future selection priority if the eligible:

(1) Declines an offer of a permanent appointment at any grade or pay level in the competitive or excepted service; or

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(2) Fails to respond within a reasonable period of time (as defined by the agency through the SSC standard operating procedures) to an offer of a permanent appointment at any grade or pay level in the competitive or excepted service.

(h) Before appointing an individual from outside the agency's permanent competitive service workforce, the agency must follow the requirements of the RPL and ICTAP.

XI. Placement of Employees on Retained Grade and Pay

(a) When an employee is subject to grade or pay retention, the employee's name must be entered on the agencywide list for those employees in the commuting area who are eligible for priority repromotion benefits as an exception to internal competitive procedures.

(b) The servicing SSC shall notify the employee of his/her eligibility and inform the employee in writing that acceptance of the position is not required.

(c) As vacancies occur, the servicing SSC shall review the names on the list of eligibles within the commuting area and advise eligible employee to apply to the vacancy announcement. The names shall be referred to the selecting official before referring any non-repromotion eligible employees.

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Interagency Career Transition Assistance Plan

I. Purpose

The Interagency Career Transition Assistance Program (ICTAP) provides eligible displaced federal employees with interagency selection priority for vacancies in agencies that are filling positions from outside their respective permanent competitive service workforces. The ICTAP selection priority does not apply in the ICTAP eligible's current or former agency and it does not prohibit movement of permanent competitive service employees within an agency.

II. Agency Requirements

(a) The agency must:

(1) Establish an ICTAP for displaced employees.

(2) Must uniformly and consistently apply its ICTAP and applicable regulations to all displaced employees.

(3) Not procure temporary help services until a determination is made that no ICTAP eligible is available.

(b) SSCs must:

(1) Announce all vacancies it intends to fill from outside its permanent competitive service workforce. Vacancy announcements must meet the requirements of 5 CFR 330 Subpart A. The agency may make additional selections or reissue selection certificates in accordance with the merit promotion program without readvertising for ICTAP eligibles only if the additional selections are made from the applicant pool established by the original vacancy announcement, including readvertisements for the same vacancy, under which ICTAP eligibles had an opportunity to apply.

(2) Not place any other candidate from outside its permanent competitive service workforce into a vacancy if there is an available ICTAP selection priority candidate unless the personnel action to be effected is an exception under 5 CFR 330.707.

(3) Define what constitutes a well-qualified candidate for each vacancy and uniformly apply that definition to all ICTAP eligibles being considered for the vacancy.

(4) Conduct an independent second review and document the specific job-related reasons whenever an ICTAP eligible is determined to be not well qualified under the agency's definition. The agency must give the ICTAP eligible the written results of this review in a timely manner, and if applicable, whether another ICTAP selection priority

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candidate was hired, whether the position was filled under an exception listed in 5 CFR 330.707, and whether the recruitment was cancelled.

(c) Before appointing any other candidate from outside the agency's permanent competitive service workforce, the agency must first fulfill its obligation to any employees entitled to selection priority under RPL or CTAP.

(d) OPM has oversight of ICTAP and may conduct reviews of agency compliance and require corrective action at any time.

III. Definition of Well Qualified

(a) The ICTAP eligible must meet the basic criteria specified in the *Definitions* section of this Order. In addition, a well qualified eligible must:

(1) Meet the basic eligibility requirements, qualification standards and any applicable selective factors;

(2) Be physically qualified, with or without reasonable accommodation, to perform the essential duties of the position;

(3) Meet any special qualifying conditions of the position; and

(4) Be able to satisfactorily perform the duties of the position upon entry.

IV. ICTAP Eligibility Period

(a) ICTAP eligibility begins on the date the employee or former employee meets the definition of displaced.

(b) ICTAP eligibility ends one year from the date of:

(1) Separation by RIF;

(2) Removal by the agency for declining a directed geographic relocation outside the local commuting area (e.g., a directed reassignment or a change in duty station);

(3) Agency certification that it cannot place an eligible who was separated because of a compensable work-related injury or illness; or

(4) OPM notification that an employee's disability annuity has been, or will be, terminated.

(c) ICTAP eligibility ends two years after RIF separation if eligible under 5 CFR 330 subpart D.

(d) ICTAP eligibility also ends on the date the eligible:

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(1) Receives a notice rescinding, canceling or modifying the notice which established ICTAP eligibility so that the employee no longer meets the definition of displaced;

(2) Separates from the agency for any reason before the RIF or removal effective date; or

(3) Is appointed to a career, career-conditional, or excepted appointment without time limit in any agency at any grade or pay level.

(e) OPM may extend the eligibility period when an ICTAP eligible does not receive a full one year (or two years under 5 CFR 330 Subpart D) of eligibility, for example, because of administrative or procedural error.

(f) ICTAP eligibility for a former Military Reserve Technician or National Guard Technician ends when the technician no longer receives the special disability retirement annuity under 5 USC 8337(h) or 8456.

V. Establishing ICTAP Selection Priority

(a) ICTAP selection priority for a specific vacancy begins when:

(1) The ICTAP eligible submits all required application materials, including proof of eligibility, within agency-established timeframes; and

(2) The agency determines the eligible is well qualified for the vacancy.

VI. Proof of Eligibility

(a) The ICTAP eligible must submit a copy of one of the following to establish selection priority:

(1) A RIF separation notice;

(2) A notice of proposed removal for declining a directed geographic relocation outside the local commuting area;

(3) A separation Notification of Personnel Action, SF-50; or

(4) Certification or notification in accordance with 5 CFR 330.702 paragraphs (3) through (6).

(b) The ICTAP eligible may also submit a copy of the RIF notice with an offer of another position accompanied by the signed declination of that offer. The RIF notice must state that declination of the offer will result in separation under RIF procedures.

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(c) The ICTAP eligible must also submit his or her most recent performance rating as proof the rating of record is at least fully successful (or equivalent).

VII. Applying ICTAP Selection Priority

(a) ICTAP selection priority applies to a vacancy that:

(1) Is at a grade or pay level with a representative pay rate no higher than the representative rate of the grade or pay level of the ICTAP eligible's current or last permanent position of record;

(2) Has no greater promotion potential than the ICTAP eligible's current or last permanent position of record;

(3) Is in the same local commuting area as the ICTAP eligible's current or last permanent position of record; and

(4) Is filled during the ICTAP eligible's eligibility period.

(b) Order of selection:

(1) Former agency employees eligible under the RPL.

(2) Any other former employee displaced from the agency.

(3) Any current or former Federal employee displaced from other federal agencies, who are ICTAP eligible.

(4) Any other candidate.

(c) *Review of Qualifications*. Servicing SSCs shall follow the same procedures outlined in the CTAP section of this order (Appendix B) for review, documentation and notification of ICTAP applicants.

(d) The agency may deny an ICTAP eligible future selection priority for vacancies if the ICTAP eligible:

(1) Declines an offer of a permanent appointment at any grade or pay level in the competitive or excepted service; or

(2) Fails to respond within a reasonable period of time (as defined by the agency through the SSC standard operating procedures) to an offer or official inquiry of availability for a permanent appointment at any grade or pay level in the competitive or excepted service.

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(e) The agency may deny an ICTAP eligible future selection priority for a position previously obtained through ICTAP if the eligible was terminated or removed from that position under 5 CFR 432 or 752.

VIII. Exceptions to Priority Selection under ICTAP

(a) Per 5 CFR 330.103(a) and 330.707(t), an ICTAP eligible may be transferred or reinstated if he or she meets the agency's definition of well qualified without announcing the vacancy.

(b) The complete list of exceptions to the requirements for ICTAP can be found in 5 CFR 330.707.

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Figure 1: Appendix D, Career Transition Assistance Program at a Glance

Reemployment Priority List (RPL)

- **Purpose**: A program to assist current and former Agency competitive service employees who will be or were separated by reduction in force or who have recovered from a compensable work-related injury after more than one year.
- **Reference**: 5 CFR 330 Subpart B
- **Requirements**: When filling vacancies the agency must give its RPL registrants placement priority for most competitive service vacancies before hiring someone from outside the permanent competitive service workforce. The agency may consider RPL placement priority candidates before other agency permanent competitive service employees after fulfilling its obligations to CTAP selection priority candidates.
- **Management Responsibility**: Must notify, work, and consult with the servicing Shared Service Center when considering personnel actions for which the SSC has responsibility. Support the spirit and intent of the priority placement provisions.
- **Shared Service Center Responsibility**: Must maintain the RPL, register eligible applicants , and provide each eligible applicant information on the program.
- **Employee Responsibility**: Complete a RPL application and keep the SSC informed of any significant changes in the information provided.

Career Transition Assistance Program (CTAP)

- **Purpose:** Provides intra-agency selection priority for eligible surplus and displaced employees.
- **Reference**: 5 CFR 330 Subpart F
- **Requirements**: The agency must not place any other candidate from within or outside the agency into a vacancy if there is an available CTAP selection priority candidate, unless the personnel action to be effected is an exception under 5 CFR 330.609.
- **Management Responsiblity:** Must notify, work, and consult with the servicing SSC when considering personnel actions for which the SSC has responsibility. Support the spirit and intent of the priority placement provisions.
- **Shared Service Center Responibility**: Create, maintain, and regularly update a list of all eligible agency surplus and displaced employees. Provide an orientation for supervisors and managers on the meaning of selection priority. Give each CTAP eligible written information on selection priority under the plan and explain how to locate and apply for agency vacancies and request selection priority.
- **Employee Responsibility**: Take advantage of career transition resources and apply for vacancies for which they qualify.

Interagency Career Transition Assistance Program (ICTAP)

- **Purpose:** Provides eligible displaced federal employees with interagency selection priority for vacancies in agencies that are filling positions from outside their respective permanent competitive service workforces.
- **Reference**: 5 CFR 330 Subpart G
- **Requirements**: The agency must not place any other candidate from outside the permanent competitive service workforce into a vacancy if there is an available ICTAP selection priority candidate unless the personnel action to be effected is an exception under 5 CFR 330.707.
- **Management Responsiblity:** Support the spirit and intent of the priority placement provisions.
- **Shared Service Center Responibility**: Announce all vacancies it intends to fill from outside its permanent competitive service workforce. However, an ICTAP eligible may be transferred or reinstated if he or she meets the agency's definition for well qualified without announcing the vacancy.
- **Employee Responsibility**: Apply for vacancies for which they qualify.

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