

§ 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.

§ 330.101

5 CFR Ch. I (1–1–05 Edition)

- 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.

Subpart K—Federal Employment Priority Consideration Program for Displaced Employees of the District of Columbia Department of Corrections

- 330.1101 Purpose.
- 330.1102 Duration.
- 330.1103 Definitions.
- 330.1104 Eligibility.
- 330.1105 Selection.
- 330.1106 Appointment.

Subpart L—Interagency Career Transition Assistance for Displaced Former Panama Canal Zone Employees

- 330.1201 Purpose.
- 330.1202 Definitions.
- 330.1203 Eligibility
- 330.1204 Selection.

AUTHORITY: 5 U.S.C. 1302, 3301, 3302; E.O. 10577, 19 FR 7521, 3 CFR, 1954–58, Comp., p. 218.

Section 330.102 also issued under 5 U.S.C. 3327.

Subpart B also issued under 5 U.S.C. 3315 and 8151.

Section 330.401 also issued under 5 U.S.C. 3310.

Subpart G also issued under 5 U.S.C. 8337(h) and 8456(b).

Subpart K also issued under sec. 11203 of Pub. L. 105–33 (111 Stat. 738) and Pub. L. 105–274 (112 Stat. 2424).

Subpart L also issued under sec. 1232 of Pub. L. 96–70, 93 Stat. 452.

SOURCE: 33 FR 12425, Sept. 4, 1968, unless otherwise noted.

Subpart A—Discretion in Filling Vacancies

§ 330.101 Methods of filling vacancies.

An appointing officer may fill a position in the competitive service by any of the methods authorized in this chapter. He shall exercise his discretion in each personnel action solely on the basis of merit and fitness and without the discrimination prohibited in part 713 of this chapter.

§ 330.102 Federal employment information.

(a) *Vacancies open to the public*—(1) *Notice required*—(i) Under 5 U.S.C. 3327, Federal agencies must notify OPM promptly of:

- (A) Open competitive examinations;