

§ 319.301

5 CFR Ch. I (1–1–02 Edition)

and guides and accepted classification principles, that the position is properly classified above GS–15. In addition, for an ST position an agency must determine that the position meets the functional research and development criteria described in § 319.103.

Subpart C—Qualifications Requirements

§ 319.301 Qualifications standards.

(a) *General.* Agency heads are responsible for establishing qualifications standards in accordance with the criteria in this section.

(1) The standard must be in writing and identify the breadth and depth of the knowledges, skills, and abilities, or other qualifications, required for successful performance in the position.

(2) Each criterion in the standard must be job related.

(3) The standard may not include any criterion prohibited by law or regulation.

(b) *Standards for senior-level positions.*

(1) The standard must be specific enough to enable applicants to be rated and ranked according to their degree of qualifications when the position is being filled on a competitive basis.

(2) The standard may not include a minimum length of experience or minimum education requirement beyond that authorized for similar positions in the General Schedule.

(c) *Standards for scientific and professional positions.* (1) Unless the agency obtains the approval of OPM, the standard must provide that the candidate have at least 3 years of specialized experience in, or closely related to, the field in which the candidate will work. At least 1 year of this experience must have been in planning and executing difficult programs of national significance or planning and executing specialized programs that show outstanding attainments in the field of research or consultation.

(2) Agencies may require that at least 1 year of the specialized experience must be at least equivalent to experience at GS–15.

(3) Agencies may require applicants to furnish positive evidence that they have performed highly creative or out-

standing research where similar abilities are required in the ST position.

§ 319.302 Individual qualifications.

Agency heads are delegated authority to approve the qualifications of individuals appointed to SL and ST positions. The agency head must determine that the individual meets the qualifications standards for the position to which appointed.

Subpart D—Recruitment and Examination

§ 319.401 Senior-level positions.

(a) *General.* SL positions may be in either the competitive or excepted service. This section only applies to appointments in the competitive service from a civil service register. Reassignments, promotions, transfers, and reinstatements to SL positions in the competitive service shall be made in accordance with applicable statutory and regulatory provisions. Employment of SL employees in the excepted service is covered by 5 CFR, part 302.

(1) Agency heads are delegated authority to recruit and examine applicants for SL positions in the competitive service, establish competitor inventories, and issue certificates of eligibility in conformance with the requirements of this section, other applicable regulations, and statute.

(2) Agencies shall take such action as OPM may require to correct an action taken under delegated authority.

(3) Delegated authority may be terminated or suspended at any time by OPM for reasons such as, but not limited to:

(i) Evidence of unequal treatment of candidates; or

(ii) Identifiable merit system abuses.

(b) *Recruitment.* (1) A recruiting plan, with appropriate emphasis on affirmative recruitment, must be developed and followed.

(2) Vacancy announcements must remain open for a minimum of 14 calendar days. The closing date may not be a nonworkday.

(3) State Job Service offices must be notified of the vacancy in accordance with 5 CFR 330.102. Publication in OPM's listing of Senior Executive Service and other executive vacancies,

which is provided the offices, will satisfy this requirement.

(c) *Evaluation and selection.* Examination and selection procedures, and rights of applicants, are subject to the same provisions in statute and regulation that govern civil service examinations and appointments in general.

(d) *Records.* (1) Agencies must maintain records sufficient to allow reconstruction of the merit staffing process.

(2) Records must be kept for 2 years after an appointment, or, if no appointment is made, for 2 years after the closing date of the vacancy announcement.

§ 319.402 Scientific and professional positions.

(a) ST positions are filled without competitive examination under 5 U.S.C. 3325.

(b) ST positions are not subject to the citizenship requirements in 5 CFR part 338, subpart A. Agencies, however, must observe any restrictions on the employment of noncitizens in applicable appropriations acts.

(c) ST employees acquire competitive status immediately upon appointment. They are not required to serve a probationary or trial period.

PART 330—RECRUITMENT, SELECTION, AND PLACEMENT (GENERAL)

Subpart A—Discretion in Filling Vacancies

Sec.

330.101 Methods of filling vacancies.

330.102 Federal employment information.

Subpart B—Reemployment Priority List (RPL)

330.201 Establishment and maintenance of RPL.

330.202 Application.

330.203 Eligibility due to reduction in force.

330.204 Eligibility due to compensable injury.

330.205 Employment restrictions.

330.206 Job consideration.

330.207 Selection from RPL.

330.208 Qualification requirements.

330.209 Appeals.

Subpart C [Reserved]

Subpart D—Positions Restricted to Preference Eligibles

330.401 Competitive examination.

330.402 Direct recruitment.

330.403 Noncompetitive actions.

330.404 Displacement of preference eligibles occupying restricted positions in contracting out situations.

330.405 Agency placement assistance.

330.406 OPM placement assistance.

330.407 Eligibility for the Interagency Career Transition Assistance Plan.

Subpart E—Restrictions To Protect Competitive Principles

330.501 General restriction on movement after competitive appointment.

330.502 [Reserved]

330.503 Assessment of compliance with competitive principles.

330.504 Special restrictions after appointment under Part-time Direct Hire Program.

330.505 Nonapplicability to persons within reach on registers.

Subpart F—Agency Career Transition Assistance Plans (CTAP) for Local Surplus and Displaced Employees

330.601 Purpose.

330.602 Agency plans.

330.603 [Reserved]

330.604 Definitions.

330.605 Eligibility.

330.606 Order of selection for filling vacancies from within the agency.

330.607 Notification of surplus and displaced employees.

330.608 Application and selection.

330.609 Qualification reviews.

330.610 [Reserved]

330.611 Oversight.

Subpart G—Interagency Career Transition Assistance Plan for Displaced Employees

330.701 Purpose.

330.702 [Reserved]

330.703 Definitions.

330.704 Eligibility.

330.705 Order of selection in filling vacancies from outside the agency's workforce.

330.706 Notification of displaced employees.

330.707 Reporting vacancies to OPM.

330.708 Application and selection.

330.709 Qualification reviews.

330.710 [Reserved]

330.711 Oversight.

Subpart H—I [Reserved]

Subpart J—Prohibited Practices

330.1001 Withdrawal from competition.