

CHANGE }
No.1 }

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 1 September 1983

Civilian Personnel
GENERAL PERSONNEL PROVISIONS

Effective upon receipt

This change continues the conversion of CPR 200 to AR 690-200.

1. AR 690-200 is changed as follows:

| <i>CPR chap</i> | <i>Remove</i> | <i>Pages</i> | <i>AR chap</i> | <i>Insert</i> | <i>Pages</i> | <i>Explanation of Changes</i> |
|-----------------|--------------------------------|--------------|----------------|-----------------|--------------|--|
| 230.A | 1 (C 6) | | | none | | Removes obsolete material. |
| 251 | A-1 through A-7 (C 23) | | 251 | A-1 through A-6 | | Provides revised DOD Instruction 5010.30 dated 18 February 1983. |
| 291.B | 1 through 4 (C 24) 5 (C 27) | | | none | | Removes obsolete material. |
| 292.C | 1 through 3 (C 5) | | | none | | Removes obsolete material. |

2. File this transmittal sheet immediately preceding the "200" series of chapters in the basic Federal Personnel Manual.

3. The latest installment to the basic FPM at the time this change was forwarded for publication was number 300.

The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) direct to HQDA(DAPE-CPR), WASH DC 20310.

By Order of the Secretary of the Army:

JOHN A. WICKHAM, JR.
General, United States Army
Chief of Staff

Official:

ROBERT M. JOYCE
Major General, United States Army
The Adjutant General

DISTRIBUTION

Active Army, ARNG, USAR: To be distributed in accordance with DA Form 12-4 requirements for Federal Personnel Manual.

This copy is a reprint which includes changes 1 through 7

1 September 1983

TO BE FILED WITH BASIC FPM CHAPTER 251

February 18, 1983
NUMBER 5010.30

C 1, AR 690-200
251.A



† APPENDIX A

Department of Defense Instruction

ASD (MRA&L)

SUBJECT: Intramanagement Communication and Consultation

- References:
- (a) DoD Instruction 5010.30, subject as above, April 3, 1973 (hereby canceled)
 - (b) Title 5, United States Code, Chapter 71, "The Federal Service Labor-Management Relations Statute"
 - (c) DoD 1400.25-M, "Civilian Personnel Manual," Chapter 711, "Labor-Management Relations," June 30, 1978, authorized by DoD 1400.25, January 24, 1978
 - (d) Federal Personnel Manual, Chapter 251, and Supplement 990-1, Book III, Sections 550.331-333
 - (e) DoD Directive 1418.4, "Civilian Pay Allotments," March 16, 1979
 - (f) DoD Directive 5124.1, "Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics)," July 26, 1982

A. REISSUANCE AND PURPOSE

This Instruction reissues reference (a) to reflect administrative changes and to clarify policies and requirements for improving intramanagement communication within the Department of Defense, and increasing manager participation in the management process.

B. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the Military Departments, and the Defense Agencies (hereafter referred to as "DoD Components").

C. DEFINITIONS

1. Association of Management Officials and Supervisors. An association whose membership consists primarily of management officials or supervisors and that:

- a. Does not discriminate in its membership because of race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation.
- b. Is not eligible to be an exclusive representative of employees in a bargaining unit under references (b) and (c).
- c. Does not represent employees who are eligible to be in a bargaining unit under references (b) and (c).
- d. Is not affiliated with a labor organization or federation of labor organizations.

2. Management Official. An individual employed by the Department of Defense in a position the duties and responsibilities of which require or authorize the individual to formulate, determine, or influence DoD policies. (See 5 U.S.C. 7103(a)(11) (reference (b))).

3. Supervisor. An individual employed by the Department of Defense having authority to hire, direct, assign, promote, reward, transfer, furlough, lay off, recall, suspend, discipline, or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment except that, with respect to any unit which includes firefighters or nurses, the term "supervisor" includes only those individuals who devote a preponderance of their employment time to exercising such authority. See 5 U.S.C. 7103(b)(10) (reference (b))).

4. Manager. A management official or supervisor as defined in subsections C. 2. or 3., above.

D. POLICY

It is DoD policy that managers shall create vehicles for communication and understanding that work best within their own work groups and shall distribute essential information within and across levels of management. These management responsibilities shall:

1. Create a climate in which managers at all levels identify with management and participate actively in setting and attaining management goals.
2. Keep managers informed of developments affecting their work situations and provide them with the opportunity to participate in the resolution of management problems.
3. Encourage, as an integral part of daily work relationships, the type of one-to-one communication between managers that provides effective understanding of policies and interactions among organizational subunits.
4. Provide for communication and consultation with associations of managers to supplement other forms of intramanagement communication.

E. PROCEDURES

1. In evolving techniques and media that best fit their own situations, managers shall use as a guide the Federal Personnel Manual, Chapter 251 (reference (d)), which outlines techniques and practices for intramanagement communications.
2. Particular emphasis should be placed upon:
 - a. Identifying and integrating lower level managers with management.
 - b. Giving these managers the information and assistance they need to represent management in relationships with employees and labor organization representatives.

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c. Obtaining feedback on problems encountered in operating under existing policies or under the provisions of collective bargaining agreements with labor organizations.

3. The voluntary joining together of managers in groups or associations may not be discouraged. Where they exist, such associations shall be brought into the intramanagement communication and consultation process in accordance with criteria and procedures in enclosure 1. In doing this, the fundamental difference must be recognized between such associations and labor organizations representing nonmanagerial employees. Although associations of managers can provide a means of supplementing the intramanagement communication process, dealings with such associations, particularly at the activity level, are not intended to and may not replace the individual contacts and exchanges of information and views that are fundamental to managerial relationships.

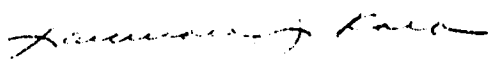
F. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) shall establish associations of management officials and supervisors for the Department of Defense under DoD Directive 5124.1 (reference (f)).

2. Heads of DoD Components shall comply with the provisions of this Instruction.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.



**Lawrence J. Korb
Assistant Secretary Defense
(Manpower, Reserve Affairs & Logistics)**

Enclosure - 1
Consultative Relationships with
Associations of Management Officials and Supervisors

CONSULTATIVE RELATIONSHIPS
WITH
ASSOCIATIONS OF MANAGEMENT OFFICIALS AND SUPERVISORS

A. CRITERIA

Official consultative relationships may be established with associations of management officials and supervisors (as defined in C.1., basic Instruction) within DoD Components. Such relationships shall be established in accordance with good management principles and organizational structure, and the following criteria:

1. DoD Components. An association must demonstrate a level of membership support among managers at an activity or other organizational level within the DoD Component that is substantial enough to ensure a worthwhile dialogue with executive management and, therefore, to warrant establishment of a consultative relationship.
2. Department of Defense. An association must demonstrate that it has established an official consultative relationship with at least two of the Military Departments; with one Military Department and the Defense Logistics Agency; or with one Military Department and at least two smaller DoD Components.

B. APPLICATION OF CRITERIA

1. An association must demonstrate sufficient membership support to warrant the establishment of a consultative relationship. The relationship of actual to potential membership support shall be taken into consideration in determining whether a consultative relationship should be established. Potential membership support for the association at an activity or other organizational level within the DoD Component shall be ascertained by reference to the association's membership eligibility, as defined in its constitution.
2. One association of managers shall not be given favored treatment compared to another. The criteria shall be applied with the understanding that if an official consultative relationship is entered into with an association, a similar relationship must be entered into at the request of any other association of managers that can demonstrate a comparable level of membership support.
3. DoD Components shall consistently apply the criteria shown in subsections A.1. and 2., above. Although DoD Components may not impose additional criteria, they may furnish guidance to assist in achieving consistency.

C. PROCEDURE

Associations of managers must address their written requests for establishment of a consultative relationship to the head of the activity or other organizational level within the DoD Component or the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics), as appropriate. Requests must be accompanied by:

1. Documentation on which the association bases its belief that an official consultative relationship should be established under the applicable criteria.

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2. A copy of the association's current constitution and bylaws.
3. A list of the current officers of the association.
4. A statement that the association does not discriminate with regard to the terms or conditions of membership because of race, color, creed, sex, age, national origin, handicapping conditions, marital status, or political affiliation.

D. RELATIONSHIP

1. Consultative relationships with associations of managers may take many forms, including:
 - a. Participation in periodic meetings with commanders and other high-level management officials, including directors of personnel, for the purpose of interchanging information and ideas on subjects of concern to management.
 - b. An opportunity to review and comment on proposed policy issuances relating to personnel management, planning, production, and other areas of management concern.
 - c. An opportunity to participate in the formulation of employee and management training needs and objectives.
2. The establishment of a consultative relationship with an association of managers shall not confer the right of negotiation.
3. The establishment of a consultative relationship with an association whose membership is occupationally or organizationally limited does not impose a responsibility for consultation with that association on matters outside the scope of its membership's direct concerns.

E. VOLUNTARY PAYROLL WITHHOLDING OF ASSOCIATION DUES

1. Dues withholding arrangements between an association of managers and a DoD Component shall conform with the requirements of FPM Supplement 990-1 (reference (d)), DoD Directive 1418.4 (reference (e)), and subsections E.2. and E.3., below. The criterion in subsection D.1.1.(2) of reference (e) is waived for such associations.
2. To obtain voluntary dues withholding privileges for its members who are civilian managers at an activity or other organizational level within the DoD Component, the association of managers must have entered into an official consultative relationship at that level. The association must have a constitution and bylaws that affirm its adherence to certain minimum standards of fiscal responsibility and democratic principles in the nomination and election of officers.
3. A written agreement shall cover procedures essential to the smooth functioning of a dues withholding program. The agreement shall provide that civilian managers shall have the right to pay membership dues to one such association by voluntary pay allotment and the right to revoke such an allotment. Dues withholding shall be provided at no cost to the association or to the allotter.

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No. 2 }

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 1 April 1985

Civilian Personnel
General Personnel Provisions

Effective upon receipt

1. AR 690-200 is changed as indicated below. The pages of this regulation are interfiled with the chapters of the Federal Personnel Manual (FPM) to which they relate.

| <i>Chapter</i> | <i>Remove pages</i> | <i>Insert pages</i> | <i>Explanation</i> |
|----------------|---------------------|---------------------|---|
| 211 | | i | Adds table of contents. |
| 211.2 | 1 (CPR, C6) | | Relocates guidance on veterans preference to correspond with the FPM. |
| 211 | | 3-1 | |

2. File this transmittal sheet immediately preceding the "200" series of chapters in the basic FPM.

3. The latest installment to the basic FPM at the time this change was forwarded for publication was number 317, dated 28 December 1984.

4. Army regulations in the 690 series that are interfiled with the Federal Personnel Manual use the following mechanical aids to assist readers:

a. When revised pages are issued—

(1) New or changed material is indicated by a right-hand arrow (→) at the beginning and a left-hand arrow (←) at the end.

(2) The deletion of part of a paragraph is indicated by 2 stars (★).

(3) The deletion of an entire paragraph is indicated by a line of stars.

These mechanical aids are not used to indicate differences in textual material between pages that are being converted for the first time from CPR to AR.

b. A row of 5 asterisks (*) is used to alert the reader that, at that point, there is material in the FPM that HQDA is not supplementing.

c. A double dagger (‡) appearing before a major division (i.e., chap, subchap, para, or subpara) means there is no corresponding division in the FPM.

The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) direct to HQDA(DAPE-CP), WASH DC 20310-0300.

By Order of the Secretary of the Army:

JOHN A. WICKHAM, JR.
General, United States Army
Chief of Staff

Official:

DONALD J. DELANDRO
Brigadier General, United States Army
The Adjutant General

DISTRIBUTION:

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1 April 1985

TO BE FILED WITH BASIC FPM CHAPTER 211

C 2, AR 690-200
Chapter 211

Chapter 211

Veterans' Preference

Contents

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SUBCHAPTER 3. Administration of Preference

* * * * *

3-2. Preference Determinations

* * * * *

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C 2, AR 690-200
Chapter 211

Subchapter 3. Administration of Preference

In acting on preference claims for employees to be appointed to, or serving in, the excepted service, appointing officers will observe the same procedures as for the competitive service.

* * * * *

3-2. PREFERENCE DETERMINATIONS

Appointing officers are responsible for judging veteran preference claims in all instances except when such authority has been retained by the Office of Personnel Management.

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NO. 3 }

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 1 October 1985

Civilian Personnel
GENERAL PERSONNEL PROVISIONS

Effective upon receipt

This change provides a complete revision of chapter 254 dealing with the provision of civilian personnel and equal employment opportunity services. It also removes nonregulatory material from chapter 250.

1. AR 690-200 is changed as indicated below. The pages of this regulation are interfiled with the Federal Personnel Manual.

| <i>Chapter</i> | <i>Remove pages</i> | <i>Insert pages</i> |
|----------------|---------------------------------------|---------------------|
| 250, subch 4 | 1 through 8 (CPR, C 2) | |
| 254 | Remove all of chapter 254 (CPR, C 25) | i |
| 254 | | 1-1 through 1-2 |
| 254 | | 2-1 through 2-12 |
| 254 | | 3-1 through 3-6 |

2. File this transmittal sheet immediately preceding the "200" series of chapters in the basic FPM.

3. The latest installment to the basic FPM at the time this change was forwarded for publication was number 325, 5 August 1985.

4. Army regulations in the 690 series that are interfiled with the FPM use the following mechanical aids to assist readers:

a. When revised pages are issued—

(1) New or changed material is indicated by a right-hand arrow (↗) at the beginning and a left-hand arrow (↖) at the end.

(2) The deletion of part of a paragraph is indicated by two stars (★).

(3) The deletion of an entire paragraph is indicated by a line of stars.

(4) The mechanical aids described in (1) through (3) above are not used to indicate differences in textual material on pages that are being converted for the first time from CPR to AR.

b. A row of five asterisks (*) is used to alert the reader that, at that point, there is material in the FPM that HQDA is not supplementing.

c. A double dagger (‡) appearing before a major division (i.e., chapter, subchapter, paragraph, or subparagraph) means there is no corresponding division in the FPM.

The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA(DAPE-CP), WASH DC 20310-0300.

By Order of the Secretary of the Army:

JOHN A. WICKHAM, JR.
General, United States Army
Chief of Staff

Official:

MILDRED E. HEDBERG
Brigadier General, United States Army
The Adjutant General

DISTRIBUTION:

Active Army, USAR, ARNG: To be distributed in accordance with DA Form 12-4 requirements for the Federal Personnel Manual.

1 October 1985

C 3, AR 690-200
Chapter 254

‡Chapter 254
Civilian Personnel Administration and Equal Employment Opportunity Support
Contents

SUBCHAPTER 1. Civilian Personnel and Equal Employment Opportunity Servicing Arrangements

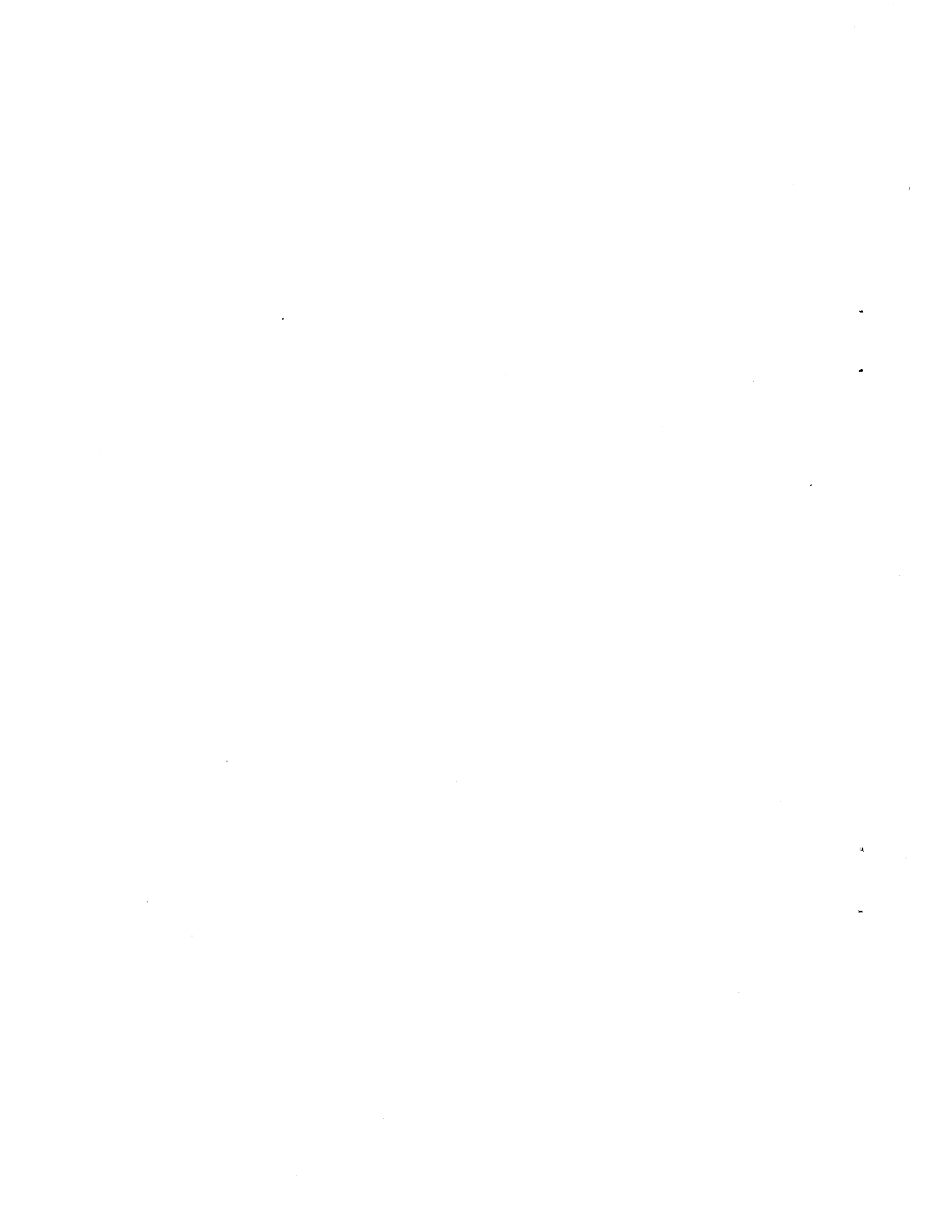
- 1-1. Purpose
- 1-2. Basic Policies and Concepts
- 1-3. Selecting Servicing Civilian Personnel and Equal Employment Opportunity Offices
- 1-4. Obligation to Provide Service
- 1-5. Waiver of Policy

SUBCHAPTER 2. Intra-Army Civilian Personnel and Equal Employment Opportunity Servicing Arrangements

- 2-1. General
- 2-2. Responsibility
- 2-3. Servicing Arrangements
- 2-4. Servicing Agreements
- 2-5. Administration of Civilian Personnel Programs Under Servicing Arrangements
- 2-6. Administration of Equal Employment Opportunity Programs Under Servicing Arrangements

SUBCHAPTER 3. Interagency Servicing Between Department of Defense Elements

- 3-1. General
- 3-2. Servicing Agreement
- 3-3. Designation to Act for Appointing Authority
- 3-4. Conditions Applicable to Servicing
- 3-5. General Provisions



Subchapter 1. Civilian Personnel and Equal Employment Opportunity Servicing Arrangements

1-1. PURPOSE

This subchapter sets forth the arrangements that are authorized in obtaining civilian personnel and equal employment opportunity (EEO) services; the conditions under which those services may be provided to or obtained from other components of the Department of Defense; and the procedures for documenting servicing arrangements.

1-2. BASIC POLICIES AND CONCEPTS

a. **General.** All intra-Army, interservice, interdepartmental, and interagency servicing agreements, in which Army is either supplier or receiver or both (intraservice), will be covered by DD Form 1144 (Support Agreement), costed for savings, and reported to the DOD data base in accordance with DOD 4000.19-R (Defense Regional Interservice Support (DRIS) Regulation) and the Army supplement (AR 5-16) to that regulation. A Memorandum of Understanding (MOU), Memorandum of Agreement (MOA), or Letter of Agreement (LOA) that prescribes the detailed support will be attached to the DD Form 1144 or referenced on DD Form 1144, blocks 8 or 10.

b. Intra-Army servicing.

(1) Civilian personnel offices (CPOs) and equal employment opportunity offices (EEOOs) will not normally be established at installations and activities where civilian employment is fewer than 500 personnel. Commanders of such small-sized installations or activities and commanders with employees in remote locations will provide for the administration of their civilian personnel management and EEO programs by entering into a servicing arrangement with a commander of an installation or activity having existing operating CPOs and EEOOs in accordance with paragraph 1-3. To the extent feasible and where cost effective, servicing arrangements will be made with an Army operating CPO and EEOO. Maximum use will be made of negotiated servicing arrangements with existing CPOs and EEOOs to avoid unnecessary increases in the number of operating CPOs and EEOOs.

(2) Except where otherwise authorized by the Deputy Chief of Staff for Personnel, all civilian personnel functions at an Army installation will be administered through one CPO. This office will pro-

vide civilian personnel services for all Army activities located at the installation whether or not they are under the same command jurisdiction as that of the CPO.

(3) All EEO functions at an Army installation will be administered through one EEOO providing EEO services for all Army activities at the installation regardless of MACOM affiliation.

(4) Local supplements to approved master agreements (MOU, MOA, LOA) under AR 5-9 (Intraservice Support Installation Area Coordination) will not require approval by higher echelons. A copy of the local supplement and properly prepared DD Form 1144 will be provided to the appropriate MACOMs. Should problems arise on receipt and review of the copy, resolution will be initiated by MACOMs with the servicing or serviced commanders.

c. Interdepartmental servicing.

(1) In cases where Army employees are located on a DOD installation that does not have an Army CPO or EEOO, consideration will be given to obtaining these services from that DOD element. Such support will be used when economies or efficiencies can be realized without adversely affecting mission accomplishment. If another DOD or Federal Government host cannot or will not provide civilian personnel and EEO services, the servicing offices will be determined in accordance with paragraph 1-3.

(2) Authority for approval of servicing agreements between Army and other DOD activities is delegated to the commanders of the MACOMs or field operating agencies (FOA) receiving and providing the services. The agreement is to be coordinated through both civilian personnel and EEO functional channels, Directors for Resource Management, and signed by the installation authorities supplying and receiving support (DD Form 1144, blocks 13 and 14). Initiation of the proposed servicing agreement is the responsibility of the activity desiring the services (the receiver). Development of the final agreement is the responsibility of both parties (supplier and receiver).

1-3. SELECTING SERVICING CIVILIAN PERSONNEL AND EQUAL EMPLOYMENT OPPORTUNITY OFFICES

a. When selecting an Army CPO and EEOO to provide services, consideration will be given to all factors having an impact on the delivery of prompt, responsive, quality service. Factors to be considered

include proximity to the serviced activity, familiarity of the potential servicing office with the types of missions involved at the serviced activity, and agreement in practices and procedures within the serviced activity's command. The advantages of servicing by an Army office in the commuting area should not be overlooked.

b. When service cannot be effectively obtained from another Army activity or is more costly, arrangements should be made with the nearby offices of another DOD element. However, the alternative selected should be based on an economic analysis in accordance with DOD 4000.19-R.

1-4. OBLIGATION TO PROVIDE SERVICE

Requests for service that meet the above criteria will be honored by commands unless reasons exist

that preclude such arrangements. Approval to deny civilian personnel services must be obtained from the Deputy Chief of Staff for Personnel. Request for approval to deny EEO services will be coordinated with the Office, Assistant Secretary of the Army (Manpower and Reserve Affairs) (OASA (M&RA)).

1-5. WAIVER OF POLICY

Exceptions to civilian personnel policies set forth in this chapter must have prior approval of the Deputy Chief of Staff for Personnel. Exceptions to EEO policies set forth in this chapter must have prior approval of the Director of Equal Employment Opportunity. The proposed exception will be forwarded from the MACOM desiring the service to HQDA(DAPE-CPP), WASH DC 20310-0300.

Subchapter 2. Intra-Army Civilian Personnel and Equal Employment Opportunity Servicing Arrangements

2-1. GENERAL

Where an Army CPO and an EEOO are selected to provide services for other Army activities, the provisions of this subchapter will apply.

2-2. RESPONSIBILITY

a. **Servicing commander.** The servicing commander is responsible for—

(1) The organization and efficient operation of the CPOs and EEOOs.

(2) Adequate resources in these offices to ensure that the best services are provided to all activities.

b. **Serviced commanders.** The commanders having delegated personnel management and EEO authority are responsible for—

(1) Designating the Civilian Personnel Officer and Equal Employment Opportunity Officer of the servicing activity to act for them in administering these programs as provided in AR 690-200, chapter 250, subchapter 1, and this chapter.

(2) Assuring full access of the servicing Civilian Personnel Officer, Equal Employment Opportunity Officer, and their respective staffs to the serviced activity so that positive management-oriented personnel and EEO programs can be conducted. Full access will be accorded not only to employees of the activity but also to the activity's managers and organizational documents. Copies of staffing vouchers and TDAs will be furnished the servicing Civilian Personnel Officer.

(3) Providing the servicing CPO and EEOO with all necessary command regulations and instructions and assuring their continued distribution.

(4) Providing collateral duty EEO counselors and members to EEO advisory committees and subcommittees and special observance committees.

2-3. SERVICING ARRANGEMENTS

The following will apply to the administration of servicing arrangements:

a. Funds and spaces.

(1) Funding and civilian personnel servicing will be in accordance with the provisions of AR 37-27 and AR 37-49. Army Industrial Fund servicing activities will recover funds on a reimbursable basis as part of the financial and administrative

overhead assessment. Servicing will be reimbursable when the servicing activity and serviced activity are financed by different Army appropriations. Personnel and EEO services will be nonreimbursable when both the servicing and the serviced activities are financed by the Operation and Maintenance, Army appropriation except as indicated in paragraph 2-5g. To make this possible, recognition will be given through servicing channels to the total work load of the CPOs and EEOOs for all serviced activities as follows:

(a) By Headquarters, Department of the Army, in the allocation of funds and spaces and projection of employment levels.

(b) By commands in the distribution of funds and spaces and projection of employment levels.

(c) By the installation commander in requesting funds and spaces required to do the job.

(2) Where necessary, arrangements may provide for a transfer of funds and spaces by the serviced command for an initial period of operation, pending inclusion in the budget of the servicing command.

(3) If a requirement exists for procuring and transferring funds and spaces to support the service to be provided, the activity to be served is responsible for initiating the action. This action may require coordination between local commanders, MACOM commanders, and Department of the Army headquarters.

(4) Savings created by servicing (support) agreements will be shared in accordance with policies and procedures set out in AR 5-16.

b. **Surveys.** Civilian personnel management surveys will include determinations as to whether the servicing is complete and adequate and is being provided in accordance with the requirements outlined here.

c. **Problem areas.** Whenever a serviced activity commander feels that the civilian personnel and EEO services being provided do not meet established standards or provisions of the agreement, he or she will attempt to resolve the matter with the local installation commander. If necessary to resolve the problem, assistance should be requested from either or both MACOMs involved. Conversely, if actions of the serviced commander or his or her higher echelon are adversely affecting the civilian personnel management and EEO program at the local level, the servicing commander will attempt to

resolve the problem locally before presenting the problem through channels to his or her MACOM commander for coordination and resolution.

d. **Servicing review.** The minimum review length is at the midterm point, normally 3 years from initiation. Prior to the 6-year renewal point, a new agreement (renewal) (DD Form 1144) will be initiated 180 days in advance. The servicing and serviced commander should jointly determine when an earlier review is required. They should evaluate the servicing provided and offer feedback to each other. The review must be more than a cursory examination of paperwork if it is to serve as a useful means of assessing whether support between the parties has been effective. When review results in modification or recommended termination of the agreement, copies of such action will be provided to the MACOMs involved. In any case, the supplying MACOM must agree to termination prior to cessation of support servicing.

2-4. SERVICING AGREEMENTS

a. Details of servicing agreements may be developed at the operating level of the activities involved or at the command level depending on the situation. Figure 2-1 is a sample servicing memorandum of agreement. The final agreement will be approved or endorsed by the next higher command level (if existing) above the installations or activities involved in providing and receiving services. MACOM commanders may, however, require approval by their headquarters under AR 5-9 and AR 5-16.

b. Master servicing agreements (see fig 2-2) may be developed by Army commands for use between command jurisdictions (AR 5-9). The use of master servicing agreements eliminates the need to negotiate separate servicing agreements with commanders to service each small activity collocated on an installation or dispersed over a wide geographical area. Such agreements enable commands to standardize servicing arrangements and to simplify procedures for entering into local agreements. However, each local agreement requires the preparation and costing of DD Form 1144. The master servicing agreement (MOU or MOA) will be referenced in blocks 8 or 10 of the DD Form 1144. Since master servicing agreements do not contain the "designation to act for," command civilian personnel directors may sign the agreement for the commander. The local supplement (see fig 2-3) will contain agreement to service, designation of authority to

"act for," and modifications or additions to the master servicing agreement. Coordination is required with the Director of Resource Management (D/RM) or comptroller in the master servicing agreement will not be repeated in the local supplement. Approval above the activity level will be required only if the local supplement contains modifications or additions to the master servicing agreement.

c. Servicing agreements or supplements will contain, as a minimum, the following provisions:

(1) Identification and DOD Activity Address Code (DOD Directive 4000.25) of the serviced and servicing activities.

(2) Agreement to provide servicing. The statement will contain provision for administration of all the personnel management programs or identification of any areas retained by the serviced commander.

(3) Identification of the individual, by position title, having delegated appointing authority and designation of the civilian personnel officer, by position title, to act for that individual in accordance with the provisions of AR 690-200, chapter 250, subchapter 1.

(4) Identification of the individual, by position title, designated as the director of EEO and designation of the EEO officer, by position title, to act for that individual.

(5) Acknowledgement that the commander of the serviced activity will effectively manage and direct employees under his or her jurisdiction.

(6) Acknowledgement that the administration of the civilian personnel program and the EEO program will be in accordance with the policies, regulations, and procedures of the Department of the Army, as implemented by the servicing command.

(7) Description of discretionary practices in detail so that the parties concerned understand the requirements and limitations of services to be rendered.

(8) Arrangements for funding and manpower spaces as appropriate.

(9) Effective date of agreement.

(10) Coordination of comptrollers (D/RMs) on DD Form 1144, and installation support coordinator (generally DIO or DLO).

(11) Authentication by the commanders of both the servicing and serviced activities.

(12) Approval of MACOMs, if required.

d. MACOM commanders will assure that agreements are consistent with the provisions of this regulation.

e. A copy of each servicing agreement and supplement will be forwarded to the servicing and serviced MACOM commander involved and the DOD DRIS data base. The commander will maintain current files of servicing agreements as follows:

(1) Servicing received from other commands and DOD activities.

(2) Servicing provided to other commands and DOD activities.

(3) Servicing intracommand.

f. When the periodic review results in modification or termination of the agreement, copies of such action will be provided to the MACOMs involved.

2-5. ADMINISTRATION OF CIVILIAN PERSONNEL PROGRAMS UNDER SERVICING ARRANGEMENTS

The standard practices cited herein permit the efficient and economical administration of the civilian personnel management program. These practices will normally be used whenever possible. The discretionary practices provided are representative of those frequently used in the Army. They are provided only as examples; they are not meant to be all inclusive because servicing practices must be determined by local needs.

a. Incentive awards.

(1) *Standard practice.* The incentive awards program is administered by the servicing personnel office. Normally, there is one incentive awards committee at each installation with an operating CPO. This committee services all activities served by the CPO, regardless of command jurisdiction. Where feasible, personnel of serviced activities are represented on the committee. Commanders of serviced activities approve awards for personnel under their jurisdiction. Action required above the activity level is channeled to the serviced command.

(2) *Discretionary practice.* If, for reasons of size or distance, use of the installation committee does not represent the most efficient method of administering the incentive awards program, a separate committee may be established by agreement and included in the servicing agreement document. The CPO will have the same relationship to separate committees for serviced activities as to the installation committee.

b. Recruitment and employee intake.

(1) *Standard practice.* The servicing CPO provides recruitment and employee intake assistance to all serviced activities. It also coordinates recruitment efforts with all labor sources. Special affirmative action needs of the serviced activity are a factor in recruitment planning.

(2) *Discretionary practice.* Where command channels of the serviced activity provide recruitment coordination and employment assistance programs, the provision of this service by the command rather than the servicing CPO will be included in the agreement.

c. Promotion and related placement programs.

(1) *Standard practice.* Generally, promotion plans for serviced activities are established in accordance with FPM chapter 335, paragraph 1-3, and AR 690-300, chapter 335. Positions are grouped in plans according to logical criteria without distinction between serviced and servicing activities. Areas of consideration are established to provide equal opportunity for promotion to employees of serviced and servicing activities. Areas of consideration are not to be modified by employment restrictions that may be placed on either serviced or servicing activities. Representatives of all activities included in any promotion and placement plan will participate in the development of criteria for types of positions they supervise or for which they are technically qualified.

(2) *Discretionary practice.* Certain factors may require or suggest separate promotion and placement plans for serviced activities. These factors would include—

(a) Significantly different missions requiring different career ladders in serviced and servicing activities.

(b) Exclusively recognized bargaining units with whom plans may be negotiated.

(c) Different geographic dispersion patterns.

(d) Considerable differences in types of jobs (e.g., serviced activity predominantly WG, servicing activities mostly GS).

d. Career programs.

(1) *Standard practice.* To avoid an unnecessary number of career program managers at an activity, an agreement should be reached between the serviced and servicing commanders on who will serve as the activity career program manager (CPM) for serviced employees occupying career program posi-

tions. Serviced commanders having limited numbers of career programs may request that the servicing commander perform duties outlined in AR 690-950-1, paragraph 1-22, for employees in the serviced command. Appointment responsibility may vary depending on the career program involved and which of the serviced activities has the greatest involvement or expertise in a particular career field. The CPO takes all action required locally by AR 690-950-1, paragraph 1-21.

(2) *Discretionary practice.* In those cases where the serviced activity's command headquarters has an arrangement under the provision of AR 690-950-1, paragraph 1-17b, with another command to use the latter's inventory file in filling career program position, the servicing agreement will reflect that arrangement.

e. Management-employee relations.

(1) *Standard practice.* The servicing Civilian Personnel Officer will—

(a) Administer management-employee relations programs for all serviced activities.

(b) Provide personnel services for employees and coordinate with those responsible for other employee services.

(c) Provide counseling for employees.

(d) Be responsible for the effectiveness of management-employee communication and for providing information and guidance on personnel matters.

(e) Provide all serviced activities advice and assistance in disciplinary and personal adverse action cases and in handling grievances and appeals.

(2) *Discretionary practice.* Optional.

f. Position management and classification.

(1) *Standard practice.* The position management and classification staff of the servicing CPO accomplishes all the responsibilities identified in AR 690-200, chapter 250, paragraph 5-11, for the serviced command. No distinction is made between the serviced activity and the servicing activity with respect to the kind of service rendered. The responsibility with regard to position management and classification and job evaluation is the same for all activities serviced. Position management and classification matters requiring action at higher echelons are forwarded, with servicing Civilian Personnel Officer's recommendations, through the serviced command channels. Higher echelon decisions on these matters are forwarded to the serviced com-

mander with a copy to the servicing Civilian Personnel Officer.

(2) *Discretionary practice.* The serviced commander may empower the servicing Civilian Personnel Officer to perform all, part, or none of the position management and classification functions. If the serviced commander retains all or part of the position management and classification functions, the scope of the servicing Civilian Personnel Officer's responsibility and authority must be noted in the paragraph containing delegation of authority and defined in the servicing agreement.

g. Grievance and appeal procedures.

(1) *Standard practice.* The provisions of AR 690-700, chapter 771, are applied to both servicing and serviced activities. Cost of per diem and travel of any assigned U.S. Army Civilian Appellate Review Agency (USACARA) examiner and the cost of any hearing transcript are borne by the activity most appropriate for considering the complaint or grievance. Grievances and appeals requiring a decision from a higher level within Army are forwarded to the MACOM commander having jurisdiction over the serviced activity. Grievances involving interpretation of regulations are forwarded through channels to the MACOM commander having jurisdiction over the servicing activity.

(2) *Discretionary practice.* None.

h. SES positions, positions in grades GS-16 through GS-18, and 5 USC 3104 (i.e., scientific and professional) positions.

(1) *Standard practice.* Approvals required for positions and for experts and consultants will be obtained through the command channel of the serviced activity.

(2) *Discretionary practice.* None.

i. Training and development.

(1) *Standard practice.* In administering a training and development program for serviced activities, any review and approval above the installation required by AR 690-400, chapter 410, are obtained through the command channels of the serviced activity. Normally, there is one civilian training committee established at an installation or complex of activities serviced by the CPO. Where feasible, each activity being serviced is represented on the committee.

(2) *Discretionary practice.* If, for reason of size, distance, or mission, a single installation training committee would not effectively serve the serviced

activity, a separate training committee may be established. The serviced commander may elect to retain approval authority for training by, in, or through nongovernment facilities for employees under his or her jurisdiction. If the commander does retain this authority, he or she must personally approve the training and furnish a copy of the approval document to the servicing CPO.

j. Relations with labor organizations.

(1) *Standard practice.* The Civilian Personnel Officer is the principal contact for conducting business with labor organizations. Labor relations matters follow command channels. Where an action requires that a higher level of command approve or be informed, the matter will be referred to the command with management authority over the certified bargaining unit (i.e., the serviced command). When a bargaining unit extends to more than one command, host command channels will be followed. When a bargaining unit extends to more than one command, none of which is the host command, the command channels of the primary command in terms of the numbers of employees in the unit will be followed. Labor relations matters requiring action by the serviced commander or such commander's command channel include—

(a) Granting exclusive recognition in accordance with 5 USC 7111 and FLRA regulations.

(b) Resolution of negotiability questions or impasses.

(c) Review of negotiated agreements.

(d) Compliance with binding arbitration awards.

(2) *Discretionary practice.* When because of distance or other factors it is necessary to have a day-to-day contact point, the serviced commander may designate a member of his or her staff for liaison with the servicing Civilian Personnel Officer and the labor organizations. Unique situations may exist giving rise to certain procedural questions relative to labor management (such as unit composed of employees from two or more activities on an installation under the jurisdiction of separate commanders), which should be specifically covered in the servicing agreement.

k. Reduction-in-force.

(1) *Standard practice.* Servicing agreements specify the competitive area for reduction in force purposes of the employees of the serviced activity. Determination of the competitive area is made in

accordance with FPM chapter 351 as supplemented by AR 690-300, chapter 351.

(2) *Discretionary practice.* The discretionary practices permitted are contained in the above referenced regulations.

l. Representation on boards and committees.

(1) *Standard practice.* The serviced activity furnishes appropriate representation and participates on all boards and committees required or used in civilian personnel administration by the servicing activity.

(2) *Discretionary practice.* Optional.

m. Reports.

(1) *Standard practice.*

(a) Civilian personnel data required by Headquarters, Department of the Army, is reported by the servicing CPOs for all activities serviced in accordance with instructions from the Department of the Army covering the specific report, i.e., staffing authorization office channels or EEO channels. Irrespective of the channel followed for a specific report, the CPO that services the employees is responsible for preparing the feeder report from the basic CPO records. Where staffing authorization channels are prescribed, the CPO prepares a separate feeder report for each manpower authorization channel represented in its area of servicing responsibility. The CPO then forwards it to the command headquarters from which the authorization is received. Reports submitted through servicing CPO channels include all Army employees serviced irrespective of command jurisdiction. These reports are forwarded to the staff CPO of the servicing command. Reports forwarded through EEO channels are prepared in accordance with specific report requirements.

(b) CPOs furnish serviced commanders with program evaluation data derived from required reports in the same manner as evaluation information is furnished to other operating offices at the servicing installation as a basis for planning appropriate actions. A brief narrative summary of significant problems and accomplishments in each of the major civilian personnel program management areas is periodically furnished to the serviced commander. Frequency and data of submission should be specified in the agreement.

(2) *Discretionary practice.* For management purposes, commanders who have prescribed special reporting requirements for CPOs under their juris-

diction will not automatically extend these reporting requirements to CPOs of other commands servicing their employees. Instead, commanders should determine the need for such reports. Where considered essential, request for reports will be negotiated with the servicing command. The servicing command will try to fulfill reasonable reporting requirements. If it feels that a MACOM is being unreasonable, it can elevate the problem to its MACOM for resolution with the requesting MACOM.

n. Publication of policies and procedures.

(1) *Standard practice.* The Civilian Personnel Officer will provide information and guidance as well as local policy issuances to all activities serviced. When possible, coverage for all employees will be included in the same issuance system. Prior to publication of policies and procedures, draft copies are forwarded to appropriate officials of the serviced activity and recognized employee organizations for comments and recommendations. All comments and recommendations will receive objective consideration and evaluation. However, the Civilian Personnel Officer will assure that published directives and instructions conform with legal and regulatory requirements.

(2) *Discretionary practice.* None.

o. Mobilization planning.

(1) *Standard practice.* Serviced activity commanders are responsible for taking action required by AR 690-11 with respect to their activity. The Civilian Personnel Officer will assist the serviced commander as outlined in AR 690-11 and will follow the channel of the serviced command in administering this program. The serviced activity furnishes current mobilization tables of distribution to the servicing Civilian Personnel Officer.

(2) *Discretionary practice.* None.

p. Automatic data processing support.

(1) *Standard practice.* Civilian personnel data base information required by HQDA personnel information systems will be prepared and submitted by the servicing CPO in accordance with appropriate Army regulations and directives.

(2) *Discretionary practice.* None.

2-6. ADMINISTRATION OF EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS UNDER SERVICING ARRANGEMENTS

The following standard practices facilitate the efficient and economical administration of the Equal Employment Opportunity (EEO) Program and will

be used throughout the Department of the Army. Servicing agreements will reflect specific EEO Program responsibilities of host and tenant activities. No distinction will be made between the serviced activity and the servicing activity with respect to the kind and quality of services rendered.

a. Equal employment management.

(1) Normally, there will be one EEOO on each installation (consisting of an EEO Officer and staff), which will advise and assist the host and tenant commanders. The EEOO will develop, implement, monitor, and evaluate an effective affirmative action program that is tailored to the needs of the serviced activity. The EEOO will also address the special employment concerns of women and minorities. It will process and resolve discrimination complaints and supervise EEO training.

(2) At an installation or complex where one EEOO services tenant activities, one EEO Advisory Committee should be established with representation on the committee from each serviced activity. This committee will function under the auspices of the servicing EEOO.

(3) At an installation or complex where one EEOO services tenant activities, committees to assist with the Federal Women's Program and the Hispanic Employment Program will be established also with representation from each serviced activity.

(4) The servicing EEO Officer will assure that routine and special EEO reports required by the EEO Commission, Office of Management and Budget, the Congress, Department of Defense, HQDA, MACOM, or other appropriate offices are completed promptly for the serviced activity.

b. Affirmative action program.

(1) The affirmative action program will be tailored to overcome barriers to equality of opportunity for minority group persons and women specific to the serviced activity. The servicing EEO Officer is the lead official in the development and implementation of the affirmative action program. However, responsibilities for affirmative action rest with all levels of management and program officials.

(2) Affirmative action plans for serviced activities will be developed and updated in accordance with current EEO Commission, Department of the Army, and MACOM guidance. The plan will normally cover a multiyear period. As a minimum each activity plan will contain—

(a) A work force utilization analysis including a determination of underrepresentation.

(b) A statement of goals for underrepresented groups in employment categories.

(c) A barrier analysis and a statement of strategies for barrier removal.

(d) A copy of the activity's FEORP, which meets the needs of the installation and each serviced or tenant activity.

(3) Servicing civilian personnel officers will assist in the development of affirmative action plans and the Federal Equal Opportunity Recruitment Program and will implement recruitment, placement, training, upward mobility, performance evaluation, and recognition for the serviced activity taking into consideration the specific EEO needs of the serviced activity.

(4) Managers and supervisors employed in the serviced activity must implement and support affirmative action policies at the worksite. They will also actively participate in developing and implementing of the serviced activity's affirmative action program plan.

c. The discrimination complaint system.

(1) The servicing EEO Officer will promptly process and resolve complaints of discrimination based on race, color, sex, religion, national origin, mental or physical handicap, or age. Complaints may come from appropriated and nonappropriated

fund employees and applicants for employment of serviced activities.

(2) The servicing EEO Officer will assure that there is an effective method of selection, training, and supervision of an adequate number of EEO Counselors to make inquiries and resolve informal complaints of employees of services activities.

(3) Cost of per diem and travel of any assigned USACARA examiner and the cost of any hearing transcript will be borne by the activity against whom the complainant has filed a complaint.

(4) Complaints filed against a serviced activity requiring a higher review or decision level will be forwarded to the next higher level in that serviced activity's chain of command.

(5) The servicing EEO Officer will coordinate with installation legal and other staff offices as required, for assistance in determining course of action in potentially controversial complaint cases.

(6) The servicing EEO Officer will ensure that managers and supervisors of serviced activities are adequately trained and fulfill their responsibilities in the discrimination complaint process. The training should instruct managers and supervisors in management techniques that prevent discrimination and should instill confidence in subordinate employees that personnel actions are based solely on merit factors.

CIVILIAN PERSONNEL AND EQUAL EMPLOYMENT OPPORTUNITY
SERVICING AGREEMENT

between

(name of activity)

and

(name of activity)

1. The Commander, (activity and location), hereinafter called the Servicing Activity, agrees to furnish civilian personnel and equal employment opportunity services as provided herein to the Commander, (activity and location), hereinafter called the Serviced Activity. Services provided will be administered in accordance with AR 690-200, chapter 254, this Agreement, and all other applicable statutes, rules, and regulations, subject to any limitations as may be mutually agreed upon and cited herein by the Servicing and Serviced Commanders.
2. The Serviced Activity Commander, having delegated appointing authority, designates the Servicing Activity Civilian Personnel Officer to "act for" the commander in the administration of the civilian personnel management program. This authorization includes job evaluation and pay administration, authentication of personnel actions, and administration of the training and development program. (If limitations are imposed on designation, ensure that the scope of the authorization is clearly stated.) The Civilian Personnel Officer is authorized to designate other members of the CPO staff to "act for" in these areas. This designation does not reduce the authority and responsibility of the Serviced Commander for the effective management and direction of employees under his jurisdiction. The designated Civilian Personnel Officer is accorded membership on the Serviced Commander's staff.
3. The Civilian Personnel Office will administer the civilian personnel program in accordance with the standard practices outlined in AR 690-200, chapter 254, paragraph 2-5, as implemented by the Servicing and Serviced Commands. (Standard practices need not be repeated in the agreement. Add any modifications, additions, or discretionary practices mutually agreed upon by the Servicing and Serviced Commanders. For example: "Prior approval of the Serviced Activity Commander is required for all actions proposing establishment, or change of job title, series, or grade of existing positions, GS-14 and above. The servicing civilian personnel office will perform desk audits and provide evaluation statements and job classification recommendations to Serviced Activity Commanders concerning such positions.")
4. (Specify the competitive area for reduction-in-force purposes of the employees of the Serviced Activity.)

Figure 2-1. Sample servicing memorandum of agreement

5. The Serviced Activity Commander designates the Servicing Equal Employment Opportunity Officer to "act for" the commander in the administration of the equal employment opportunity program. This authorization includes affirmative action planning and complaints processing. (If limitations are imposed on designation, ensure that the scope of the authorization is clearly stated.) The Equal Employment Opportunity Officer is authorized to designate other members of the EEO staff to "act for" in these areas. The EEO Officer may also designate individuals with collateral duty assignments (for example, EEO Counselors and special emphasis program managers) to "act for" in these areas, as appropriate. This designation does not reduce the authority and responsibility of the Serviced Commander for the effective management and direction of employees under the commander's jurisdiction. The designated Equal Employment Opportunity Officer is accorded membership on the Serviced Commander's staff.

6. This agreement becomes effective _____ (date) _____.

COORDINATION:

Servicing CPO

Servicing EEOO

Commander
Servicing Activity

Commander
Serviced Activity

Date:

Date:

APPROVED:

(Command Approval)

(Command Approval)

Figure 2-1. Sample servicing memorandum of agreement—Continued

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MASTER CIVILIAN PERSONNEL AND EQUAL EMPLOYMENT OPPORTUNITY
SERVICING AGREEMENT

between

(name of activity)

and

(name of activity)

1. Commanders of (MACOM) activities, hereinafter called Serviced Activities, not having an operating civilian personnel office and/or operating equal employment opportunity office may request civilian personnel and/or equal employment opportunity service from (MACOM) activities, hereinafter called Servicing Activities, with an operating civilian personnel office and/or equal employment opportunity office, when the location or operational consideration of the requesting commander makes such servicing agreements advantageous to the Department of the Army. It is agreed that upon request, these services will be provided by (MACOM) activities. Services provided will be administered in accordance with AR 690-200, chapter 254, this Agreement, and all other applicable statutes, rules, and regulations subject to any limitations as may be mutually agreed upon by the local Serviced and Servicing Commanders and cited in the locally prepared supplement to this Agreement, copy of which will be forwarded to the major Army commanders involved.

2. The Serviced Activity Commander, having delegated appointing authority, will designate the servicing Civilian Personnel Officer to "act for" him in the administration of the civilian personnel management program. This designation does not reduce the authority and responsibility of the Serviced Commander for the effective management and direction of employees under his jurisdiction. The Serviced Activity Commander will also designate the Servicing Equal Employment Opportunity Officer to "act for" him in the administration of the Equal Employment Opportunity Program. Both the designated Civilian Personnel Officer and the designated Equal Employment Officer will be accorded full membership on the Serviced Commander's staff.

3. Servicing will be in accordance with the standard practices outlined in AR 690-200, chapter 254, paragraph 2-5, and in current Army and EEOC directives relating to affirmative action and complaints processing, except as modified below. (Standard practices cited in AR 690-200, chapter 254, need not be repeated in the Agreement. Add any modifications, additions, or discretionary practices mutually agreed upon at command level.) Administration of the civilian personnel program will be in accordance with the policies, regulations, and procedures of the servicing command unless modified in the supplemental agreement.

Figure 2-2. Sample master servicing agreement

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4. (Specify the competitive area for reduction-in-force purposes of the employees of the Serviced Activities.)

5. This agreement becomes effective _____ (date) _____.

APPROVED:

FOR THE (Serviced Command)

FOR THE (Servicing Command)

Date:

Date:

COORDINATION:

Servicing MACOM CPO Date:

Servicing MACOM EEEO Date:

Figure 2-2. Sample master servicing agreement—Continued

Subchapter 3. Interagency Servicing Between Department of Defense Elements

3-1. GENERAL

Interagency civilian personnel administration and EEO support may be provided or obtained under the provisions of DOD 4000.19-R and AR 5-16. When this is done, the overall agreement will be negotiated in accordance with DOD 4000.19-R and AR 5-16. Supplementary action will be taken as outlined herein with regard to the civilian personnel servicing agreement.

3-2. SERVICING AGREEMENT

A servicing agreement consistent with the provisions of this subchapter will be developed and forwarded for approval as required by paragraph 1-2c. A sample copy of an interagency servicing agreement for service provided to an Army activity is in figure 3-1. The activity wanting the service will initiate the proposed servicing agreement.

3-3. DESIGNATION TO ACT FOR APPOINTING AUTHORITY

a. CPOs and EEOs of one dependent or agency may provide services to employees of another agency. The official of the serviced department must have specific delegated appointment authority from his or her own agency for the group of employees involved and must issue formal authority to the Civilian Personnel Officer and EEO Officer providing the service to act for him or her in the administration of the respective programs. This authorization will be made by position title rather than by name, and will provide for administration of the programs, including job evaluation and pay administration, and for authentication of personnel actions.

b. Because an individual who is authorized to administer oaths under 5 USC 2903 may administer the oath of office to employees of all Federal agencies (37 Comp. Gen. 649), no designation to act is required.

c. Commands will ensure that delegation of authority is made to the appropriate Army commander so that official may take action as outlined in a above.

3-4. CONDITIONS APPLICABLE TO SERVICING

The policies, regulations, and procedures of the servicing department or agency (the supplier) will govern the administration of civilian employees of the serviced department or agency (the receiver),

except as modified below. Where a consolidated CPO has been established, some of the exceptions or modifications may not apply, applicability being determined by the respective consolidation agreement.

a. Promotion.

(1) Local merit promotion plans will be administered in accordance with the regulations and procedures of the servicing activity. Areas of consideration established under these plans, however, will specifically reference serviced employees.

(2) Employees of the serviced activity will be included in programs of the serviced agency. These programs provide consideration for promotion beyond the local level, as in the case of career programs prescribed by the serviced department or agency. Vacancies in the serviced activity covered by such agencywide programs will be subject to the requirements of the serviced agency's policies and procedures. Employees included in career programs of the serviced agency may be included in the area of consideration of the servicing activity.

b. **Reduction-in-force.** Activities of the serviced department or agency will constitute separate competitive areas for reduction-in-force purposes. The regulations and directives of the serviced department or agency will normally govern in effecting actions resulting from reduction-in-force. Maximum placement assistance to employees affected by reduction-in-force will be provided by both serviced and servicing activities and will include placement in vacancies in both the serviced and servicing activities for which they are qualified and available.

c. **Incentive awards.** The certificates, pins, decorations, and other forms of service and honorary recognition, as well as the standards for their issuance, prescribed by the serviced department or agency, will be utilized by the servicing CPO in its administration of these types of service and honorary recognition for the serviced activity. An appropriate official of the serviced department or agency will sign certificates required in connection with employees of the serviced activity.

d. **Reports.** Civilian personnel and EEO reports pertaining to employees of the serviced department or agency, including strength reports, will be prepared and transmitted in accordance with instructions issued by the serviced department or agency.

e. **Actions required above the local level.** The organizational channels of the serviced department

or agency will govern when forwarding civilian personnel administration or EEO matters that require action above the local installation level. Examples include—

- (1) Grievances.
- (2) EEO complaints.
- (3) Appeals of adverse actions.
- (4) Labor management matters.
- (5) Requests for technical review.
- (6) Employment policy complaints.
- (7) Recommendations for awards under the various incentive programs.
- (8) Prior approval of appointments to higher grade positions.
- (9) Appointment of experts and consultants.
- (10) Approval of uncommon tours of duty.
- (11) Approval of training in nongovernment facilities.
- (12) Preappointment investigations.
- (13) Other matters peculiar to the mission or encompassing a distinct operating responsibility of the component receiving support.

f. **Other.** Agreements will also indicate whether grievance and appeals procedures of the servicing or serviced agency will be followed during the informal stage. For actions progressing to the formal stage, serviced activity procedures will be used. In the interest of equal treatment for all employees serviced locally, the procedures of the servicing activity will be followed, except when such factors as the number or geographic location of the employees being serviced make it desirable to adopt the procedures of the serviced activity. Irrespective of which agency's procedures are used, close coordination will be maintained between the local servicing and serviced commanding officers in reaching a final decision on grievances to assure uniformity of treatment. The services of USACARA are limited to Department of the Army.

3-5. GENERAL PROVISIONS

a. **Definitions:** To assure understanding, the following terms are defined:

(1) *Common servicing.* Nonreimbursable service that has been directed or agreed on among DOD components at the departmental level, such as medical and dental care, telephone service, and operation of facilities.

(2) *Cross-servicing.* That function performed by one DOD component in support of another DOD

component for which payment is required from the activity receiving the support. This definition includes payments by the receiver that have been financed by direct fund cite and reimbursable to the supplier.

(3) *Joint servicing.* That function performed by a jointly staffed and financed activity in support of two or more DOD components. Programming and budgeting is the responsibility of the military department designated to perform this function by DOD. In this case, no formal agreement is required. However, internal arrangements must be made to ensure that each component's personnel are managed and serviced in accordance with applicable military department directives.

b. **Quality of service.** Civilian Personnel Officers and EEO Officers servicing employees of another department or agency will furnish services comparable in quality and scope to those furnished management and employees of their own departments and agencies. The officers will function as if they were on the staff of the serviced activity.

c. **Resources.** When interagency civilian personnel and EEO administration support does not involve significant costs, support will be furnished on a common-servicing basis. However, when such arrangements are not feasible or desirable (i.e., the costs of such services are significant, there is a reasonable basis for allocating such costs, or the manpower resources to do the job become a problem), cross-servicing arrangements will be made by mutual agreement between the departments or agencies concerned. The servicing agreement will indicate specifically whether common, cross, or joint servicing is involved and will include a basis for determining cost of cross-servicing and details regarding transfer of spaces, where appropriate. Joint servicing may be used only when the activity of the two departments being serviced by the CPO is jointly staffed and financed.

d. **Periodic review.** All interagency civilian personnel and EEO servicing agreements will contain provisions for at least midterm (3 years) review to determine whether the agreement should be continued, modified, or terminated. The serviced and servicing commanders or their representatives will do the review.

e. **Records.** Each major Army command and the DOD data base will maintain current files of interagency servicing agreements covering servicing re-

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ceived from and provided to Department of Defense and other Federal agency elements.

f. **Distribution of regulations.** CPOs and EEOOs providing services to another department or agency will be furnished all necessary regulations and instructions of that department or agency. The command that provides the servicing will assure the continuing distribution of these regulations and in-

structions. The receiving activity will make further distribution.

g. **Employment of experts and consultants.** When needed by the serviced activity, the appointment of experts and consultants will be processed in accordance with the instructions of the serviced department or agency unless otherwise specified in the agreement.

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INTERAGENCY SERVICING MEMORANDUM OF AGREEMENT
Between Department of Defense Elements

1. The Commander, Portside Naval Base, Snug Harbor, North Carolina, agrees to provide civilian personnel and equal employment opportunity services as provided below to the Commander, Fourth Recruiting Station, Pinpoint, North Carolina.
2. Appointing authority has been delegated by the Commander, U. S. Army Recruiting Command to the Commander of the Fourth Recruiting Station, who designates the Civilian Personnel Officer, Portside Naval Base, to "act for" him/her in the administration of the civilian personnel management program. This authorization includes job evaluation and pay administration, recruitment and placement to include required affirmative action, the authentication of personnel actions, and administration of the training and development program. The Civilian Personnel Officer is authorized to designate other members of his/her staff to "act for" in these areas. This designation does not reduce the authority and responsibility of the Commander, Fourth Recruiting Station, for the effective management and direction of employees under his jurisdiction.
3. The Civilian Personnel Officer, Portside Naval Base, will serve as the Civilian Personnel Officer to the Commander of the Fourth Recruiting Station, and will be accorded membership on the Commander's staff for civilian personnel management purposes. The civilian personnel office will provide a complete personnel program for the Fourth Recruiting Station, which is responsive to the needs of the commander.
4. Administration of the civilian personnel programs will be in accordance with the policies, regulations, and procedures of the U. S. Navy except as modified below or by controlling labor agreements.
 - a. Army employees will be included in the appropriate Army career program in accordance with Army Regulation (AR) 690-950-1.
 - b. For purposes of the local merit promotion program Army employees will be in the (indicate area of consideration).
 - c. Employees of the two departments will be in separate competitive areas for reduction-in-force purposes.
 - d. The certificates, pins, decorations, and other forms of service and honorary recognition prescribed by the Department of the Army will be used for Army employees. Certificates authorized to be approved locally will be signed by the Commander, Fourth Recruiting Station, or his designated representative. An employee designated by the Commander, Fourth Recruiting Station, will serve on the installation Incentive Awards Committee.
 - e. Reports covering Army employees will be prepared and forwarded in accordance with instructions received through Department of the Army channels.

Figure 3-1. Sample interagency servicing agreement

f. All matters pertaining to employees of the Fourth Recruiting Station which require approval above the local level will be forwarded through the U. S. Army Recruiting Command channels.

g. The Equal Employment Opportunity Officer, Portside Naval Base, will serve the Commander, Fourth Recruiting Station, as his/her designated Equal Employment Opportunity Officer and will be accorded membership on the Commander's staff for equal employment opportunity purposes.

h. The Commander, Fourth Recruiting Station, will appoint Army employees to serve as Equal Employment Opportunity Counselors.

i. Processing of discrimination complaints will be in accordance with the Department of the Army regulations.

j. Affirmative Action planning and implementation for Fourth Recruiting Station will be accomplished by the Equal Employment Opportunity Officer, Portside Naval Base, in accordance with current Army and Equal Employment Opportunity Commission guidance.

k. Grievance and appeal procedures of the Department of the Navy will be followed at the local level. In the event the issue is not resolved at the local level, further processing will be in accordance with AR 690-700, chapter 771.

5. Prior to publication of policies and procedures pertaining to civilian personnel or equal employment opportunity administration, draft copies will be forwarded to appropriate officials of the Fourth Recruiting Station and recognized labor organizations, if any, for comments and/or recommendations. All comments and recommendations will receive objective consideration and evaluation. However, the Civilian Personnel Officer and Equal Employment Opportunity Officer will be responsible for assuring that published directives and instructions conform to legal and regulatory requirements.

6. The Commander, Fourth Recruiting Station, will assure that all necessary regulations and instructions of the Department of the Army are furnished the Civilian Personnel Officer and the Equal Employment Opportunity Officer on a continuing basis in order that appropriate action may be taken by the appropriate office.

7. Civilian personnel and equal employment opportunity services will be provided on a cross-servicing basis. Cost for such service will be determined as follows:

(Indicate basis for determining cost)

8. This agreement will be reviewed at least annually by the Serviced and Servicing Commanders to determine whether any changes are desirable.

9. The provisions of this Agreement shall be effective _____ (date) _____.

1 October 1985

Commander
Fourth Recruiting Station

Commander
Portside Naval Base

DATE:

DATE:

APPROVED:

(Title of Individual Authorized
to approve for Major Army Command)

DATE:

COORDINATION:

Major Army Command CPD Date:

Major Army Command EEOO Date:

CHANGE }
 No. 4 }

Headquarters
 Department of the Army
 WASHINGTON, DC, 15 April 1988

Civilian Personnel

GENERAL PERSONNEL PROVISIONS

Effective upon receipt

This change transmits a new policy regarding the development and publication of civilian personnel regulations. The policy was developed and adopted as part of the Civilian Personnel Modernization Project, and it addresses the role of line managers in the formulation of civilian personnel management policies and procedures and the need for more active involvement on their part. This change supersedes CPR 272 and adds new chapter 272 to AR 690-200.

1. AR 690-200 is changed as indicated below. The pages of this regulation are interfiled with the Federal Personnel Manual (FPM).

| <i>Chapter</i> | <i>Remove pages</i> | <i>Insert pages</i> |
|----------------|---------------------|---------------------|
| 272 | | i |
| 272 | | 1-1 |

2. File this transmittal sheet immediately in front of the "200" series of chapters in the basic FPM.

3. The latest installment to the basic FPM at the time this change was forwarded for publication was number 342 dated 24 February 1988.

4. Army regulations in the 690 series that are interfiled with the FPM use the following mechanical aids to assist readers:

(1) When revised pages are issued—

(a) New or changed material is indicated by a right-hand arrow (↗) at the beginning and a left-hand arrow (↖) at the end.

(b) The deletion of text is indicated by two stars (★).

(2) A row of asterisks (*) is used to alert the reader that, at that point, there is material in the FPM that HQDA is not supplementing.

(3) A double dagger (‡) appearing before a major division (i.e., chapter, subchapter, paragraph, or subparagraph) means there is no corresponding division in the FPM.

*This change supersedes CPR 272, 20 September 1964.

15 April 1988

C 4, AR 690-200

The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAPE-CP), WASH, DC 20310-0300.

By Order of the Secretary of the Army:

CARL E. VUONO
General, United States Army
Chief of Staff

Official:

R.L. DILWORTH
Brigadier General, United States Army
The Adjutant General

DISTRIBUTION:

Active Army, USAR, ARNG: To be distributed in accordance with DA Form 12-4, requirements for Federal Personnel Manual.

File this chapter in numerical sequence in the basic FPM

15 April 1988

C 4, AR 690-200

Chapter 272

‡Chapter 272

Formulation and Issuance of Civilian Personnel Policy

Contents

SUBCHAPTER 1. General

1-1. Policy

1-2. Responsibilities

Subchapter 1. General

1-1. POLICY

It is the policy of the Department of the Army that regulations establishing civilian personnel policies, programs, and procedures will be held to the absolute minimum necessary to ensure efficient and effective mission accomplishment consistent with law and other external requirements. OPM, DoD, and other external regulations, issuances, and procedures will be supplemented only when necessary to achieve these objectives. Consistent with AR 310-2, Army regulations are intended only to assign missions and responsibilities and to establish those policies and procedures necessary to ensure uniformity in responding to management needs. AR 310-2, paragraph 4-15, further provides that ARs will not be supplemented without prior approval of the proponent unless individual regulations so allow.

1-2. RESPONSIBILITIES

Proponents of civilian personnel policies, programs, and procedures at all levels will ensure that they—

a. Adhere to the merit principles established in title 5, United States Code, including equal employment opportunity and affirmative action;

b. Demonstrate respect for the individual; and

c. Conform with the following principles of leadership and trust:

(1) Military and civilian leaders want to do what is right and will, if given the proper authority, responsibility, and accountability along with the knowledge of what is right.

(2) Authority, responsibility, and accountability should rest with military and civilian line managers at the lowest level possible, consistent with efficient and economical administration.

d. HQDA regulation proponents will adhere to a “no growth” policy in the issuance of civilian personnel regulations. Exceptions may be made by the Director of Civilian Personnel when determined to be in the best interests of the Army, e.g., in response to a need identified by line management.

e. The authority, responsibility, and accountability for civilian personnel management follows the “line” chain of command. Commanders will take appropriate measures to ensure line management “ownership” of policies, programs, and procedures at all organizational levels. Civilian personnel offices and other supporting staff offices will advise, assist, and provide the requisite services but will not supplant line management responsibilities.



CHANGE
No. 5



HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 27 September 1989

Civilian Personnel
GENERAL PERSONNEL PROVISIONS

Effective upon receipt

This change transmits a new subchapter 3 to chapter 250 to set forth the authorities and responsibilities for the evaluation of the civilian personnel management program in the Department of the Army.

1. AR 690-200 is changed as indicated below. The pages of this regulation are interfiled with the chapters of the Federal Personnel Manual (FPM) to which they relate.

| <i>Chapter</i> | <i>Remove pages</i> | <i>Insert pages</i> |
|----------------|----------------------|---------------------|
| 250 | Contents (CPR, C 22) | i |
| 250 | ----- | 3-1 through 3-3 |

2. File this transmittal sheet immediately in front of the "200" series of chapters in the basic FPM.

3. The latest installment to the basic FPM at the time this change was forwarded for publication was number 351 dated 30 June 1989.

4. Army regulations in the 690 series that are interfiled with the FPM use the following mechanical aids to assist readers:

a. When revised pages are issued—

(1) New or changed material is indicated by a right-hand arrow (➡) at the beginning and a left-hand arrow (⬅) at the end.

(2) The deletion of text is indicated by two stars (★).

b. A row of asterisks (*) is used to alert the reader that, at that point, there is material in the FPM that HQDA is not supplementing.

c. A double dagger (‡) appearing before a major division (i.e., chapter, subchapter, paragraph, or subparagraph) means that there is no corresponding division in the FPM.

5. The pages transmitted with this change, together with the pages listed below, constitute AR 690-200. The dates of the basic AR and the changes are shown at the end of the listing. The pages of chapters 250 and 295 listed below were issued by changes to the old Civilian Personnel Regulation (CPR) 200 series.

| <i>Chapter</i> | <i>Page</i> | <i>Change No.</i> |
|----------------|-----------------------|-------------------|
| 213 | B-1..... | B |
| 250.1 | 1, 2..... | B |
| 250.2 | 1..... | 22 |
| 250.5 | 1 through 9..... | 8 |
| 251 | A-1 through A-6..... | 1 |
| 254 | i..... | 3 |
| 254 | 1-1, 1-2..... | 3 |
| 254 | 2-1 through 2-12..... | 3 |

| <i>Chapter</i> | <i>Page</i> | <i>Change No.</i> |
|----------------|----------------------|-------------------|
| 254 | 3-1 through 3-6..... | 3 |
| 272 | Contents | 4 |
| 272 | 1-1 | 4 |
| 295.6 | 1 | 25 |
| 295.7 | 1 | 20 |

CPR 200 series

Basic (B), 20 Sep 64
Change 8, 3 May 68
Change 20, 28 Mar 72
Change 22, 30 Jun 72
Change 25, 15 Apr 74

AR 690-200 series

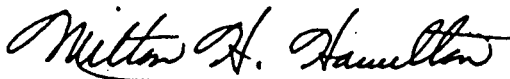
Basic (B), 1 Feb 81
Change 1, 1 Sep 83
Change 2, 1 Apr 85
Change 3, 1 Oct 85
Change 4, 15 Apr 88

The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAPE-CP), WASH, DC 20310-0300.

By Order of the Secretary of the Army:

CARL E. VUONO
General, United States Army
Chief of Staff

Official:



MILTON H. HAMILTON
Administrative Assistant to the
Secretary of the Army

DISTRIBUTION.

Distribution of this publication has been made in accordance with the requirements on DA Form 12-09-E, block 3693 requirements for AR 690-200.

Chapter 250

Personnel Management in Agencies

Contents

This table of contents does not correspond to the current FPM chapter 250. It does, however, reflect the contents of the Army text that follows, much of which must be brought up to date.

SUBCHAPTER 1. Responsibility, Authority, and Organization for Agency Personnel Management

- 1-1. General Policy of Responsibility and Authority
- 1-2. Personnel Program Responsibility
- 1-3. Support of the Personnel Function
- 1-4. Channel of Communication

SUBCHAPTER 2. Personnel Management Objectives

* * * * *

- 2-2. Department of the Army Objectives

SUBCHAPTER 3. Evaluation of Civilian Personnel Management

- 3-1. Purpose and Objectives
- 3-2. Authority and Responsibility
- 3-3. Evaluation System
- 3-4. Minimum Evaluation System Requirements
- 3-5. Evaluation Methodology and Resources

* * * * *

SUBCHAPTER 5. Organization and Functions of Operating Civilian Personnel Offices

- 5-1. Purpose
- 5-2. References
- 5-3. Basic Concepts
- 5-4. Responsibilities of the Civilian Personnel Office
- 5-5. Concept of Personnel Management Staff Assistance
- 5-6. Organization of the Civilian Personnel Office
- 5-7. Office of the Civilian Personnel Officer
- 5-8. The Technical Services Office
- 5-9. Recruitment and Placement Branch
- 5-10. Management-Employee Relations Branch
- 5-11. Position and Pay Management Branch
- 5-12. Training and Development Branch
- 5-13. Modification of Organizational Structure
- 5-14. Quality and Quantity of Staff

27 September 1989

C5, AR 690-200
Chapter 250

Subchapter 3. Evaluation of Civilian Personnel Management

3-1. PURPOSE AND OBJECTIVES

The Department of the Army will establish and maintain a vigorous and aggressive program for evaluating civilian personnel management and administration and equal employment opportunity as a basis for making those improvements required to ensure optimum support of the Army mission. Evaluation efforts will focus primarily on identifying actions needed to ensure—

a. Effective leadership and management of civilian members of the Army team by the chain of command and supervision.

b. Sound civilian personnel and equal employment opportunity policies and programs that facilitate leadership and mission accomplishment.

c. Compliance with governing laws and regulations, e.g., title 5, United States Code; title 5, Code of Federal Regulations; section 717 of the Civil Rights Act of 1964, as amended, and implementing Office of Personnel Management, Equal Employment Opportunity Commission, Department of Defense, and Army regulations.

3-2. AUTHORITY AND RESPONSIBILITY

a. The Secretary of the Army is responsible for civilian personnel and equal employment opportunity management and administration within the Department of the Army. The Secretary of the Army has assigned responsibility for oversight of these areas of management and administration to the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA(M&RA)).

b. The U.S. Army Civilian Personnel Evaluation Agency (USACPEA) is a field operating agency of the ASA (M&RA). USACPEA conducts cyclical onsite evaluations and special reviews of CPO/EEO programs at MACOM and installation/activity levels.

c. The Director of Civilian Personnel, Office of the Deputy Chief of Staff for Personnel, will propose civilian personnel management evaluation policy; periodically evaluate the overall

effectiveness of the Army's civilian personnel management program; coordinate evaluation activities with other HQDA elements to ensure coverage of important program elements and avoid duplication of efforts; provide evaluation of feedback to other HQDA elements and MACOMs; and keep the ASA(M&RA) informed of the status of the civilian personnel program.

d. MACOM and installation/activity commanders will evaluate and be held accountable for the effectiveness of civilian personnel management policies and programs within their commands, direct any necessary corrective action, and recommend higher echelon policy and program improvements, as appropriate.

3-3. EVALUATION SYSTEM

a. Within the Department of the Army, each level of command to which civilian personnel management authority is delegated is responsible for establishing an appropriate evaluation system, allocating the necessary resources and ensuring that meaningful evaluation is made on a systematic basis consistent with its statutory obligations in 5 USC 2302(c). Should a responsible higher headquarters determine that a lower echelon evaluation program is inadequate (e.g., lacks objectivity, too narrowly focused, or not resourced adequately), the higher headquarters will conduct a comprehensive evaluation of that lower echelon program and will direct other appropriate corrective measures considered necessary.

b. Evaluation programs will conform with policies and requirements outlined in AR 1-201. Inspections, and will make appropriate and balanced use of the various types of inspections outlined therein, i.e., command inspections, inspector general inspections, staff inspections, and initial inspections.

c. Evaluations will consider—

(1) The effectiveness of that command level's own personnel and equal employment opportunity policies and programs.

(2) The effectiveness with which subordinate commanders, managers, and supervisors are carrying out their responsibilities.

(3) The impact or results of higher level policies and programs.

d. Evaluations will be conducted and results reported in a way to ensure that accountability is fixed properly with—

(1) Commanders, line managers, and supervisors for the effectiveness of leadership and personnel management.

(2) Servicing civilian personnel and equal employment opportunity offices for the quality of their administrative support and advice and assistance to customers such as commanders, managers, supervisors, and employees.

(3) Civilian personnel and equal employment opportunity staff offices at all levels for the effectiveness of policies and programs for which they are the proponent and for exercising close program monitorship.

e. Evaluation reports will emphasize strengths as well as shortcomings. Such balanced reports will present a clear picture of the installation/activity being evaluated and act as a catalyst for change, e.g., reinforce successful programs or identify areas for improvement.

f. Each command level will ensure that its onsite evaluation efforts are as unintrusive as possible, consistent with sound evaluation principles and fully coordinated with other planned internal and external inspection activities. Determinations to conduct onsite evaluations will consider whether or not needed information is available through other means such as existing inspection reports, statistical reports, and automated data systems.

3-4. MINIMUM EVALUATION SYSTEM REQUIREMENTS

Each year, areas for special emphasis will be identified in a HQDA letter to major commands and direct reporting activities. Each major command and subordinate activity has the authority to supplement this with additional areas requiring special emphasis within its jurisdiction.

3-5. EVALUATION METHODOLOGY AND RESOURCES

The kinds of information needed, the sources of that information, and evaluation methodology

will vary widely within the Army, based on such factors as mission of the organization, location, and the numbers and types of employees. Although all available evaluation tools will be used by HQDA in its evaluation efforts, the major ones include the following:

a. **Commander's annual assessment.** At the conclusion of each fiscal year, major commanders and commanders of direct reporting activities will complete and forward to HQDA an assessment of Civilian Personnel Management in their command. At a minimum, the assessment should address the special emphasis areas identified in the HQDA letter to major commands and direct reporting activities. The assessment will include a brief narrative on progress toward meeting established goals and objectives. This narrative portion will include recommendations to higher headquarters for policy and program improvements and a statement of the next year's goals and objectives.

b. **Statistical assessment.** HQDA's assessment of program accomplishments will include a statistical analysis of data. Specific program data elements will be identified by HQDA to ensure that MACOMs and direct reporting activities maintain appropriate records.

c. **Special program reviews.** These reviews are designed to obtain data on specific program areas within or across command lines in order to identify any systemic problems resulting from command, Army, or higher level policies and programs or the lack thereof. These program areas, or issues, will be identified through an issue analysis process that provides for suggestions from the field. Special reviews may be conducted by the U.S. Army Audit Agency, Department of the Army Inspector General, an ad hoc team established specifically for the review, or the more customary agent, U.S. Army Civilian Personnel Evaluation Agency. MACOMs will provide team members with the appropriate background and expertise when requested.

d. **Personnel management surveys.** Personnel management surveys are staff inspections of civilian personnel management programs at all levels in the Department of the Army. In addition to assessing the utility of the program and identifying needed corrective actions at the installation level, surveys will include a comprehensive review of the MACOM's program lead-

ership and evaluation efforts. The coverage and extent of surveys involving subordinate activities will consider the scope and the quality of the MACOM's own civilian personnel management evaluation efforts. Where satisfactory MACOM evaluation programs are in effect, HQDA will assess programs in the Headquarters and a representative sample of field installations. However, where MACOMs have no evaluation program, or the program is found inadequate, the number of installation reviews may be increased.

e. **Employee and supervisor survey.** The Questionnaire Survey of Civilian Personnel is

administered to a random sample of civilian employees and supervisors to gather information about employee attitudes, perceptions, and opinions on organizational, management, and personnel service issues. The survey is conducted Army-wide every 2 years to establish a Department of the Army baseline; it is also administered when conducting onsite installation surveys. Army-wide data is compared with previous years' data to determine possible trends and with installation survey data to determine local level deviation from Army-wide norms.

CHANGE

No. 6

}

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 25 July 1990

Civilian Personnel

GENERAL PERSONNEL PROVISIONS

Effective upon receipt

This change transmits a revised edition of DOD Instruction 5010.30 (Intramangement Communication and Consultation).

1. AR 690-200 is changed as indicated below. The pages of this regulation are interfiled with the chapters of the Federal Personnel Manual (FPM) to which they relate.

| <i>Chapter</i> | <i>Remove pages</i> | <i>Insert pages</i> |
|----------------|---------------------|---------------------|
| 251 | — | i |
| 251 | — | 3-1 |
| 251 | A-1 thru A-6 (C 1) | A-1 thru A-5 |

2. File this transmittal sheet immediately in front of the "200" series of chapters in the basic FPM.

3. The latest installment to the basic FPM at the time this change was forwarded for publication was number 366 dated 2 April 1990.

4. Army regulations in the 690 series that are interfiled with the FPM use the following mechanical aids to assist readers:

a. When revised pages are issued—

(1) New or changed material is indicated by a right-hand arrow (➡) at the beginning and a left-hand arrow (⬅) at the end.

(2) The deletion of text is indicated by two stars (★).

b. A row of asterisks (*) is used to alert the reader that, at that point, there is material in the FPM that HQDA is not supplementing.

c. A double dagger (‡) appearing before a major division (for example, chapter, subchapter, paragraph, or subparagraph) means there is no corresponding division in the FPM.

5. The pages transmitted with this change, together with the pages listed below, constitute AR 690-200. The dates of the basic AR and the changes are shown at the end of the listing.

| <i>Chapter</i> | <i>Page</i> | <i>Change No.</i> |
|----------------|-----------------------|-------------------|
| 213 | B-1..... | B |
| 250 | i..... | 5 |
| 250.1 | 1, 2..... | B* |
| 250.2 | 1..... | 22* |
| 250 | 3-1 through 3-3..... | 5 |
| 250.5 | 1 through 9..... | 8* |
| 254 | i..... | 3 |
| 254 | 1-1, 1-2..... | 3 |
| 254 | 2-1 through 2-12..... | 3 |
| 254 | 3-1 through 3-6..... | 3 |

| <i>Chapter</i> | <i>Page</i> | <i>Change No.</i> |
|----------------|-------------|-------------------|
| 272 | i..... | 4 |
| 272 | 1-1..... | 4 |
| 295.6 | 1 | 25* |
| 295.7 | 1..... | 20* |

*Change numbers in the old CPR 200 series.

CPR 200 series

- Basic (B), 20 Sep 64
- Change 8, 3 May 68
- Change 20, 28 Mar 72
- Change 22, 30 Jun 72
- Change 25, 15 Apr 74

AR 690-200 series

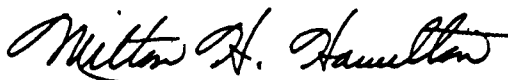
- Basic (B), 1 Feb 81
- Change 1, 1 Sep 83
- Change 2, 1 Apr 85
- Change 3, 1 Oct 85
- Change 4, 15 Apr 88
- Change 5, 27 Sep 89

The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAPE-CP), WASH, DC 20310-0300.

By Order of the Secretary of the Army:

CARL E. VUONO
General, United States Army
Chief of Staff

Official:



MILTON H. HAMILTON
Administrative Assistant to the
Secretary of the Army

DISTRIBUTION:

Active Army, Army National Guard, and U.S. Army Reserve. Distribution of this publication is made in accordance with the requirements on DA Form 12-09-E, block 3693, requirements for AR 690-200.

Headquarters
Department of the Army
Washington, DC

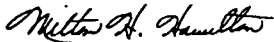
23 August 1990

**Army
Regulation** 690-200
C 6

By Order of the Secretary of the Army:

CARL E. VUONO
General, United States Army
Chief of Staff

Official:



MILTON H. HAMILTON
Administrative Assistant to the
Secretary of the Army

ERRATA

ATTENTION PERSONNEL MANAGERS!

**Important... route this errata to users of
Army Regulation 690-200**

In the 25 July 1990 printing of AR 690-200, Change 6, the publication date should be changed to read 25 July 1990 instead of 22 June 1990 at the top of each page.

22 June 1990

C 6, AR 690-200
Chapter 251

Chapter 251

Intramangement Communication and Consultation

Contents

* * * * *

‡SUBCHAPTER 3. Intramangement Communication and Consultation
within the Department of the Army

‡Appendix A. DOD Instruction 5010.30 (Intramangement Communica-
tion and Consultation)

22 June 1990

‡Subchapter 3. Intramanagement Communication and Consultation within the Department of the Army

The Department of the Army policies and requirements on intramanagement communication and consultation are as stated in DOD Instruction 5010.30 (app A).

22 June 1990

Appendix A

‡Department of Defense Instruction 5010.30 (Intramangement Communication and Consultation)



Department of Defense INSTRUCTION

May 2, 1989
NUMBER 5010.30

ASD(FM&P)

SUBJECT: Intramangement Communication and Consultation

- References:
- (a) DoD Instruction 5010.30, subject as above, February 18, 1983 (hereby canceled)
 - (b) Title 5, United States Code, Chapter 71, "The Federal Service Labor-Management Relations Statute"
 - (c) DoD 1400.25-M, "Civilian Personnel Manual," (Chapter 711, "Labor-Management Relations,") November 10, 1988, authorized by DoD Directive 1400.25, January 24, 1978
 - (d) Federal Personnel Manual, Chapter 251
 - (e) DoD Directive 5124.2, "Assistant Secretary of Defense (Force Management and Personnel)," March 13, 1989
 - (f) Title 5, Code of Federal Regulations, Section 550.331
 - (g) DoD Directive 1418.4, "Civilian Pay Allotments," March 16, 1979

A. REISSUANCE AND PURPOSE

This Instruction reissues reference (a) to reflect administrative changes. It carries forward policies and requirements for improving intramangement communication and consultation, and increasing manager participation in the management process within the Department of Defense.

B. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense (OSD), the Joint Staff, the Military Departments, the Unified and Specified Commands, the Inspector General of the Department of Defense (IG, DoD), the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "DoD Components").

C. DEFINITIONS

1. Association of Management Officials and Supervisors. An association whose membership consists primarily of management officials or supervisors and that:

- a. Does not discriminate in its membership because of race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation.
- b. Is not eligible to be an exclusive representative of employees in a bargaining unit under references (b) and (c).
- c. Does not represent employees who are eligible to be in a bargaining unit under references (b) and (c).

22 June 1990

d. Is not affiliated with a labor organization or federation of labor organizations.

2. Management Official. An individual employed by the Department of Defense in a position in which the duties and responsibilities require or authorize the individual to formulate, determine, or influence DoD policies. (See 5 U.S.C. 7103(a)(11) (reference (b)).)

3. Supervisor. An individual employed by the Department of Defense having authority to hire, direct, assign, promote, reward, transfer, furlough, lay off, recall, suspend, discipline, or remove employees; to adjust their grievances; or to effectively recommend such action if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment except that, with respect to any unit that includes firefighters or nurses, the term "supervisor" includes only those individuals who devote a preponderance of their employment time to exercising such authority. (See 5 U.S.C. 7103(b)(10) (reference (b)).)

4. Manager. A management official or supervisor as defined in subsections C. 2. or 3., above.

D. POLICY

It is DoD policy that managers shall create vehicles for intramanagement communication and consultation that work best within their own management groups and shall distribute essential information within and across levels of management. Management shall:

1. Create a climate in which managers at all levels identify with management and participate actively in setting and attaining management goals.

2. Keep managers informed of developments affecting their work situations and provide them with the opportunity to participate in the resolution of management problems.

3. Encourage, as an integral part of daily work relationships, the type of one-to-one communication between managers that provides effective understanding of policies and interactions among organizational subunits.

4. Provide for consultative relationships with associations of managers to supplement other forms of intramanagement communication.

E. PROCEDURES

1. In evolving techniques and media that best fit their own situations, managers shall use as a guide the Federal Personnel Manual, Chapter 251 (reference (d)), which outlines techniques and practices for intramanagement communications.

2. Particular emphasis should be placed upon:

a. Identifying and integrating lower level managers with management.

22 June 1990

May 2, 1989
5010.30

b. Giving these managers the information and assistance they need to represent management in relationships with employees and labor organization representatives.

c. Obtaining feedback on problems encountered in operating under existing policies or under the provisions of collective bargaining agreements with labor organizations.

3. The voluntary joining together of managers in groups or associations may not be prevented or discouraged. Where they exist, such associations shall be brought into the intramanagement communication and consultation process in accordance with criteria and procedures in enclosure 1. In doing this, the fundamental difference must be recognized between such associations and labor organizations representing nonmanagerial employees. Although associations of managers can provide a means of supplementing the intramanagement communication process, dealings with such associations, particularly at the activity level, are not intended to and may not replace the individual contacts and exchanges of information and views that are fundamental to managerial relationships.

F. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)) shall establish consultative relationships with associations of management officials and supervisors for the Department of Defense under DoD Directive 5124.2 (reference (e)).

2. Heads of DoD Components shall comply with this Instruction.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward one copy of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 180 days.

David J. Berseau
DAVID J. BERTEAU
Deputy Assistant Secretary
(Resource Management & Support)

Enclosure - 1

1. Consultative Relationships with Associations of Management Officials and Supervisors

22 June 1990

May 2, 1989
5010.30 (Encl 1)

CONSULTATIVE RELATIONSHIPS
WITH
ASSOCIATIONS OF MANAGEMENT OFFICIALS AND SUPERVISORS

A. CRITERIA

Official consultative relationships may be established with associations of management officials and supervisors (as defined in subsection C.1., above) within the Department of Defense. Such relationships shall be established in accordance with good management principles and organizational structure, and the following criteria:

1. Within DoD Components, an association must demonstrate a level of membership support among managers at an activity or other organizational level within the DoD Component that is substantial enough to ensure a worthwhile dialogue with executive management and, therefore, to warrant establishment of a consultative relationship.
2. At the DoD level, an association must demonstrate that it has established an official consultative relationship with at least two of the Military Departments, with one Military Department and the Defense Logistics Agency, or with one Military Department and at least two smaller DoD Components.

B. APPLICATION OF CRITERIA

1. An association must demonstrate sufficient membership support to warrant the establishment of a consultative relationship. The relationship of actual to potential membership support shall be taken into consideration in determining whether a consultative relationship should be established. Potential membership support for the association at an activity or other organizational level within the DoD Component shall be ascertained by reference to the association's membership eligibility, as defined in its constitution.
2. One association of managers shall not be given favored treatment compared to another. The criteria shall be applied with the understanding that if an official consultative relationship is entered into with an association a similar relationship must be entered into at the request of any other association that can demonstrate a comparable level of membership support.
3. The criteria shall be applied consistently. Additional criteria may not be imposed but guidance may be furnished to assist in achieving consistency.

C. PROCEDURE

Associations of managers must address their written requests for establishment of a consultative relationship to the head of the activity or other organizational level within the DoD Component or the Assistant Secretary of Defense (Force Management and Personnel), as appropriate. Requests must be accompanied by:

1. Documentation on which the association bases its belief that an official consultative relationship should be established under the applicable criteria.
2. A copy of the association's current constitution and bylaws.

22 June 1990

3. A list of the current officers of the association.

4. A statement that the association does not discriminate with regard to the terms or conditions of membership because of race, color, creed, sex, age, national origin, handicapping condition, marital status, or political affiliation.

D. RELATIONSHIP

1. Consultative relationships with associations of managers may take many forms, including:

a. Participation in periodic meetings with commanders and other high-level management officials, including directors of personnel, for the purpose of exchanging information and ideas on subjects of concern to management.

b. An opportunity to review and comment on proposed policy issuances relating to personnel management, planning, production, and other areas of management concern.

c. An opportunity to participate in the formulation of employee and management training needs and objectives.

2. The establishment of a consultative relationship with an association of managers shall not confer the right of negotiation.

3. The establishment of a consultative relationship with an association whose membership is occupationally or organizationally limited does not impose a responsibility for consultation with that association on matters outside the scope of its membership's direct concerns.

E. ALLOTMENTS FOR ASSOCIATION DUES

1. Allotments for association dues shall conform with the requirements of 5 C.F.R. 550.331 (reference (f)), DoD Directive 1418.4 (reference (g)), and subsections E.2. and E.3., below. The criterion in subparagraph D.1.1.(2) of reference (g) is waived for such associations.

2. An association must have entered into an official consultative relationship at an activity or other organizational level within the Department of Defense to be entitled to the privilege of allotments for association dues. The association must have a constitution and bylaws that affirm its adherence to certain minimum standards of fiscal responsibility and democratic principles in the nomination and election of officers.

3. The activity or other organizational level within the Department of Defense must agree in writing to deduct allotments for the payment of dues to the association. The agreement shall cover procedures essential to the smooth functioning of an allotment program. It shall provide that civilian managers shall have the right to pay membership dues to one such association by allotment and the right to revoke such an allotment at any time. Allotments shall be provided at no cost to the association or to the allotter.

CHANGE }
No. 7 }

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 3 September 1993

Civilian Personnel
GENERAL PERSONNEL PROVISIONS

Effective Upon Receipt

This change adds new subchapter 4 to chapter 213 on employment of civilian attorneys. This chapter supersedes subchapter 7 of AR 690-300 chapter 302.

1. AR 690-200 is changed as indicated below. The pages of this regulation are interfiled with the chapters of the Federal Personnel Manual (FPM) to which they relate.

| <i>Chapter</i> | <i>Remove pages</i> | <i>Insert pages</i> |
|----------------|---------------------|---------------------|
| 213 | ----- | i |
| 213 | ----- | 4-1 thru 4-6 |
| 213 | ----- | C-1 thru C-6 |

2. File this transmittal sheet immediately in front of the "200" series of chapters in the basic FPM.

3. The latest installment to the basic FPM at the time this change was forwarded for publication was number 398 dated March 26, 1993.

4. Army regulations in the 690 series that are interfiled with the FPM use the following mechanical aids to assist readers:

a. When revised pages are issued—

(1) New or changed material is indicated by a right-hand arrow (→) at the beginning and a left-hand arrow (←) at the end.

(2) The deletion of text is indicated by two stars (★).

b. A row of asterisks (*) is used to alert the reader that, at that point, there is material in the FPM that HQDA is not supplementing.

c. A double dagger (‡) appearing before a major division (for example, chapter, subchapter, paragraph, or subparagraph) means there is no corresponding division in the FPM.

5. The pages transmitted with this change, together with the pages listed below, constitute AR 690-200. The dates of the basic AR and the changes are shown at the end of the listing.

| <i>Chapter</i> | <i>Page</i> | <i>Change No.</i> |
|----------------|----------------------|-------------------|
| 213 | B-1 | B |
| 250 | i | 5 |
| 250.1 | 1,2 | B* |
| 250.2 | 1 | 22* |
| 250 | 3-1 through 3-3..... | 5 |
| 250.5 | 1 through 9 | 8* |
| 251 | i | 6 |
| 251 | 3-1 | 6 |
| 251 | A-1 through A-5 ... | 6 |

| <i>Chapter</i> | <i>Page</i> | <i>Change No.</i> |
|----------------|----------------------|-------------------|
| 254 | i..... | 3 |
| 254 | 1-1, 1-2 | 3 |
| 254 | 2-1 through 2-12 ... | 3 |
| 254 | 3-1 through 3-6..... | 3 |
| 272 | i..... | 4 |
| 272 | 1-1..... | 4 |
| 295.6 | 1 | 25* |
| 295.7 | 1 | 20* |

*Change numbers in the old CPR 200 series.

CPR 200 series

Basic (B), 20 Sep 64
 Change 8, 3 May 68
 Change 20, 28 Mar 72
 Change 22, 30 Jun 72
 Change 25, 15 Apr 74

AR 690-200 series

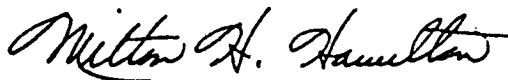
Basic (B), 1 Feb 81
 Change 1, 1 Sep 83
 Change 2, 1 Apr 85
 Change 3, 1 Oct 85
 Change 4, 15 Apr 88
 Change 5, 27 Sep 89
 Change 6, 25 Jul 90

The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAPE-CP), Washington, DC 20310-0300.

By Order of the Secretary of the Army:

GORDON R. SULLIVAN
General, United States Army
Chief of Staff

Official:



MILTON H. HAMILTON
Administrative Assistant to the
Secretary of the Army

DISTRIBUTION:

Distribution of this publication is made in accordance with the requirements on DA Form 12-09-E, block number 3693, requirements for AR 690-200.

Chapter 213

Excepted Service Appointments

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* * * * *

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Subchapter 4. Employment of Civilian Attorneys

4-1. SCOPE

Except as provided in this subchapter, with respect to Army employees, only persons who are employed in attorney positions may be engaged or utilized to provide professional legal services. This subchapter contains policy for establishing and filling civilian attorney positions (GS/GM 905 and 1222) and employing civilian attorneys, law clerk trainees (GS 904 pending admission to bar membership), and legal interns throughout the Department of the Army (DA), including (in conjunction with AR 690-13) positions subject to the Civilian Intelligence Personnel Management System (CIPMS). This subchapter applies to recruitment, appointment, assignment, promotion, removal or other disciplinary actions, and standards of conduct. It specifies performance evaluation requirements that apply to heads of legal offices. It also specifies recognition incentive requirements that apply to Senior Executive Service (SES) and Senior Level (SL) (vice GS-16, -17, and -18) attorneys. It supplements other civilian personnel regulations that apply to the excepted service, SES, and SL positions.

4-2. APPOINTING AUTHORITY

The Army General Counsel (GC) has been delegated appointing authority with respect to all Army attorneys in the Senior Executive Service (SES). This authority has been redelegated with power of further delegation to the Administrative Assistant to the Secretary of the Army for all departmental and field elements of the Office of the Secretary of the Army (OSA) and to the Chief of Staff, Army for all other elements of the Army.

4-3. QUALIFYING AUTHORITY

a. The GC has been delegated authority to approve the qualifications of persons recommended for any civilian attorney or law clerk trainee position. The GC retains this authority for all attorney positions in the OSA, including its field operating agencies, and for SES and SL attorney positions DA-wide. Such positions may

not be filled without prior approval of the proposed selectee's qualifications by the GC. For the remainder of the Department, the authority to approve the qualifications of persons recommended for positions of attorneys or law clerk trainees in grades GS/GM-15 and below is delegated without power of redelegation as follows. (These officials and the GC are referred to as qualifying authorities (QAs)).

(1) The Chief Counsel, US Army Corps of Engineers (USACE), for all elements under that command.

(2) The Command Counsel, US Army Materiel Command (AMC), for all elements of that command.

(3) The Judge Advocate General (TJAG) for all other elements of the DA.

b. QAs, in coordination with their civilian personnel counterparts, may establish supplementary procedures for filling positions under their jurisdiction. TJAG procedures are published as Appendix C to this regulation.

c. Withdrawal of Qualifications Approval.

(1) Approval of a civilian attorney's qualifications by the designated QA is a continuing condition of employment. A QA may withdraw such approval for good and sufficient reasons such as a violation of the Army Rules of Professional Conduct for Lawyers when such violation is established in accordance with the procedures published under AR 27-26. When a QA withdraws approval of an attorney's qualifications, the person may not thereafter be employed by DA as an attorney.

(2) Withdrawal of qualifications approval should be accomplished through a process akin to that followed for actions based on, as appropriate, poor performance, misconduct, or violation of the Rules of Professional Conduct. Applicable procedures required by law or regulation apply to personnel actions taken as a result of withdrawal of qualifications approval.

4-4. ESTABLISHING LEGAL OFFICES AND POSITIONS

a. Office. A new legal office headed by a civilian attorney may be established only with

prior approval of the GC. Establishing a civilian attorney position that is not under the immediate supervision of another military or civilian attorney within the appointing officer's command constitutes establishing a new legal office.

b. Position. Establishing a civilian attorney position within an existing legal office is subject to any policies and procedures specified by the designated QA. When an attorney position is established in the SES or at the senior level, prior approval of the GC also is required.

4-5. QUALIFICATION REQUIREMENTS (ATTORNEY POSITIONS)

a. Initial Appointment. Applicants for attorney positions must be graduates of law schools accredited by the American Bar Association at the time of the applicant's graduation. The GC may make an exception upon a showing that the candidate possesses superior qualifications and that no well-qualified candidates from accredited law schools are available.

b. Minimum qualifications. The following requirements apply when filling attorney positions:

(1) GS-09. The applicant must be a member in good standing (as defined by the pertinent bar) of the bar of a State, territory, the District of Columbia, or the Commonwealth of Puerto Rico.

(2) GS-11. Same as (1) above plus 1 year of professional legal experience after admission to the bar.

(3) GS-12 and above. Same as (1) above plus 2 years of professional legal experience after admission to the bar commensurate with the duties of the position. For SES level positions, applicants must also achieve quality managerial experience. This normally will be evidenced by having managed at least one year at the GM-15 level.

(4) Exceptions. The QA may make exceptions to the experience requirements in (2) and (3) above when nominees possess special qualifications in place of those specified. For example, a second professional law degree (Master of Laws (LL.M)) or graduation with a distinguished record from an accredited law school (e.g., in the top 25 percent of the class) may be substituted for 1 year of professional legal experience.

4-6. LAW CLERK TRAINEE AND LEGAL INTERN APPOINTMENT

a. Law clerk Trainee. Honor and superior law school graduates may be temporarily employed as law clerk trainees with the understanding that they may be converted to regular attorney positions after being admitted to the bar. Such appointments may not exceed 14 months.

b. Legal interns. Students at accredited law schools who are candidates for Doctor of Laws (J.D.) or Bachelor of Laws (LL.B) degrees may be appointed as legal interns for a period not to exceed 1 year. Extensions may be approved by the QA.

4-7. RECRUITMENT AND APPOINTMENT

a. Affirmative Action. Recruitment for civilian attorneys will be done in accordance with the requirements specified by the designated QA and the following requirement. Whenever sources of applicants other than current Army civilian attorneys are to be solicited, local recruitment efforts must include reasonable efforts to contact sources in a geographic area thought to be broad enough to provide well-qualified minority group, and women candidates and candidates with disabilities. This will normally include contacts with all accredited law schools, bar associations, and known minority groups and women's organizations within the area of recruitment. QAs will assist local activities in identifying organizations and groups that should be contacted as part of the recruitment process.

b. Veterans' preference. As stated in FPM chapter 213 the principles of veterans' preference will be followed to the extent administratively feasible. A veteran who is not selected is entitled, upon request, to written reasons for nonselection.

4-8. REASSIGNMENT AND PROMOTION

a. General. A current Army civilian attorney may be reassigned or promoted to another attorney position in accordance with requirements specified by the QA. When movement is between organizations subject to different QAs, the requirements of the gaining QA apply.

b. Senior positions. Assignments to SES and SL positions are subject to prior approval by the

GC as specified in paragraph 4-3a as well as the ASA(M&RA).

c. Time in grade. Excessively rapid promotions should be avoided. For GS/GM-15 positions and below, normally candidates selected for advancement should have completed at least 1 year of service that is one grade lower than the position to be filled. A waiver may be requested only in cases where hardship or inequity exists in accordance with AR 690-300, chapter 300, paragraph 6-7.

d. Overseas employment. Major commands in conjunction with the QAs may grant or arrange for the losing command to grant administrative reemployment rights when necessary to move an Army attorney to an overseas Army position.

e. License to practice. A current, valid license to practice law in a state, territory of the United States, District of Columbia, or Commonwealth of Puerto Rico is a continuing condition of employment for civilian attorneys of DA.

4-9. SECURING PRIOR APPROVAL OF THE QA

a. Requests for approval of recruitment efforts and the qualifications of a candidate for initial assignment to an attorney position within the DA will be sent with the following documents to the proper QA:

(1) Memorandum or other document requesting authority to effect the personnel action. The memorandum will describe the number, types, and geographic areas of sources contacted and the results in terms of numbers of minority group, women and other applicants referred to the selecting official for consideration.

(2) SF 171 (Application for Federal Employment).

(3) Official certificate showing that the applicant is a member in good standing of the bar and a sworn statement by the candidate that his or her fitness to practice law or conduct as an attorney has never been challenged in any jurisdiction or; if either has been challenged, a sworn statement giving the facts, circumstances, and any other explanation that the applicant considers appropriate. As an alternative to a sworn statement, a declaration under penalty of perjury may be submitted in the following format. "I declare (or certify, verify, or state) under

penalty of perjury under the laws of the United States of America that the foregoing is true and correct. . . Executed on (date) (signature of applicant)." The certificate and statement must be dated within three months of the date the application is submitted.

(4) Official transcript of the applicant's law school record and an official statement of his or her relative standing in class. Certified documents must be furnished by the time the request for recruitment and qualifications approval is submitted. However, if these are not obtainable, the QA may authorize submission of other satisfactory evidence of the applicant's law school accomplishments.

(5) One copy of the position description.

(6) Copies of the responses to the appointing officer's inquiries from at least three licensed attorneys identified as references by the applicant.

b. A selectee may not be appointed until the QA issues an approval memorandum to the appointing authority, and furnishes an information copy to the GC.

4-10. HEAD-OF-LEGAL OFFICE PERFORMANCE EVALUATION

a. Performance information. Before rating the performance of any civilian attorney who is the head of a legal office at any level of the Army, the initial rater will request information about the attorney's performance from the head of the legal office at the next higher level in the chain of command. For the Chief Counsel, USACE, and the Command Counsel, AMC, the GC will be considered the head of the next higher level legal office. The head of the next higher level legal office will furnish information to the initial rater on the mandatory criteria in b below and may provide other information to assist the initial rater. The furnished information will be considered by the initial rater when rating the attorney, and a copy of this information will be attached to the official performance rating. In addition, this information will be considered and attached to any recommendations for performance awards (bonuses), other awards, or Presidential Rank Awards for the concerned attorney.

b. As part of their jobs, all civilian heads of legal offices are expected to ensure that they, and the clients and attorneys for whom they are responsible, provide adequate support and responsiveness to Army headquarters. Therefore, as a minimum, the performance of all civilian heads of legal offices will be rated on the following as a separate performance objective.

(1) Ensures adequate communication within and between the employing organization and offices at higher and lower levels considering:

(a) The extent to which the head of the legal office maintains awareness of and anticipates issues regarding matters of legal and policy significance occurring in the employing organization and subordinate field elements.

(b) The extent to which he or she independently acts on and communicates relevant information in a prompt and meaningful manner to the next higher level legal office.

(2) Ensures responsiveness to requests from higher level legal office. This criterion concerns how well the legal office obtains factual information and provides legal or policy analysis quickly in response to requests from higher level legal offices.

(3) Ensures follow-up and control to make certain that immediate and subordinate legal offices have complied with higher level legal office guidance. This concerns how successful the head of the legal office is in obtaining compliance with guidance he/she initiates or passes on in response to requests from higher level legal offices.

c. Copies of performance rating. The Senior Rater will send a copy of the annual performance appraisal of each SES attorney who is the head of a legal office to the GC.

4-11. SES AND SENIOR LEVEL (SL) RECOGNITION INCENTIVES

Senior raters will consult with the GC prior to making final performance awards (bonuses) to SES or SL attorneys. The Chairman of the Civilian Executive Resources Board will consult with the GC before nomination of an SES attorney to the Secretary of the Army for a Presidential Rank Award. The written views of the GC will be obtained and considered before an SES or SL attorney is recommended for any

type of financial recognition incentive (e.g., Presidential Rank, performance award, or pay adjustment).

4-12. CLASSIFICATION APPEALS

a. GS/GM-13, -14, and -15. The Assistant Secretary of the Army (Manpower and Reserve Affairs) has delegated authority to the Attorney Classification Appeals Committee to decide position classification appeals for attorney positions in grades GS/GM-13, -14, and -15, including those positions covered by the CIPMS. The procedures and requirements in AR 690-500, chapter 511, subchapter 6, apply to these appeals except as follows:

(1) Appeals should be expedited through command channels to the Attorney Classification Appeals Committee, Technical Advisor, Office of the General Counsel, Department of the Army, Washington, DC 20310.

(2) The appeal should refer to the Office of Personnel Management classification standard for attorney positions. If the appealed position is covered by CIPMS and is supervisory, reference should be made to the CIPMS Primary Grading Standard, Part 3, for Supervisory and Managerial Work.

(3) Arguments for and against the existing or requested classification should be supported by brief descriptions of actual-case examples.

(4) In every case, the comments of the immediate supervisor must be furnished.

(5) Intermediate civilian personnel and legal offices may resolve the appeal if all parties agree or may add comments as the appeal correspondence is transmitted through channels.

b. GS-9 through -12 and CIPMS. The regular appeal procedures outlined in AR 690-500, chapter 511, apply to GS-9 through -12 attorney positions except attorneys employed under the CIPMS. For CIPMS attorneys in these grades, the appeal procedures in AR 690-13 will apply.

4-13. ADVERSE ACTIONS

a. The responsible QA will—

(1) Be notified before action is taken to involuntarily reassign, suspend, separate, or reduce the grade of a civilian attorney.

(2) Insure that no adverse action is taken against an attorney that is based solely or in part

on the substance of complete and accurate legal advice given by the attorney.

(3) Take or oversee the taking of disciplinary action as warranted and appropriate under AR 690-700, Chapter 751, for violation of the Army Rules of Professional Conduct for Lawyers published in AR 27-26.

b. Excepted service appeal procedures are outlined in PL 101-376 and other applicable laws and regulations.

4-14. ASSISTANCE TO ATTORNEYS AFFECTED BY PERSONNEL ACTIONS

The following assistance will be provided for civilian attorneys who have been officially notified that they will be displaced from their current position due to a reduction in force, or who are seeking a new Army civilian attorney position due to the expiration of their current overseas civilian attorney employment contract.

a. If an attorney in this situation cannot be placed in a position within a QA's current vacancies, the QA will certify this fact in writing, and request that the other QAs assist in placement.

b. Attorneys who desire such assistance should forward, through their current QA, a one-page resume and a one-paragraph executive summary of the resume (including current telephone and address) to the other QAs. AMC Form 2693 is an acceptable substitute for the one-page resume.

c. Each assisting QA will advertise to all subordinate legal offices the desire of the attorney to continue employment as an Army attorney, and will solicit direct contact with the attorney by servicing Civilian Personnel Offices (CPO) and selecting officials for possible non-competitive appointment to a vacancy in the same or lower grade.

d. If interested in employing the attorney, local selecting officials, in conjunction with the servicing CPO, may request to interview him/her and may request additional information from the attorney (at least as necessary to satisfy the requirements of paragraph 4-9). Based on this information, and interview if any, the CPO may, with the approval of the relevant QA, offer noncompetitive reassignment to the attorney (paragraph 4-8a).

e. While they continue as current Army employees, attorneys may remain in this placement program until they are placed, request that they be removed from the program, or refuse an official offer by a CPO. QAs will notify each other when one of these events occurs, thereby providing grounds for removal of an attorney from the program.

4-15. REPORTING PERSONNEL ACTIONS

a. Notice to QA. The SF 50-B (Notification of Personnel Action) will be sent to the proper QA for any movement to or from an attorney position.

b. Records Maintenance. Each QA will maintain records for each attorney under his or her jurisdiction. Records will contain the documents listed in paragraph 4-9, copies of SF 50-B (forwarded per "a" above), and any other documents considered necessary by the QA. Upon request, these records will be available to other QAs on loan or for permanent retention when an attorney is selected for another assignment.

4-16. STANDARDS OF CONDUCT AND PROFESSIONAL RULES

Attorneys must comply with the standards of conduct required of all DA personnel in regulations issued by the Office of Government Ethics, Department of Defense, DA and other applicable laws and regulations. They will also comply with the DA Rules of Professional Conduct for Lawyers AR 27-26 and any supplements issued by the appropriate QA.

4-17. OUTSIDE EMPLOYMENT

a. No Army civilian attorney will participate in outside employment, with or without compensation, which (as determined by the attorney's supervisor or QA)—

(1) In any manner interferes or is incompatible with the proper and effective performance of his or her official duties;

(2) Creates a conflict of interest or appearance of one; or

(3) May reasonably be expected to reflect adversely on the Government or DA.

b. In addition to restrictions in "a" above,

no Army civilian attorney will engage in the outside practice of law without prior written approval of the QA. Requests for approval will be submitted in writing through legal office command channels and will include any applicable justification. If approved, copies of the request and the response will be furnished to the Office of the General Counsel, Department of the Army, Washington, D.C. 20310-0104, within 14 calendar days of approval. For purposes of this regulation, practice of law means representing, advising or providing other legal services for a client or employer with or without compensation. It does not include teaching, lecturing or writing for publication. It also does not include the infrequent, occasional rendering of legal advice or assistance without compensation to personal friends and relatives when not inconsistent with the restrictions in paragraphs c, c(1) or (2) below.

c. Even with written approval, no attorney will engage in outside practice of law in violation of 18 USC 203 or 205 (U.S. is a party or has an interest) or 209 (outside compensation

for official services), standards of conduct regulations cited in 4-16 above, or (for those for whom TJAG is the QA) AR 27-1, nor with respect to matters—

(1) Referred from his or her Army legal office; or

(2) With which he or she is, or may become, involved in an official capacity; or

(3) Involving Government personnel serviced by his or her legal office.

d. The GC may authorize deviations from paragraphs 4-17 a-c above under exceptional circumstances.

e. Army civilian attorneys may provide pro bono services subject to the restrictions and guidance in FPM Chapter 990 and in Office of Government Ethics regulations. This guidance precludes pro bono services on Government time or at its expense or which may interfere with the discharge of official duties. Except for certain personnel proceedings (see 18 USC 205), representing anyone else in a matter in which the Government has a direct and substantial interest is also prohibited.

Appendix C

CIVILIAN ATTORNEYS-UNDER THE QUALIFYING AUTHORITY OF THE JUDGE ADVOCATE GENERAL

C-1. PURPOSE

This provides procedures to be taken to recruit or fill civilian attorney and law clerk vacancies under the qualifying authority (QA) of The Judge Advocate General (TJAG). These procedures do not apply to the employment of law students in TJAG's Summer Intern Program. All activities, overseas and within the United States, will function through the proper recruiting office. Questions concerning recruitment, job opportunities, and other personnel actions should be addressed to the Chief, Personnel, Plans, and Training Office, Office of the Judge Advocate General, ATTN: DAJA-PT, Washington, DC 20310-2206.

C-2. AFFIRMATIVE ACTION

a. Adequate recruiting must be done at the local level for all civilian attorney position vacancies not located in overseas activities. Affirmative action recruiting for overseas activities will be done by HQDA (DAJA-PT). Staff Judge Advocate/Senior Counsel and servicing Civilian Personnel Office (CPO) are responsible for local recruiting to provide well-qualified minority, women candidates and candidates with disabilities. All attorney or law clerk vacancies located within a State or territory of the United States or District of Columbia will be publicized by the servicing CPO to local and State bar associations, minority and women organizations, and accredited law schools. Local affirmative action recruiting efforts may be coordinated with HQDA (DAJA-PT), see figure C-2.

b. TJAG will recruit within Army and, when appropriate, publicize employment opportunities by mailing job vacancy announcements to such groups as national bar associations, national legal organizations representing minority and women attorneys, and law schools having predominately minority students.

C-3. PROCEDURES

a. The CPO and legal offices will promptly advise HQDA (DAJA-PT) when any attorney or law clerk position is abolished, regraded, or vacated. Prior to abolition of any legal position, or taking any action that affects a TDA position requiring a Judge Advocate Legal Service (JALS) attorney, the legal office, CPO, or local Command must coordinate with DAJA-PT and obtain its approval.

b. The CPO, in coordination with the legal office, will forward a copy of the SF 52-B (Request for Personnel Action), job description, and a draft vacancy announcement to HQDA (DAJA-PT). This information is needed before announcing the position. Announcements must be typed on DD Form 173/3 following the format in figure C-1. TJAG will dispatch the announcement.

c. Applicants will file all required forms directly with the servicing CPO. Each applicant will be rated against the minimum qualifications as outlined in paragraph 4-5b by the CPO. Upon determination that the candidate is minimally qualified, the CPO will convene a ranking panel to rank those candidates who have been determined minimally qualified using the locally developed ranking criteria (knowledges, skills and abilities (KSA)) that distinguish high quality candidates as published in the vacancy announcement. Development of the ranking criteria is a joint legal office and CPO responsibility. The ranking of applicants will be done by a panel consisting of at least two attorneys and a civilian personnel specialist serving as an advisor. (The selecting official will not serve on the panel.) DAJA-PT will assist, if necessary, in meeting this requirement. After all applicants have been ranked, the CPO will prepare a list of the best qualified applicants using DA Form 2600 (Referral and Selection Register) and forward it to the selecting official. The selecting official may waive the panel requirement if there are less than eleven candidates who are mini-

mally qualified. In such cases, all of those candidates that meet minimum qualifications may be referred to the selecting official.

d. After the selecting official has made a tentative selection, the referral list and supporting documents (relating to selected person(s)), will be sent to HQDA (DAJA-PT) for review. A report of the efforts made to encourage minority and women applicants for the vacancy will accompany the referral list. A sample format for the report is shown at Figure C-2. The reporting of minority and women applicants will be done by using only the information stated on the SF 171, OPM Form 1386 (Background Survey Questionnaire), and supporting documents. Overseas commands are required to provide only the information in Figure C-2, paragraphs 4 and 5.

e. TJAG will review the local affirmative action recruiting efforts and the selectee's professional qualifications. This review will include the extent to which his or her education and experience demonstrates the KSA necessary to successfully perform the duties of the specific position. The selectee's file must include the minimum documents required by the vacancy announcement and a statement explaining why the applicant was selected over other candidates. The selecting official and the servicing CPO will be notified when the selectee has been approved for appointment to the position. After the selectee has been approved, the servicing CPO may continue to process the appointment.

f. Noncompetitive appointments are permitted under the following circumstances:

(1) Temporary assignments. In unusual cases, an attorney may be temporarily appointed to fill an attorney vacancy before the vacancy is filled through the procedures in b through e above. The temporary appointment may not be made without the prior approval of TJAG and will be approved only to provide urgently needed legal services that cannot be temporarily provided by assigned military and civilian personnel. The temporary appointment may be made to the

existing vacancy or to a temporary position. The selecting official may select the temporary appointee without regard to the announcement procedures otherwise required by the appendix. Prior to the selectee's appointment, the documents required by paragraph 3 of figure C-1 and justification for the temporary hiring action will be submitted to the CPO and forwarded to HQDA (DAJA-PT) for review of the selectee's professional qualifications by TJAG. The temporary appointee will vacate the position before the person who is selected for the permanent position reports for duty. If the temporary appointee desires consideration for permanent appointment to the position, he or she must be considered along with all other applicants under the normal competitive procedures. Approval of a person's professional qualifications for temporary appointment will not be construed to give that person an advantage over other applicants for the position.

(2) Appointments/promotions to reclassified positions. Whenever a civilian attorney position is reclassified to a higher grade, the incumbent may be appointed/promoted noncompetitively to the higher graded position after TJAG approves the incumbent's professional qualifications to assume the increased responsibilities. The CPO representative will submit a complete copy of the SF 52-B, a copy of the new job description and a recommendation from the supervisor pertaining to the new appointment to HQDA (DAJA-PT).

(3) Lateral/change to lower grade actions. A person who is appointed to a civilian attorney position may, upon approval of TJAG, be placed noncompetitively in another civilian attorney position at the same or lower grade by a new appointment, reassignment, or change to lower grade. Both positions must be under TJAG's QA. The request should include the items listed in subparagraph (2) above, and be forwarded by the proper staff or command legal office through the servicing CPO to HQDA (DAJA-PT).

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DA WASHINGTON DC//DAJA-PT// NOTE: EXPLANATORY COMMENTS
 ARE IN { }. THE MESSAGE
 AIG 12575 MUST BE DOUBLE-SPACED,
 PROPERLY ALIGNED, AND HAVE
 NO MORE THAN 69 CHARACTERS
 PER LINE AND 19 LINES PER
 PAGE, USING 10-PITCH OCR
 TYPE.

INFO {SERVICING CIVILIAN PERSONNEL OFFICE}

{LEGAL OFFICE WHERE POSITION IS LOCATED}

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FOR SJA/JA/LEGAL COUNSEL: PASS TO LOWEST POSSIBLE ECHELON
 SUBJECT: POSITION VACANCY {GRADE AND LOCATION}

1. REQUEST THE FOLLOWING VACANCY ANNOUNCEMENT BE DISTRIBUTED AND POSTED ON ALL LOCAL BULLETIN BOARDS. THE FOLLOWING ATTORNEY POSITION IS AVAILABLE: {POSITION TITLE: E.G., ATTORNEY ADVISOR {CONTRACT}; GS-905-14; {LOCATION; E.G. IN THE OFFICE OF THE JUDGE ADVOCATE {CONTRACT LAW DIVISION}, HQ, USAREUR & 7TH ARMY, APO NEW YORK 09403 {HEIDELBERG, GERMANY}. SALARY: {E.G., \$56,627 TO \$73,619}. ANNOUNCEMENT NO. {LOCALLY DETERMINED}. OPENING DATE: {DETERMINED BY HQDA, DAJA-PT}; CLOSING DATE: {DETERMINED BY HQDA, DAJA-PT}}.
2. ALL QUALIFIED APPLICANTS WILL RECEIVE CONSIDERATION FOR THE ABOVE POSITION WITHOUT DISCRIMINATION FOR ANY NONMERIT REASON SUCH AS RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, POLITICS, MARITAL STATUS, PHYSICAL OR MENTAL HANDICAP THAT DOES NOT INTERFERE WITH JOB PERFORMANCE, AGE, OR MEMBERSHIP OR NONMEMBERSHIP IN AN EMPLOYEE ORGANIZATION.
3. TO BE CONSIDERED, ALL APPLICANTS MUST FORWARD THE FOLLOWING DOCUMENTS TO : {THE SERVICING CIVILIAN PERSONNEL OFFICE; E.G., CINCUSAREUR, CIVILIAN RECRUITMENT CENTER, ATTN: AEAGA-CRC, APO NEW YORK 09403}. FAILURE TO SUBMIT ANY OF THESE DOCUMENTS MAY ELIMINATE YOUR APPLICATION FROM CONSIDERATION.
 - A. COMPLETED STANDARD FORM 171 (APPLICATION FOR FEDERAL EMPLOYMENT), AND ANY SUPPLEMENTAL STATEMENTS. ITEM 1A SHOULD INDICATE THE POSITION TITLE AND ANNOUNCEMENT NUMBER.
 - B. THREE RECENT LETTERS OF RECOMMENDATION FROM ATTORNEYS-AT-LAW. REQUEST ONE OF THESE LETTERS BE FROM A CURRENT SUPERVISOR, IF POSSIBLE. LETTERS OF RECOMMENDATION THAT ARE RECEIVED UNDATED OR NOT DATED WITHIN 12 MONTHS OF THE OPENING DATE OF THIS ANNOUNCEMENT WILL ELIMINATE YOUR APPLICATION FROM CONSIDERATION. LEGIBLE COPIES OF DATED AND SIGNED LETTER OF RECOMMENDATION ARE ACCEPTABLE.
 - C. LAW SCHOOL TRANSCRIPTS. A PHOTOSTATIC COPY IS ACCEPTABLE

FIGURE C-1. SAMPLE POSITION VACANCY ANNOUNCEMENT

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WHEN APPLYING BUT CERTIFIED DOCUMENTS MUST BE FURNISHED BEFORE ENTERING ON DUTY. APPLICANTS WHO OBTAINED LAW DEGREES FROM FOREIGN UNIVERSITIES ARE REQUIRED TO SUBMIT "EVALUATIONS OF FOREIGN EDUCATION."

D. OFFICIAL CERTIFICATE SHOWING THAT THE APPLICANT IS A MEMBER IN GOOD STANDING OF THE BAR, TOGETHER WITH A SWORN (NOTARIZED) STATEMENT BY THE CANDIDATE THAT HIS OR HER FITNESS TO PRACTICE LAW OR CONDUCT AS AN ATTORNEY HAS NEVER BEEN CHALLENGED IN ANY JURISDICTION TO THE BEST OF THE APPLICANT'S KNOWLEDGE, OR IF EITHER HAS BEEN CHALLENGED, A SWORN (NOTARIZED) STATEMENT CONCERNING THE FACTS AND CIRCUMSTANCES, TOGETHER WITH ANY EXPLANATION THE APPLICANT MAY DEEM APPROPRIATE MAY BE SUBMITTED. AS AN ALTERNATIVE TO SWORN (NOTARIZED) STATEMENT, A DECLARATION UNDER PENALTY OF PERJURY MAY BE SUBMITTED IN THE FOLLOWING FORMAT. "I DECLARE (OR CERTIFY, VERIFY, OR STATE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT . . . EXECUTED ON (DATE) . . . (SIGNATURE OF APPLICANT)." (28 U.S.C. 1746). THE STATEMENT AND CERTIFICATE MUST BE DATED WITHIN THREE MONTHS OF THE DATE THE APPLICATION IS SUBMITTED.

E. EXAMPLES OF WRITING SKILLS AS DEMONSTRATED BY LEGAL PUBLICATIONS, BRIEFS, MEMORANDUMS, OR LETTERS. THESE EXAMPLES SHOULD TOTAL NO MORE THAN TEN PAGES IN LENGTH; EXTRACTS OF SELECTED SECTIONS OF LARGER DOCUMENTS ARE ACCEPTABLE. ALL DOCUMENTS MUST BE RECEIVED BY THE CLOSING DATE IN ORDER TO BE CONSIDERED. IN ADDITION TO THE ABOVE DOCUMENTS, ALL APPLICANTS ARE REQUESTED TO SUBMIT, ON A VOLUNTARY BASIS, A COMPLETED OPM FORM 1386 (BACKGROUND SURVEY QUESTIONNAIRE).

F. COPY OF SPONSOR'S PERMANENT CHANGE OF STATION (PCS) ORDERS IF APPLYING FOR SPOUSE PREFERENCE.

4. DESCRIPTION OF POSITION: (THIS SECTION SHOULD SUMMARIZE THE JOB DESCRIPTION OF THE POSITION).

5. SELECTIVE PLACEMENT FACTORS: (E.G., MUST BE ABLE TO MAKE PERIODIC TRIPS OF 3-4 DAYS DURATION; TRAVEL COMPRISES FIVE PERCENT OF DUTY TIME).

6. MINIMUM QUALIFICATIONS REQUIREMENTS: THE MINIMUM QUALIFICATION REQUIREMENTS MUST BE MET BEFORE APPLICANTS HAVE BASIC ELIGIBILITY FOR FURTHER CONSIDERATION. THESE REQUIREMENTS ARE PRELIMINARY TO RANKING AGAINST THE SPECIFIC JOB-RELATED CRITERIA, WHICH IS THE FINAL STEP BEFORE BEING REFERRED TO THE SELECTING OFFICIAL.

A. EDUCATION: AN APPLICANT MUST HAVE SUCCESSFULLY COMPLETED A FULL COURSE OF STUDY IN A SCHOOL OF LAW ACCREDITED BY THE AMERICAN BAR ASSOCIATION (ABA) AND HAVE THE FIRST PROFESSIONAL LAW DEGREE (LLB OR JD).

B. BAR MEMBERSHIP: AN APPLICANT MUST CURRENTLY BE A MEMBER OF THE BAR OF A STATE, TERRITORY OF THE UNITED STATES, DISTRICT OF COLUMBIA, OR COMMONWEALTH OF PUERTO RICO.

C. EXPERIENCE: (REQUIREMENTS FOUND IN AR 690-200, CHAPTER 213, SUBPARAGRAPH 4-5, INCLUDING PROVISION FOR WAIVER OF EXPERIENCE). (IF APPLICANT REQUESTS AN EXCEPTION TO THE EXPERIENCE REQUIREMENTS, HE/SHE MUST STATE THE BASIS FOR THE EXCEPTION AND PROVIDE SUPPORTING EVIDENCE RELATING TO THE EXCEPTION (E.G., A COPY OF THE ADVANCED LAW DEGREE RECEIVED)).

D. TIME-IN-GRADE: APPLICANTS CURRENTLY EMPLOYED BY THE FEDERAL GOVERNMENT OR WHO HAVE BEEN EMPLOYED BY THE FEDERAL GOVERNMENT IN A PERMANENT POSITION WITHIN THE PAST YEAR, MUST HAVE COMPLETED ONE YEAR

FIGURE C-1. SAMPLE POSITION VACANCY ANNOUNCEMENT--CONTINUED

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AT THE NEXT LOWER GRADE WITHIN 30 DAYS OF CLOSING DATE OF THIS ANNOUNCEMENT. TIME IN GRADE REGULATIONS APPLY (EXCEPT CIVILIAN INTELLIGENCE PERSONNEL MANAGEMENT SYSTEM (CIPMS) POSITIONS). FOR CIPMS POSITIONS ABOVE GS-11, APPLICANTS MUST HAVE AT LEAST ONE YEAR OF APPROPRIATE PROFESSIONAL EXPERIENCE AT OR EQUIVALENT TO THE NEXT LOWER GRADE IN THE FEDERAL SERVICE. RELEVANT PROFESSIONAL EXPERIENCE FROM AN APPROPRIATE SOURCE IS CREDITABLE.

7. RANKING CRITERIA: {THE CRITERIA ARE TO BE DEVELOPED BY THE STAFF OR COMMAND LEGAL OFFICE CONCERNED IN COORDINATION WITH THE SERVICING CIVILIAN PERSONNEL OFFICE. THE CRITERIA WILL BE WEIGHTED EQUALLY, UNLESS OTHERWISE INDICATED IN THE ANNOUNCEMENT, AND WILL REFLECT THE ESSENTIAL ELEMENTS REQUIRED FOR SATISFACTORY JOB PERFORMANCE}.

8. REFERRAL AND SELECTION OF CANDIDATES: A RANKING PANEL WILL REVIEW THE QUALIFICATIONS OF EACH APPLICANT WHO MEETS THE MINIMUM QUALIFICATION REQUIREMENTS BASED ON ALL INFORMATION SUBMITTED. A RANKING PANEL WILL DETERMINE THE DEGREE TO WHICH EACH APPLICANT MEETS THE JOB-RELATED CRITERIA SPECIFIED ABOVE AND WILL RANK ALL APPLICANTS ACCORDINGLY. THE BEST QUALIFIED APPLICANTS WILL BE REFERRED TO THE SELECTING OFFICIAL. SELECTING OFFICIAL MAY WAIVE THE REQUIREMENT FOR A PANEL WHERE THERE ARE LESS THAN ELEVEN MINIMALLY QUALIFIED CANDIDATES. IN SUCH CASES ALL OF THOSE THAT MEET MINIMUM QUALIFICATIONS MAY BE REFERRED TO THE SELECTING OFFICIAL.

9. DESCRIPTION OF THE COMMUNITY: {THIS SECTION SHOULD HIGHLIGHT THE SOCIAL, CULTURAL, AND ECONOMIC ASPECTS OF THE COMMUTING COMMUNITY. HOUSING, TRANSPORTATION, AND EDUCATIONAL PROBLEMS OR BENEFITS SHOULD BE POINTED OUT}.

10. ANNOUNCEMENT AND ADDITIONAL INFORMATION: THIS MESSAGE PROVIDES NECESSARY INFORMATION FOR CANDIDATES TO BEGIN PREPARING THEIR APPLICATION. CANDIDATES WHO INTEND TO APPLY FOR THE POSITION SHOULD OBTAIN A COPY OF THE VACANCY ANNOUNCEMENT BY DIRECTLY CONTACTING: {INDICATED THE ADDRESS OF THE SERVICING CIVILIAN PERSONNEL OFFICE, THE NAME OF THE PERSONNEL SPECIALIST CONCERNED, AND THE COMMERCIAL AND DSN/FTS TELEPHONE NUMBERS}.

11. THIS POSITION IS IN THE EXCEPTED SERVICE WITHOUT TIME LIMITATION AND MAY NOT BE FILLED BY COMPETITIVE APPOINTMENT. SERVICE IN THIS POSITION IS FULLY CREDITABLE TOWARD CIVIL SERVICE RETIREMENT. ANY SELECTED APPLICANT WHO IS IN THE COMPETITIVE SERVICE WILL BE TAKEN OUT OF THE COMPETITIVE SERVICE WHEN HE OR SHE OCCUPIES THIS POSITION AND WILL COMPETE ONLY WITH OTHER EXCEPTED STATUS EMPLOYEES IN THE EVENT OF A REDUCTION-IN-FORCE. HE OR SHE MAY, HOWEVER, REMAIN ELIGIBLE FOR REINSTATEMENT IN THE COMPETITIVE SERVICE. {IF THE POSITION IS IN THE MERIT PAY SYSTEM, FOR EXAMPLE, GM-14 OR IN THE CIPMS, THIS SHOULD BE INDICATED HERE.}

FIGURE C-1. SAMPLE POSITION VACANCY ANNOUNCEMENT--CONTINUED

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LOCAL RECRUITING ACTIONS

1. Organizations contacted (Include a copy of the form letter or other correspondence used.)

- a. Law Schools
- b. Bar Associations
- c. State Bars
- d. Minority Group and Women Attorney

Associations

2. Periodicals or other publications used:

3. Other recruiting actions:

4. Total number of applications received:

- a. Number of minority group applicants:
- b. Number of women applicants:
- c. Number of other applicants:

5. Total number of candidates on referral list:

- a. Number of minority candidates:
- b. Number of women candidates:
- c. Number of other candidates:

Figure C-2. Sample Format for Notification of Recruitment Actions

PIN:048114-000