



UNITED STATES MARINE CORPS
MARINE AIR GROUND TASK FORCE TRAINING COMMAND
MARINE CORPS AIR GROUND COMBAT CENTER
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CCO 12335.1G
HRO
FEB 10 2015

COMBAT CENTER ORDER 12335.1G

From: Commanding General
To: Distribution List

Subj: MERIT STAFFING PROGRAM

Ref: (a) Title 5, Code of Federal Regulations, Part 300, "Employment (General)," current edition
(b) DoD Instruction 1400.25, "DoD Civilian Personnel Management," current edition
(c) DoD Instruction 1400.20, "DoD Program for Stability of Civilian Employment," September 26, 1996
(d) DON Civilian Human Resources Manual, Chapter 300, "Employment and Retention"
(e) MCO 12335.1

Encl: (1) Merit Staffing Plan

1. Situation. To update procedures in accordance with the references for the merit staffing program, promotion, and internal placement of employees in the competitive service.

2. Cancellation. CCO 12335.1F.

3. Mission. To provide program guidance, requirements, and procedures for Merit Staffing for organizations supported by the Marine Air Ground Task Force Training Command (MAGTFTC), Marine Corps Air Ground Combat Center (MCAGCC) Human Resources Office (HRO). HRO assists managers in accomplishing the mission by advising and guiding on recruitment sources, merit promotion procedures, conducting job analyses, writing crediting plans, advising management on priority consideration programs, providing advice to selecting officials during the selection process, etc. The Human Resources Service Center-Southwest (HRSC) provides assistance in rating applications, making qualification determinations and announcing vacancies or possible vacancies.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) Establish and maintain an active merit staffing program utilizing enclosure (1) and provide compliance guidelines for policies and requirements as set forth in the references.

(b) Managers and supervisors are ultimately responsible for making civilian personnel selections and fulfilling programs that implement

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public policies. Accountability for the end result (i.e., fair and equitable treatment without regard to non-merit factors, fair and open competition, and selection based on ability, knowledge, and skills) rests with the selecting official. In exercising this responsibility, management has the right to recruit from all appropriate sources and to select or not select in order to fill positions in the most cost effective and timely manner conducive to fair and open competition.

(2) Concept of Operations. Managers and supervisors must be familiar with this Order, maintain a file copy, and ensure that their civil service employees are familiar with the contents of the enclosed merit staffing plan.

b. Subordinate Element Missions. All commands, organizations, units, and activities that are serviced by the MAGTFTC, MCAGCC HRO will comply with the intent of the references and the content of this Order.

5. Administration and Logistics. Distribution statement A directives issued by the Commanding General are distributed via email upon request and can be viewed at <http://www.29palms.marines.mil/Staff/G1Manpower/AdjutantOffice/Orders.aspx>.

6. Command and Signal

a. Command. This Order is applicable to all commands, organizations, units, and activities that are serviced by the MAGTFTC, MCAGCC HRO.

b. Signal. This Order is effective the date signed.


J. B. HANLON
Chief of Staff

Distribution: A

Merit Staffing Plan

1. Objective. The Department of the Navy's (DON) primary goal is to obtain highly qualified employees to support mission accomplishment. The procedures promulgated by this instruction are designed to simplify the recruitment process, increase flexibility of both management and program administration, reduce recruitment costs, and foster confidence in both managers and candidates.

2. Policy

a. Establish and execute strategic workforce and recruitment plans in accordance with mission goals and requirements.

b. In accordance with reference (a), merit promotion is but one staffing source for filling a position. Other means may be properly utilized concurrently or separately in order to meet the organization's needs and affirmative employment goals.

c. Positions will be filled from among the best qualified candidates available. Filling positions using merit promotion procedures requires the identification, qualification, evaluation, and selection of candidates be made without regard to political, religious, or labor organization affiliation, marital or family status, race, color, gender, age, national origin, sexual orientation, or non-disqualifying disability. The area of consideration must be sufficiently broad to ensure the availability of highly qualified candidates, taking into account the nature and level of the position covered. The competitive process must be based solely on job-related criteria.

d. Discrimination for any of the above reasons is a serious disciplinary offense. Each manager and supervisor has the obligation to ensure that all candidates receive full consideration and must take no action which would either discourage or give the appearance of discouraging potential candidates from applying. Supervisors and selecting officials will avoid practices that may lead employees to believe that a person was preselected for a job or that a selection was based on favoritism.

e. Most recruitment actions are subject to mandatory provisions of one or more priority placement programs including: the Reemployment Priority List; the Department of Defense (DoD) Priority Placement Program; statutory rights of returning employees from overseas, military service, or Workers' Compensation; employees who have statutory placement rights administered by individual human resources offices; and Interagency Career Transition Assistance Plan. All managers and supervisors are required to support these programs.

3. Actions Subject to Merit Promotion Procedures. Subject to the exceptions or exclusions listed in paragraph 4 below, competitive procedures apply to the following actions:

a. Promotion or conversion to a higher grade position.

b. Transfer or reinstatement to a permanent or temporary position at a higher grade or with more promotion potential than that previously held on a permanent basis in the competitive service.

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c. Time-limited promotion for more than 120 days to a higher graded position. Prior service during the preceding 12 months under non-competitive time-limited promotions and non-competitive details to higher graded positions count toward the 120 day total. A temporary promotion may be made permanent without further competition provided the temporary promotion:

(1) Was originally made under competitive procedures.

(2) The fact that it might lead to a permanent promotion was made known to potential candidates.

d. Detail for more than 120 days to higher-graded position or to positions with known promotion potential.

e. Reassignment or demotion to a position with more promotion potential than previously held in a permanent position (except as permitted by reduction-in-force regulations).

f. Selection for training that is given primarily to prepare an employee for advancement and is required for promotion.

g. Appointment and promotion of Veterans Employment Opportunity Act (VEOA) eligibles.

4. Exceptions to Merit Promotion Procedures. Competitive procedures do not apply to the following placement actions.

a. Statutory, regulatory, administrative placement, or placement by the direction of a higher authority are accomplished as instructed. Positions identified as having mandatory referral requirements (e.g., major claimant Navy-wide, or DoD-wide) are filled under the provisions of applicable regulations.

b. Appointment under the provision of a special appointing authority. For example, Veterans Recruitment Appointment (VRA), 30-percent disabled veterans, applicants eligible under Executive Order (E.O.) 12721 or DoD/Office of Personnel Management (OPM) Personnel Interchange Agreement if the appointment is made to the same or lower graded position as that previously held.

c. Placement made during a reduction-in-force.

d. Conversion of employees on excepted appointment authorities such as: Schedule A for the physically or mentally disabled; VRA; E.O. 12721.

e. Conversion to permanent appointment of eligible veterans with 30-percent or more disability who are serving on temporary or provisional appointment under 5 Code of Federal Regulations 315.707.

f. Promotion to a grade previously held on a permanent basis in the competitive service or in equivalent system with which OPM has an interchange agreement.

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g. Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having no greater promotion potential than the potential of a position an employee currently holds or previously held on a permanent basis in the competitive service, or in another merit system with which OPM has an interchange agreement, from which an employee was separated or demoted for other than performance or conduct reasons.

h. Consideration of candidate not given proper consideration in a competitive promotion action.

i. Temporary promotion or detail to a higher-graded position of 120 days or less. Prior service under all details or temporary promotions to higher-graded positions during the preceding 12 months is counted in determining whether the 120-day limit has been met. All regulatory and qualification requirements must be met prior to the effective date of the temporary promotion action. An employee does not need to meet time-in-grade or minimum qualification requirements (other than positive education requirements) to be detailed to another position.

j. A career-ladder promotion of an employee selected for a developmental position with a target grade higher than the entry position [The intended career progression and full performance level must be included on the initial notification of personnel record (SF-50)]. The employee's performance must be satisfactory and the supervisor must recommend the promotion. All regulatory and qualification requirements are required to be met prior to the effective date of all promotion action.

k. A promotion resulting from an upgrade due to issuance of a new OPM classification standard or correction of a classification error.

l. A promotion resulting from an employee's position being reclassified at a higher grade because of additional duties and responsibilities.

5. Priority or Mandatory Consideration for Placement. Before taking any action to fill a vacancy, either competitively or non-competitively (except for employees with statutory or regulatory rights), prior consideration must be given to certain employees. The HRO in liaison with the HRSC will be responsible for ensuring that these requirements are met in the following situations:

a. Employees on grade or pay retention.

b. Individuals who did not get proper consideration for promotion due to procedural, regulatory, or program violation.

c. Registrants in the DoD program for the stability of civilian employment (Priority Placement Program/Stopper List).

d. Repromotion/Reemployment Priority Lists.

6. Methods of Locating Candidates. Selecting officials retain the right to recruit from any appropriate sources and to select or not select from candidates referred. Therefore, candidates from other sources, including noncompetitive eligibles who may or may have an application on file under a merit staffing announcement, may be considered, name requested, or selected

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at any time during the recruitment and evaluation process. Under the merit staffing program, the following methods may be used to locate candidates:

a. Merit Staffing Announcements

(1) Merit Staffing Announcements are used to fill most positions in order to ensure that all applicants have an opportunity for placement or promotion consideration, including those employees absent for legitimate reasons.

(2) A merit promotion referral will be issued to the selecting official if all highly qualified applicants available in the inventory meet the management identified recruitment criteria.

(3) The type of announcement does not affect management's right to determine the appropriate area of consideration (AOC) nor does it change the minimum AOC requirements contained in collective bargaining agreements. The AOC is the source of applicants (e.g., internal merit promotion, VEOA, transfers, reinstatements, current DON employees, and interchange agreement, etc.) eligible for consideration for a specific vacancy. In determining the AOC, managers must consider equal employment opportunity (EEO) goals and objectives; the likelihood of producing sufficient high quality candidates without unreasonably restricting fair and open competition; and budgetary constraints and cost-effectiveness.

b. Management Identification of Candidates. This option can be used to expedite the recruitment process for current federal permanent employees at the activity. There must be sufficient, well-qualified, eligible candidates for the position. Employees considered eligible would normally include those in the same or related occupations at the next lower grade or level in the normal line of progression of the position being filled.

7. Selection Procedures. The selecting official retains the right to select from sources other than merit staffing at any time during the recruitment and evaluation process. Selection is a management prerogative involving the exercise of informed judgment coupled with responsibility for the consequences. Each selecting official must be aware of merit staffing regulations and adhere to principles of equal opportunity. Selecting officials are free to select or not select any certified candidate. No justification for selection or non selection is required, except as required in EEO complaint procedures or other similar processes.

8. Structured Interviews

a. Most Interviews are optional. GS-12 and above must be interviewed. Selecting officials may otherwise interview any, all or none of the candidates. If interviewing a select number of candidates, selecting officials must use job related criteria for determining which candidates to interview. If necessary, interviews may be conducted by telephone. Interview questions must be job related and be consistent for all interviewees. This does not mean that a question asked of one candidate cannot lead to follow-on questions required for clarification, but that each interviewed candidate must be asked the same basic questions.

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b. In the event selection panels are used, the selection panel must be comprised of members who are above the level or rank of the position being filled. Prior to holding interviews, the selection panel must submit job related criteria for determining which candidates to interview and a list of proposed interview questions to the HRO for review and approval. If necessary, interviews may be conducted by telephone. Interview questions must be job related and be consistent for all interviewees. This does not mean that a question asked of one candidate cannot lead to follow-on questions required for clarification, but that each interviewed candidate must be asked the same basic questions. Panel members are to evaluate and rank candidates under merit staffing. A member of the HRO shall act as technical advisor to the panel. The panel makes their recommendation(s), either the best candidate or the top candidates by priority, with rationale in writing to the selecting official.

9. Disclosure of Information. It is the policy of the Combat Center to make available to employees maximum information in connection with merit staffing which neither compromises the evaluation process nor invades the privacy of others. Staffing packages contain private information on candidates. All officials handling these packages must ensure the proper safeguarding of such information to protect the privacy entitlement of each candidate.

10. Grievances. Every effort will be made to provide an explanation or information in response to a question or complaint about a particular action or about the merit staffing program in general. If any matter cannot be resolved in this manner, then the issue may be processed under administrative grievance procedures, negotiated grievance procedures, or EEO complaint procedures, as appropriate. It must be recognized, however, that for each individual selected, there will normally be several who are not selected.

11. Release of Employees. Employees will normally be released within two to four weeks and at the beginning of a pay period. In those rare instances where this time is not adequate, the gaining supervisor and the losing supervisor may arrange a mutually agreeable date. Promotion candidates must be released by the next pay period after a two week's notice except in unusual circumstances, but no later than 30 days after selection.

12. Nepotism. Supervisors and managers are prohibited by reference (a) from participating in the rating and selection process if a relative is being considered. Neither may they advocate the selection of a relative. This does not preclude a supervisor from responding to a request for appraisal on a relative provided the supervisor refrains from advocating, and as long as the relationship is made clear to the requester.

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