

Merit Staffing Policy

335.1

APPENDIX B. SPECIAL CONSIDERATION PROGRAM PROCEDURES

B-1 Priority Consideration Program (PCP)

B-1.1 Coverage

Priority consideration eligibles are applicants who did not receive proper consideration in an earlier merit staffing action due to a documented procedural, regulatory, administrative or program error, and the applicant would have otherwise been placed on the Selection Roster had the error not occurred. For example, if an applicant is erroneously found not qualified, therefore not considered, for a position and it is determined by any portion of the original panel that the applicant would have been placed on the Selection Roster, priority consideration must be granted. If any member of the original rating panel is not available the HR Specialist may make the determination on whether to grant priority consideration.

B-1.2 Entitlement

An applicant is entitled to only one priority consideration for non-competitive placement for each instance in which he/she previously was denied proper consideration. An applicant shall exercise his/her entitlement to priority consideration for a specific announced vacancy by written request to the servicing Human Resources Office responsible for staffing the position. The applicant will provide all required information as specified in the vacancy announcement. If not exercised within 2 years from official notification, an applicant's entitlement to priority consideration will expire. In addition to being considered for a specific position through priority consideration, an applicant may also be considered for that specific position through the normal merit staffing process; if so, it is the applicant's responsibility to file a separate application for the announced position. The servicing personnel office will not submit applications for applicants who wish to be considered concurrently under merit staffing procedures.

B-1.3 Appropriate Vacancy

An appropriate vacancy is the next available position for which the applicant is interested and fully qualified, including similar or identical selective placement factors, and which is at the same grade level and has the same promotion potential as the one for which proper consideration was not given. The position is within the area of consideration stated in the next paragraph.

B-1.4 Area of Consideration

Priority consideration eligibles are entitled to priority consideration from the servicing Human Resources Office which is responsible for the improper consideration. For example, if a GS-12 Administrative Service Center "1" applicant applies for a GS-13 position in Administrative Service Center 3 and is improperly considered, the Administrative Service Center 3

servicing Human Resources Office must give the applicant one priority consideration for an appropriate GS-13 vacancy in the location originally applied for.

B-1.5 Notification of Eligibles

The personnel office responsible for the improper consideration will send a written notice to an eligible advising him/her of the basis for and extent of his/her priority consideration and the actions required of him/her in order for consideration to be operative.

B-1.6 Processing

A. Before referring a Selection Roster to the selecting official, the personnel representative will provide the selecting official with a list of priority consideration eligibles. These names will be referred in alphabetical order on the List of Priority Consideration Eligibles, HUD Form 2034B (Appendix 4). Application materials submitted by the eligibles will accompany the list.

B. The selecting official will review the qualifications of eligibles on the list and give them consideration for the vacancy. Interviews with each priority consideration eligible referred to the selecting official are required unless the conditions described in Chapter 3, section 9, paragraph 34a exist. Telephone interviews are acceptable for applicants located outside the commuting area.

C. The personnel representative will notify those applicants who are not selected under priority consideration. Non-selection under this process will not preclude an applicant from subsequent selection from a Selection Roster for the same position.

B-1.7 Disposition of Records

The personnel office responsible for handling the PCP case will maintain a file which will contain all priority consideration eligible lists and all materials submitted by the person requesting consideration. Individual case records may be disposed of after 2 years from the date PCP consideration occurred.

B-2 Reemployment Priority List (RPL)

B-2.1 Coverage

The Reemployment Priority List provides certain employees (as defined below) with priority consideration for reemployment with the Department by referring their applications to selecting officials for appropriate vacancies before other candidates are referred. Detailed regulatory requirements for the RPL program are contained in Subpart B of 5 CFR 330. The RPL covers the following persons:

A. Separated employees in Tenure Group I (Career) or Tenure Group II (Career-Conditional) encumbering full-time and other than full-time competitive/excepted service positions who were

separated under OPM's reduction-in-force regulations (5 CFR-Chap.351).

B. Employees on injury or disability compensation where recovery takes more than 1 year from the time employee began receiving compensation. In such cases, the individual must apply for reemployment within 30 days after compensation ceases, except when an appeal for continuation of compensation is filed. The 30-day period begins the day after resolution is reached.

B-2.2 Entitlement

Employees are eligible for RPL consideration after they receive their specific notices. Employees in Tenure Group I (Career) are entitled to RPL consideration for a maximum of 2 years from the date the employee is entered on the RPL. Employees in Tenure Group II (Career-Conditional) are entitled to priority consideration for a maximum of 1 year from the date the employee is entered on the RPL. An employee's name is removed from the RPL, prior to eligibility expiration, when:

A. An employee submits a written request to be removed from the list;

B. A full-time employee:

1. Accepts a non-temporary, full-time competitive position, or excepted service appointment; or,
2. Declines a full-time non-temporary competitive position or excepted service appointment with a representative rate the same as, or higher than, the position from which the employee was or will be separated.

C. Any other than full-time employee:

1. Accepts a non-temporary competitive position or excepted service appointment; or,
2. Declines a full-time non-temporary competitive position or excepted service appointment with a representative rate and regularly scheduled administrative work week the same as, or higher than, that of the position from which the employee was or will be separated.

B-2.3 Appropriate Vacancy (Reference 5 CFR 330.206)

A. When filling all competitive/excepted service vacancies, whether temporary, term, or permanent appointment, a qualified RPL registrant must be considered for non-permanent as well as permanent positions when such interest is indicated on their RPL application:

1. An RPL registrant is entitled to consideration for positions at or below the grade level of the position from which separated and the position must not have greater promotion potential than the position from which separated or will be separated, and have

the same type of work schedule;

2. In addition, an employee is entitled to consideration for any higher grade previously held on a non-temporary basis in the competitive or excepted service from which the employee was demoted under 5 CFR Chapter 351; and

3. Appropriate vacancies under RPL are those positions for which non-HUD employees may apply.

B. An individual is qualified for a position if he/she meets OPM-established or approved qualification standards and requirements for the position, including any minimum educational requirements, and any selective placement factors established by the agency; is physically qualified, with reasonable accommodation where appropriate, to perform the duties of the position; etc. (Reference 5 CFR 330.208).

C. The position is within the area of consideration.

B-2.4 Area of Consideration

An eligible employee may be entered on the RPL only for the commuting area in which separated and may not apply for the RPL in any other location, except as provided in 5 CFR 330.206 (a) (4).

B-2.5 Notification of Eligibles

The Office of Human Resources Headquarters or Field location responsible for providing RPL consideration will send a written notice to an eligible advising him/her of the basis for and extent of his/her RPL consideration. At that time, the eligible will be asked to submit an updated SF-71, OF-612, or resume', current performance appraisal, and any other necessary information.

If the eligible fails to supply the requesting information, a qualifications decision will be based upon whatever information is available. It is the responsibility of the eligible to provide updated information and inform the servicing office of Human Resources in writing of changes in his/her address, telephone number, and application materials.

B-2.6 Selection Process

A. The personnel representative will provide the selecting official with a list of qualified eligibles. These names will be placed on the List of Reemployment eligibles, HUD Form 203A (Appendix 4). The names will be placed on the list in tenure subgroup order. Eligibles' application materials will accompany the list. Action must be completed on the list before a Selection Roster will be forwarded to the selecting official.

B. The selecting official will review the qualifications of eligibles on the list and give them consideration for the vacancy. Selections from the list must be made in tenure

subgroup order.

C. Interviews are mandatory. If face-to-face interviews cannot be arranged, telephone interviews are acceptable. Selecting officials must make reasonable efforts to contact eligibles. Documentation of unsuccessful efforts to contact eligibles is required on the referral form.

D. If no selection is made from the list and the selecting official still wants to fill the position, written justification for non-selection from the list must be provided to and approved by the appropriate Human Resources Division Director before other applicants can be referred.

E. If the selecting official makes a selection from the list, he/she will inform the personnel representative, who will make a formal offer in writing to the selectee. The selectee will respond to the offer in writing within 10 workdays following receipt of the offer letter. Failure to respond to an offer letter will be considered a declination of the offer.

F. If the selectee declines the offer:

1. The selecting official should make another selection from the list if there are additional eligibles available; and,
2. The selectee will lose eligibility under the RPL if he/she meets either condition specified in paragraphs 57b (2) or 57c (2).

G. When an eligible's name is removed from the RPL he/she will be notified in writing.

B-2.7 Records

A. The Office of Human Resources will maintain a referral file for all RPL eligibles in Headquarters.

B. Field Human Resources Division Directors will establish procedures for maintenance of RPL files within their perspective field locations.

C. Active files will include the following materials for each covered eligible:

1. SF-171, OF-612, resume and any additional information requested from the eligible (e.g., performance appraisals, appraisals of potential, list of college courses, etc.);
2. Each local "List of Reemployment Eligibles" on which the eligible's name is listed;
3. All correspondence sent to the eligible regarding reemployment priority consideration(s);
4. Written Declination(s) of offers;
5. Documentation justifying non-selection(s); and,

6. Any instructions received from the eligible regarding RPL consideration (i.e., availability, updates, changes in status, etc.).

D. Individual files may be discarded 2 years after eligibility ends.

B-2.8 Appeals

An individual who believes that his or her re-employment priority rights have been violated because of the employment of another person who otherwise could not have been appointed properly may appeal to the Merit Systems Protection Board under the provision of the Board's regulations.

B-3 Special Reassignment Plan (SRP)

B-3.1 Coverage

Special Reassignment Plan eligibles are employees who are placed in positions at a lower grade as a result of reduction-in-force procedures, or whose positions are reduced in grade as a result of reclassification of the positions. These eligibles are either in a retained grade or retained pay status.

B-3.2 Entitlement

An employee is entitled to SRP consideration for a maximum of 2 years from the effective date of his/her demotion or any subsequent demotions; or until the employee:

- A. Is re-promoted to the grade from which demoted;
- B. Has a break in service of 1 day or more;
- C. Is demoted for personal cause or at his/her own request;
- D. Declines a reasonable offer (an offer of a position made at the same grade level from which demoted); or,
- E. Elects in writing to have his/her grade retention benefits terminated.

B-3.3 Appropriate Vacancy

SRP eligibles downgraded from part-time positions can be considered only for part-time vacancies with a work schedule of an equal or greater number of hours than the eligible's work schedule at the time of downgrading. Full-time employees are considered only for full-time vacancies. An appropriate vacancy is one which meets all of the following:

- A. The position is permanent and has been advertised under the provisions of this handbook;
- B. The position's minimum qualification requirements (including selective placement factors) are met by the SRP eligible;

C. The position must have no greater promotion potential than the position from which demoted; and,

D. The position is within the commuting area at the time the employee became eligible under this plan.

B-3.4 Notification of Eligibles

The Office of Human Resources responsible for providing SRP consideration will send a written notice to an eligible advising him/her of the basis for and extent of his/her SRP consideration. At that time, the eligible will be asked to submit an updated SF-171, OF-612, resume, current performance appraisal, and any other necessary information. If the SRP eligible fails to supply the requested information, qualifications decisions will be based upon whatever information is available in the employee's Official Personnel Folder (OPF).

B-3.5 Processing

A. The personnel representative will provide the selecting official with a list of qualified SRP eligibles. Action must be completed on this list before referring a Selection Roster. These names will be listed on the List of Special Reassignment Plan Eligibles, HUD Form 2034C (Appendix 4). Application materials submitted by the SRP eligibles will accompany the list.

Qualified SRP eligibles are listed in the following order:

1. By grade level from highest grade to lowest grade when it is a multiple grade position; and,
2. Alphabetically within grade eligibility.

B. The selecting official will review the qualifications of SRP eligibles on the list and give them consideration for the vacancy. Interviews are optional.

C. If the selecting official makes a selection from the list, he/she will inform the personnel representative, who will make a formal offer in writing to the selectee in accordance with the provisions of Title 5 (CFR 536.206). The selectee will respond to the offer in writing within 3 workdays following receipt of the offer letter.

D. If the employee declines the offer:

1. The selecting official may make another selection from the list or make no selection;
2. The employee will remain eligible for SRP if the offer was less than a "reasonable offer"; and,
3. The employee will lose eligibility under the SRP, and grade retention will be terminated if the offer was a "reasonable offer".

E. When an employee's name is removed from the SRP, he/she will be notified by the servicing personnel office.

B-3.6 Consideration for Merit Staffing Vacancy Announcements

If an employee wants to be considered for a specific position through the normal staffing process, the employee must file a separate application for the announced position. The servicing Office of Human Resources will not submit applications for announced positions.

B-3.7 Records

A. The Office of Human Resources, Servicing Personnel Offices will maintain a referral file for all SRP eligibles in Headquarters.

B. Field OHR Division Directors will establish procedures for maintenance of the SRP files within their jurisdictions.

C. Active files will include the following materials on each covered SRP eligible.

1. SF-171, OF-612, resume, and any additional information requested from the employee (e.g., appraisals of performance, appraisals of potential, list of college courses, etc.);
2. Each local "List of Special Reassignment Plan Eligibles" on which the employee is listed; and,
3. Written offers and any other correspondence sent to the employee regarding special reassignment consideration(s).

D. Individual files may be discarded 2 years after eligibility ends.

B-4 Career Transition Assistance Program (CTAP)

B-4.1 Coverage

On September 12, 1995, President Clinton issued a directive that Federal agencies provide increased assistance to their employees who are affected by downsizing. As a result, all Executive branch agencies must set up new career transition programs for their employees who have been or are likely to be separated from the Federal service as we downsize the government. On December 29, 1995, OPM issued regulations (5CFR330.601) implementing the President's directive.

Programs are to consist of three parts:

- A. providing special selection priority to agency surplus and displaced employees who apply for competitive service agency vacancies in the local commuting area,
- B. providing a system of consideration for employees from other agencies who are displaced along with HUD employees consistent

with the Department's Reemployment Priority List system, and,

C. providing career transition services to assist all agency employees affected by downsizing.

B-4.2 HUD Responsibilities

The Department will use all resources at its disposal including early retirement, separation incentives (buyouts), and attrition to reduce staffing levels without adversely affecting employees. The Department will also commit to substantial outplacement and re-training in an effort to ensure that employees are given every resource available to meet their employment needs. The responsibility for the HUD Career Transition Program is as follows:

A. The Assistant Secretary for Administration is responsible for Career Transition in the Department.

B. The Director, Office of Human Resources is responsible for the direction and implementation of the Department's Career Transition Assistance Program and for the other career transition information and resources.

C. The Director of the HUD Training Academy is responsible for providing guidance and, as appropriate, directing training on available career transition services.

D. The Employee Assistance Program (EAP) will provide counseling and assistance to employees and their families to cope with stress and other difficulties associated with displacement.

E. The Career Transition Services staff will conduct or arrange briefings on the services, identify and purchase appropriate equipment and other material, provide on-site assistance, as appropriate, inform eligible employees of resources available to them, serve as contract monitors for contractual career transition services, and generally manage the Career Transition Assistance Program for the Department.

A copy of this plan will be provided to eligible HUD employees who receive a specific RIF separation notice, Certificate of Expected Separation, or other certification identifying the employee as surplus, from the Director, Office of Human Resources. In addition, HUD will take reasonable steps to notify eligible employees of agency vacancies and the requirements for a well-qualified determination.

B-4.3 Employee Responsibilities

In order to prepare for downsizing which may occur in the Department, employees should take the following action:

A. Ensure that records in the Office of Human Resources are complete and reflect all Federal service, as well as experience, education, and qualifications.

B. Understand how the displacement process works. This information will be available from the Office of Human Resources.

C. Determine their financial needs and available benefits, if separated. Most of this information is available from the HUD Employee Benefits Services line.

D. Take advantage of the HUD Career Transition services and other out-placement programs that will be available.

B-4.4 HUD Career Transition Assistance Program (CTAP) for local Displaced and Surplus Employees

The Department will provide special selection priority to well-qualified, eligible, displaced or surplus Departmental employees who apply for competitive service vacancies in the local commuting area, prior to selecting any other applicant from outside the Department. The Department will encourage and allow all employees (with special emphasis on surplus and displaced employees) the opportunity to use the full range of services available through the Department's Career Transition Program.

B-4.5 Eligibility for CTAP Special Selection Priority

A. To be eligible for CTAP special selection priority, an individual must meet ALL of the following conditions:

1. Is a surplus or displaced Departmental employee serving under an appointment in the competitive service in tenure group I or II;
2. Has a current performance rating of at least fully successful;
3. Applies for a vacancy at or below the grade level from which the employee may be or is being separated, that does not have greater promotion potential than the position from which the employee may be or is being separated;
4. Occupies a position in the same local commuting area as the vacancy;
5. Files an application for a specific vacancy within the timeframe established by the Department; and,
6. Is determined by the Department to be well qualified for the specific vacancy.

B. Eligibility begins on the date HUD issues a RIF separation notice, a Certificate of Expected Separation, or other certification from the Director, Office of Human Resources, whichever is earliest.

Eligibility expires on the earliest of:

1. The RIF separation date;
2. Cancellation of the notice or certification described above;

or,

3. When an eligible employee receives a career, career conditional, or excepted appointment without time limit in any agency.

B-4.6 Application Process

To receive CTAP special selection priority, an eligible employee must:

1. Apply for a specific Departmental vacancy in the same local commuting area as the position the employee occupies, within the prescribed time-frames and meet all conditions of employment;

2. Attach proof of eligibility (i.e., RIF separation notice or Certification of Expected Separation or other certification identifying the employee as surplus, from the Director, Office of Human Resources); and,

3. Be determined "well-qualified" as noted below:

A "well-qualified employee" means an eligible employee who meets the qualification and eligibility requirements of the position, meets all selective placement factors (where applicable) and appropriate quality ranking factor levels (80% of the maximum quality ranking factor points which may be awarded under the crediting plan, is physically qualified with reasonable accommodation to perform the essential duties, meets any special qualifying OPM approved conditions, AND whose experience shows he/she is able to satisfactorily perform the duties of the position upon entry.

B-4.7 Selection

Applicants who meet the minimum qualification requirements will be further evaluated to determine if they meet the well-qualified criteria. A Personnel Specialist will determine, in consultation with the selecting official, whether the applicant will be rated as well-qualified by the Personnel Specialist or a subject-matter expert. Well-qualified applicants will be referred to the selecting official.

Displaced HUD employees will be selected prior to surplus HUD employees. If two or more eligible employees apply for a vacancy, and are determined to be well-qualified, any of these eligible employees may be selected. Candidates from within or outside the Department cannot be selected if eligible well-qualified displaced or surplus HUD employees are available.

B-4.8 Actions Covered

All actions to fill competitive service vacancies are covered by this program except as provided in 5 CFR 330.606 (b). The Department must select an eligible employee as described above, before selecting any other applicant from within or outside the Department, unless doing so would cause another employee to be separated by reduction-in-force.

B-4.9 Actions Not Covered

The following actions are regulatory exceptions to special selection priority:

- A. Placement of an agency employee through reassignment, change to lower grade, or promotion, when no employee who is eligible applies;
- B. Reemployment of a former agency employee exercising regulatory or statutory reemployment rights;
- C. Position changes resulting from reclassification actions;
- D. Temporary appointments of under 121 days (including extensions);
- E. Exchange of positions between or among agency employees, when the actions involve no increase in grade or promotion potential;
- F. Conversion of an employee on an excepted appointment which confers eligibility for non-competitive conversion into the competitive service;
- G. Placement activities under 5 CFR 351;
- H. Placement of an employee into a new position as a result of a reorganization, when the former position ceases to exist, and no actual vacancy results;
- I. Placement made under the Intergovernmental Personnel Act for critical situations where the failure to make the assignment would substantially harm Federal interests;
- J. The filling of a position through an excepted appointment;
- K. Details;
- L. Time limited promotions of under 120 days;
- M. Non-competitive movement of surplus or displaced employees;
- N. Movement of excepted service employees within an agency;
- O. A placement under 5 USC 8337 or 8451 to allow continued employment of an employee who has become unable to provide useful and efficient service in his or her current position because of a medical condition;
- P. A placement that is a "reasonable offer" as defined in 5 U.S.C. 8336(d) and 414(b);
- Q. Career ladder promotions;
- R. Recall of seasonal employees from non-pay status;

S. Placement back into previous position due to a supervisor not completing the one year supervisory probationary period;

T. Demotion due to cause; and,

U. Corrective Actions, Court Orders, etc.

B-4.10 Special Qualification Reviews

Whenever an eligible employee is determined not to be well qualified, a review of this determination will be made by a Personnel Specialist or subject-matter expert, other than the selecting official, who is at or above the grade level of the vacancy. This review will be documented in the CTAP case file.

B-4.11 Records

A. The servicing personnel offices will maintain a record file in their respective jurisdiction for all CTAP referred eligibles for a period of 2 years or after the program has been formally evaluated by OPM (whichever comes first) if the time limit for grievances has lapsed before the anniversary date.

B. Active files will include the following materials on each covered CTAP eligible:

1. SF-171, OF-612, resume, and any additional information requested from the employee (e.g., appraisals of performance, appraisals of potential, list of college courses, etc.);
2. All selection and non-selection decision criteria used in making a determination; and,
3. Written offers and any other correspondence sent to the employee regarding CTAP consideration.

B-5 The Interagency Career Transition Assistance Program (ICTAP) for Displaced Employees

B-5.1 Coverage

The Interagency Career Transition Assistance Program (ICTAP), effective February 29, 1996, replaces the Interagency Placement Program (IPP) which was suspended on the same day. All IPP registrants who received notification of the suspension of the IPP were informed of their eligibility for assistance through the new placement program (ICTAP) which began on February 29, 1996 and will continue through September 3, 2001. The purpose of this new program is to help displaced competitive employees find employment with Federal agencies, and private industry during the period of Federal downsizing through September 1999. It also prescribes procedures for agencies to follow in filling competitive service positions by outside hiring during this period of time.

B-5.2 Eligibility for ICTAP Special Selection Priority

To be eligible for ICTAP special selection priority, an

individual must meet ALL of the following conditions:

A. Is a displaced employee (a current or former career or career-conditional employee) who has received a specific RIF separation notice, who was separated because of compensable injury, whose disability annuity is being terminated, who retired on the effective date of the reduction-in-force or under discontinued service retirement, declined a transfer of function or reassignment outside the local commuting area, or meets other requirements noted in 5 CFR 330.703 (b). and 5 CFR 330.704 (a);

B. Has a current (or a last) performance rating of record of at least fully successful or equivalent (except for those who are eligible due to compensable injury or disability retirement);

C. Applies for a vacancy that is at or below the grade level (with no greater promotion potential) from which the employee has been or is being separated;

D. Occupies or was displaced from a position in the same local commuting area;

E. Files an application for a specific vacancy by the closing date of the announcement and meets all the conditions for employment; and,

F. Is determined to be well-qualified for the specific position for which the individual applied;

Eligibility for ICTAP special selection priority begins on the date the employing agency issues the RIF separation notice or employees meet other conditions which provide employees with eligibility as displaced employees. Eligibility expires one year after separation. (see 5 CFR 330.704 (c)).

B-5.3 Departmental procedure for considering outside candidates

When filling a vacancy from outside the Department, the Office of Human Resources will first review the Reemployment Priority List. If there are no eligible employees, then outside candidates can be considered using the appropriate procedure:

A. Vacancies will be reported to OPM when the Department accepts applications from outside the Department (including applications from candidates serving in temporary appointments within the Department).

B. The Vacancy Announcements prepared by the Department will include the position title, tenure, location, pay plan and grade (or pay rate) of the vacant position, application deadline, and what the Department is seeking in Well-Qualified Candidates.

C. When applications are received, the Office of Human Resources or HR Division will rate and rank them using the following procedure.

B-5.4 Application Process

A. To receive ICTAP special selection priority, eligible employees must apply directly to agencies (including HUD) for specific vacancies in the local commuting area within the prescribed timeframes, and attach the appropriate proof of eligibility. Additionally, the applicant must provide all required information specified in the vacancy announcement, e.g., latest performance appraisal, narrative statements, etc.

B. Eligible candidates are required to comply with ALL instructions within the vacancy announcement. Failure to do so will result in non-consideration for the vacancy. Those applicants considered basically qualified will be further evaluated to determine if they meet the well-qualified criteria. In HUD the Personnel Specialist will determine, in consultation with the selecting official, whether the applications will be rated as well-qualified by the Personnel Specialist or a subject matter expert. Well-qualified applicants will be referred to the selecting official.

C. Be determined "well-qualified" as noted below:

A "well-qualified employee" means an eligible employee who meets the qualification and eligibility requirements of the position, meets all selective placement factors (where applicable) and appropriate quality ranking factor levels (80% of the maximum quality ranking factor points which may be awarded under the crediting plan), is physically qualified with reasonable accommodation to perform the essential duties, meets any special qualifying OPM approved conditions, AND whose experience shows he/she is able to satisfactorily perform the duties of the position upon entry.

B-5.5 Selection

In making selections the following rules apply:

A. Candidates from outside the Department cannot be selected if eligible HUD employees are available for the vacancy or vacancies.

B. If two or more eligible employees apply for a vacancy and are determined to be well-qualified, either employee may be selected.

C. If no eligible employees apply or none are deemed well-qualified, the Department may select another candidate without regard to this subpart (this flexibility does not apply to selections made from the Reemployment Priority List [RPL]).

The order of selection for filling vacancies from outside the Department's workforce will be as follows:

1. Current or former Department employees who are eligible under the RPL (RPL regulations found in 5 CFR 330, Subpart B);

2. At the selecting official's option, any former employee displaced from the Department (under appropriate selection procedures);

3. Current or former eligible Federal employees displaced from other agencies; and,

4. Any other candidate (under appropriate selection procedures).

B-5.6 Actions Covered

A. Competitive appointments (i.e., from registers and direct hire, outstanding scholar);

B. Non-competitive appointments (except 30% severely disabled);

C. Movement between agencies (e.g., transfer);

D. Reinstatements;

E. Time-limited appointments of 120 days or more to the competitive service; and,

F. Extensions of time-limited appointments of 120 days or more to the competitive service.

B-5.7 Actions Not Covered

A. Selections from the Department's internal CTAP or RPL, or any other internal Department movement of current agency employees;

B. The non-competitive appointment of 30% or more severely disabled veterans;

C. Reemployment of former Department employees who have regulatory or statutory rights;

D. Temporary appointments of under 121 days (including conversions to other temporary appointments or extensions). If conversion extension does not permit employment 120 days beyond effective date of initial temporary appointment;

E. An action taken under Reduction-in-Force procedures (5 CFR 351);

F. The filling of a position by excepted appointment;

G. Conversions of employees on excepted appointments that confer eligibility for non-competitive conversion into the competitive service;

H. Non-competitive movement of displaced employees between agencies or employees moved as a result of reorganization or transfer of function; and,

I. Placement of injured workers receiving workers compensation benefits.

B-5.8 Acceptance/Declination

All employees eligible for ICTAP special selection priority who decline an official job offer lose eligibility with HUD.

B-5.9 Special Qualification Reviews

Whenever an eligible employee is determined not to be well-qualified, a review of this determination will be made by a Personnel Specialist or subject-matter expert who is at or above the grade level of the vacancy, other than the selecting official. This review will be documented in the ICTAP case file.

B-6 Career Transition Services

B-6.1 Eligibility

All permanent HUD employees are eligible for Career Transition Services.

B-6.2 Training

During the first year of implementation, and as requested thereafter, training on the CTAP and ICTAP programs will be provided to HUD employees, managers, supervisors, and union representatives on the program procedures and career transition services available.

B-6.3 Access to Services

A. Employees will be given excused absence for a reasonable period of time to use services and facilities of the Career Counseling/Transition Centers or other similar facilities. In addition, employees will be given excused absence to complete scheduled and verified job interviews within HUD, with other Federal agencies, and/or private sector companies. A Headquarters employee must schedule his/her absence with the Career Transition Center and acquire the approval of the supervisor.

B. All employees located in the field and at remote sites will be notified of career transition services provided by HUD and other government and private organizations. A point of contact will be established for all services offered. Subject to budget restrictions and the number of employees involved, the Department may schedule sessions with a HUD representative or counselor at the remote site, pay for an eligible employee's travel to the main agency facility, and/or make information available via computer, satellite broadcast, etc.