

DRAFT RECLAMATION MANUAL RELEASE

Comments on this draft release must be submitted to grchristensen@usbr.gov by August 7, 2015.

Background and Purpose of the Following Draft Policy/Directive and Standard (D&S)

The goal of preparing this new D&S document and providing stakeholders with the opportunity to comment on it in draft form is to enhance common understanding of how the Bureau of Reclamation, in accomplishing the responsibilities outlined in Title 5 USC 5364, is establishing a plan to provide employees who are receiving benefits under grade or pay retention with priority consideration for placement in positions which are equal to their retained grade or pay. The intent of the plan is to carry out specific planned efforts that are aimed at placing employees subject to the plan in vacant positions first, before adding new employees to our workforce or pursuing other recruitment sources.

The Priority Placement Plan is not a new idea within Reclamation, although it has been many years since up to date information has been issued, mainly as a result of previous Reclamation Manual issuances and guidance expiring along with many other Federal personnel issuances as a result of government reinvention and recommendations from the National Performance Review in 1993 and 1994. While that specific official guidance expired, Reclamation's responsibilities did not. As provided in 5 CFR 536.401, agencies who employ individuals subject to grade or pay retention are required to establish in writing placement and classification plans that commit the agency to (1) identifying and correcting classification errors; (2) correct position management problems; (3) carry out specific planned efforts to place employees subject to the part (are on pay or grade retention); and (4) pursue placement efforts that do not adversely affect affirmative action goals.

In developing the plan and this D&S, Reclamation initially issued Temporary Reclamation Manual Release (TRMR) HRM TRMR-62 to set forth basic information related to the plan, while working with internal program staff, Policy and Administration managers, and Regional Human Resources Officers and their staff to obtain their input and recommendations regarding procedures, responsibilities, and operational aspects of the plan which will be applied throughout Reclamation.

This draft addition to the Reclamation Manual is the result of the cooperative process identified above. It is intended to identify and clarify roles and responsibilities related to the requirements of the plan, and to present procedures for effectively carrying out specific efforts to place employees who are covered under the plan based on their entitlement to grade or pay retention. In addition, it specifically covers employees who are entitled to grade or pay retention: (1) whose positions have been reduced in grade by reclassification; (2) who are placed in a lower graded position after declining an offer to transfer with their function outside their local commuting area; and (3) who have been placed in lower graded positions as a result of reduction in force.

See the following pages for the draft D&S.

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Subject:	Priority Placement Plan (PPP)
Purpose:	This Directive and Standard (D&S) details requirements for the PPP for employees in the General Schedule or the Federal Wage System, who are eligible for grade and pay retention under the Civil Service Reform Act (CSRA) of 1978. The benefit of this D&S is ensuring consistent utilization and understanding of the plan.
Authority:	5 United States Code (USC) 5362, Grade Retention; 5 USC 5363, Pay Retention; 5 USC 5364, Remedial Actions; 5 Code of Federal Regulations (CFR) 536.401, Placement and Classification Plans.
Approving Official:	Director, Policy and Administration
Contact:	Human Resources Policy and Programs Division (HRPPD), 84-58000

- 1. Introduction.** Title 5 USC 5364 provides that agencies are required to establish a plan under which employees receiving benefits under Title 5 USC 5362 or 5363 are provided with priority consideration for placement in positions which are equal to their retained grade or pay. This D&S specifically covers employees who are entitled to grade or pay retention: (1) whose positions have been reduced in grade by reclassification, (2) who are placed in a lower graded position after declining an offer outside their local commuting area; and (3) who have been placed in lower graded positions as a result of reduction in force (RIF). For information regarding other types of priority placement please see the [Department of the Interior Personnel Bulletin No: 11-06, the Career Transition Assistance Plan \(CTAP\)](#) and/or [5 CFR 330, subpart G](#), the Interagency Career Transition Assistance Plan (ICTAP) for Displaced Employees.
- 2. Applicability.** This D&S applies to all General Schedule and Federal Wage System employees (or the equivalent), who are eligible for grade and/or pay retention under the CSRA of 1978.
- 3. Definitions.**
 - A. Accretion of Duties.** An accretion of duties is a promotion resulting from the upgrading of an employee's position because of additional duties and responsibilities. These changes may happen gradually over a long period of time, or rapidly as a result of specific planned management decisions to make changes to work assignments. When minor change occurs, there is typically no impact on a position's classification. When change is substantial, it may affect both the level and kind of work being done.
 - B. Area of Consideration Boundaries.** The organizational and geographic boundaries established by the Bureau of Reclamation within which PPP covered employees are considered for placement actions. The area for each region is within the regional geographic boundaries, (for example; employees who work in the Mid-Pacific (MP)

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Region are within the MP area of consideration regional boundaries). It may be a broad or a limited group of individuals.

- C. **Break in Service.** For purposes of PPP and grade/pay retention, a break in service is a temporary discontinuation of employment of 1 day or more with the Federal Government by an employee before they are reemployed in a Federal civilian service position.
- D. **Classification Action.** A determination to establish or change the title, series, or grade and pay system of a position based on application of published position classification standards or guides. For this D&S, the classification actions specifically covered would have resulted in a downgrade.
- E. **Competitive Area.** Another type of organizational and geographical boundary (along with the Area of Consideration) within which employees compete for retention under RIF regulations. It is also used to determine placement opportunities for PPP candidates. Competitive areas can be as large as the entire agency, or as small as one office which is under a particular directorate, at a specific work location. For example, with organizations and directorates that are headquartered in Washington DC, the competitive area is different for those positions located in Denver. Reclamation competitive areas are based on the region in which an employee's position is assigned (i.e., Pacific Northwest Region, MP Region, Upper Colorado Region, Lower Colorado Region, Great Plains Region, Denver Office, or Washington Office) and the geographical location of the position (e.g., Billings, MT; Denver, CO; etc.). Some regions also add the specific office designations in identifying their competitive areas.
- F. **CTAP.** A legally required agency program that provides for intra-agency selection priority for eligible employees who have been identified as surplus and/or displaced.
- G. **Demotion at the Person's Request.** A reduction in grade which is initiated by an employee for his or her benefit, convenience, or personal advantage including consent to a demotion in lieu of one for personal cause and which is not caused or influenced by management action. A voluntary change to lower grade to a position that is not covered by a special training program is an example of a demotion at the person's request.
- H. **Demotion for Personal Cause.** A demotion for personal cause means a reduction in grade based on the conduct, character, or unacceptable performance of an employee.
- I. **Grade Retention.** An employee entitlement to retain the grade held immediately before being placed in a lower-graded position under the same or a different covered pay system when the position has been reduced in grade as a result of a reclassification process or RIF.

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- J. **ICTAP.** A legally required program that provides eligible displaced Federal employees with interagency selection priority for vacancies in agencies that are filling positions from outside their respective permanent competitive workforce.
- K. **Local Commuting Area.** The population center (or two or more neighboring ones) and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to the location of their permanent position of record (5 CFR 351.203). There is no specific set standard for the number of miles that determines a local commuting area.
- L. **Minimally Qualified.** A qualifications rating applied to an individual who meets the OPM qualifications requirements published for the position, including all selective factors, as determined by their servicing human resources (HR) office. This rating is also equal to the lowest quality category above “not qualified” that is used to assign ratings in category rating.
- M. **Narrative Questions.** Questions related to qualification determinations that require applicants to supply a written answer.
- N. **Pay Retention.** An employee entitlement to retain the rate of basic pay held immediately before a management action that would otherwise reduce that pay, such as automatic expiration of grade retention, a classification or reclassification action that places an employee in a lower-graded position when the employee does not meet the eligibility requirements for grade retention, a management action that places an employee under a different pay schedule, or RIF.
- O. **Permanently Assigned Position.** The position of record to which an employee has been officially assigned on a permanent basis. Detail and temporary promotion actions are not considered to be an employee’s permanently assigned position.
- P. **Phasing Questions.** Additional specific job-related questions not published in a vacancy announcement, asked of a group of candidates who are at least minimally qualified, and meant to assist the servicing HR office in determining the best qualified candidates to be referred for a vacant position.
- Q. **Position Designation.** The result of an evaluation of National Security and suitability requirements that determines the type of investigation required and the process used to screen applicants or incumbents for a position.
- R. **Priority Consideration.** The act of considering special groups of employees who have been displaced, are surplus, or involuntarily impacted for selection and placement before considering employees outside those groups to fill vacant positions.
- S. **Qualification Determination.** A decision regarding whether an individual is minimally qualified for a particular position.

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- T. **Reasonable Offer.** A reasonable offer is defined as an offer that meets all of the following conditions:
- (1) the offer is in writing and includes an official position description for the offered position;
 - (2) informs the employee that entitlement to grade or pay retention will terminate if the offer is declined and the employee may appeal the reasonableness of the offer as provided in [5 CFR 536.402](#) (appeal of termination of grade or pay retention as a result of a reasonable offer is also explained later in this D&S);
 - (3) is of equal tenure to the employee's position held before the action resulting in entitlement to grade or pay retention (i.e., temporary employees are only considered for temporary positions, or permanent employees are only considered for permanent positions);
 - (4) has the same work schedule as the position held before the action resulting in entitlement to grade or pay retention (part-time employees are only considered for positions with a part-time work schedule or full-time employees only considered for positions with a full-time work schedule); and
 - (5) is in the same local commuting area as the employee's position held immediately before the offer.
- U. **Regional, Directorate, and Office Operating Procedures.** Regional, directorate, or office operating procedures that establish requirements for implementing this D&S, address situations where competitive areas have overlapping geographic areas, and specify any exceptions allowed, such as whether employees covered by the PPP may be considered for positions that may require relocation.
- (1) Deputy Commissioners and Denver/Washington Directorates will establish joint operating procedures that will be applicable to all directorate offices regardless of where the offices are headquartered.
 - (2) Regions will establish operating procedures that will be applicable to all offices that are officially assigned to that region.
 - (3) Deputy Commissioners, directorates, and regions will provide a copy of their operating procedures to the Manager, HRPPD for retention.
- V. **RIF Procedures.** The mandatory operational procedures issued by OPM that agencies must use to ensure they comply with merit systems laws and regulations before separating or demoting an employee because of an organizational reason such as reorganization for lack of work, shortage of funds, insufficient personnel ceiling, or the exercise of certain reemployment or restoration rights. For additional information on RIF procedures see [5 CFR 351](#).

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- W. **Selective Factor.** At the time of appointment, minimum qualification requirements, more specific than the published OPM qualification requirements, that define knowledge, skills, abilities, or other worker characteristics basic to and essential for satisfactory performance of the job and cannot be learned in 90 days.
- X. **Suitability.** A term defined by OPM used to refer to an individual's character, and conduct sufficient to decide whether employment, or continued employment, would protect the integrity or promote the efficiency of the service (5 CFR part 731).
- Y. **Work Schedule.** The period of time within a 2-week period when an employee is regularly scheduled, in advance, to work.
4. **Responsibilities.**
- A. **Director, Policy and Administration.** The Director, Policy and Administration is responsible for:
- (1) providing program leadership and administration of the PPP as described in this D&S;
 - (2) issuing Reclamation-wide requirements for the PPP; and
 - (3) ensuring consistent usage of the PPP by servicing HR offices.
- B. **Regional Directors, Directors, and Deputy Commissioners.** Regional directors, directors, and deputy commissioners are responsible for:
- (1) administering sound and effective priority placement through their servicing HR offices;
 - (2) supporting efforts, including training provided to selected PPP minimum qualified applicants, and the identification of reasonable offers to return employees on grade and/or pay retention to their previous grade; and
 - (3) ensuring managers and supervisors give priority consideration to PPP covered employees referred to them for placement in vacant positions, prior to the position being advertised.
- C. **Manager, HRPPD.** The Manager, HRPPD is responsible for:
- (1) providing advice and information to servicing HR officers on the PPP;
 - (2) ensuring applicable rules, regulations, and requirements for considering employees under this plan are followed;
 - (3) monitoring the referral and selection of candidates eligible under the PPP through Reclamation's Accountability Review Program; and

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- (4) furnishing appeal information to employees whose grade and/or pay retention benefits are terminated on the grounds the employee declined a reasonable offer.

D. Servicing HR Officers. Servicing HR officers are responsible for:

- (1) reviewing and providing official written decisions regarding whether justifications received from hiring officials for not selecting a PPP covered employee are based on job and mission-related criteria, and whether, in their opinion, the written decision is acceptable or unacceptable;
- (2) providing a copy of justification packets received from hiring officials for not selecting a PPP covered employee, where the reasons were determined to be valid and based on job and mission-related criteria, to the employee(s) that was/were referred but not selected;
- (3) approving or disapproving requests to except a vacancy from being filled by PPP covered candidates (Delegations paragraph I.(1)) ;
- (4) maintaining records associated with all relevant actions and making them available for the Department and Reclamation accountability;
- (5) establishing written operating procedures within 120 calendar days from the date of this release for implementation of the PPP within their region or offices including partnering with unions if applicable;
- (6) submitting a copy of their HR logs for PPP to the Manager, HRPPD at the end of each fiscal year quarter;
- (7) ensuring that PPP covered employees are registered and notified in writing, within 10 work days of the effective date of the personal action that places the employee on grade or pay retention, when they automatically become covered under the PPP; and
- (8) consulting with hiring officials on possible accretion of duty actions to address whether the duties could be assigned to and performed by an employee covered by the PPP.

E. Hiring Officials. Hiring officials are responsible for:

- (1) giving appropriate consideration of PPP candidates to fill vacant positions, details, temporary promotion, and other opportunities;
- (2) conducting interviews (if desired) and performing reference checks for employees tentatively selected to fill a position in their organizations;

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- (3) providing PPP candidates selected for positions training opportunities to become better qualified for their positions (as opposed to minimally qualified);
- (4) submitting justification packets containing job and mission-related rationale to their servicing HR office, associated with vacancies for which a PPP employee was referred; and
- (5) consulting with their servicing HR office when considering how to assign new duties to positions by accretion that could appropriately be assigned to and performed by an employee covered by the PPP.

F. **Employees.** Employees are responsible for:

- (1) obtaining information provided by their serving HR office to educate them about the PPP, including eligibility and termination;
- (2) submitting requested information and documentation to their servicing HR office within 10 work days of being notified that they are covered under the PPP;
- (3) ensuring that the information and documentation they have submitted to their servicing HR office remains complete and accurate over the entire time they are registered in the PPP (employees are free to revise or update this information as needed/necessary); and
- (4) making decisions to accept or decline a job offer associated with a PPP placement within 3 work days of the written offer's receipt.

5. **Coverage Under PPP.**

A. **Eligibility.** All career and career-conditional competitive and excepted service employees are automatically covered under the PPP when they become entitled to receive grade retention and/or pay retention.

B. **Non-Competitive Referral for Positions.**

- (1) All PPP covered employees must be determined by their servicing HR office to be at least minimally qualified and must meet selective factors before they are referred for a position vacancy, detail, or temporary promotion opportunity.
- (2) PPP covered employees will be referred non-competitively for positions up to and including the grade they are entitled to retain and are eligible.
- (3) All referrals will be official and in writing.

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- (4) PPP covered employees will not be referred to positions graded equal to or lower than their downgraded position (i.e., if their position was downgraded from a GS-09 to a GS-06, they will not be referred for positions graded GS-06 or lower).
- (5) Positions to which PPP covered employees are referred must be in the local commuting area, within the area of consideration boundaries of the region (or where the position is headquartered), within the competitive area of the position from which they were downgraded, and with the same work schedule as they are assigned.
- (6) PPP candidates will not be referred for positions utilizing special employment program appointing authorities such as Schedule A, veterans appointment authorities, Pathways, etc.
- (7) Competitive service employees will be referred for positions within the competitive service only.
- (8) Excepted service employees will be referred for positions within the excepted service only.
- (9) Part-time employees (competitive or excepted service) are only eligible for available, appropriate part-time positions in the same service (competitive or excepted) as their affected position. The remaining guidance in Paragraphs 5.B.(1) through 5.B.(5) is also applicable to part-time employees.

C. Exceptions to PPP Placement. The following actions are excepted from PPP coverage:

- (1) actions requiring compliance with regulatory or statutory provisions (for example; actions as a result of settlement agreements);
- (2) placement actions involving individuals listed on the Department's Special Selection Priority List, a component of CTAP;
- (3) reassignments that can be made without reducing placement opportunities for employees entitled to assistance under this D&S, such as when an employee is reassigned from one region to another, and a second vacancy is created by the reassignment that may be filled by a PPP candidate;
- (4) reassignments and changes where a position, its associated full-time equivalent (FTE), and the person occupying the position moves from one region to another, and no actual vacancy or addition to FTE totals is created;
- (5) subsequent career promotions or promotions within a grade-banded position after initial competition;

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- (6) non-competitive accretion of duties promotion when no additional FTE is created and the accredited duties would not make a PPP candidate whole;
- (7) actions that extend temporary appointments and temporary promotions when the original action was excepted from CTAP selection priority and the original announcement or notice stated that the promotion could be extended without further competition;
- (8) conversions of employees currently servicing under an appointment providing non-competitive conversion eligibility to a competitive service appointment such as those listed below, providing the conversion position would not be within the grade range, a PPP candidate would not have been minimally qualified for the position, would not change FTE totals, and would not be considered a reasonable job offer for a PPP candidate:
 - (a) Veterans Recruitment Appointment under 5 CFR 307;
 - (b) an appointment, under 5 USC 3112 and 5 CFR 316, of a veteran with a compensable service connected disability of 30 percent or more;
 - (c) an excepted service appointment, under 5 CFR 213.3102(u), of persons with intellectual disabilities, severe physical disabilities, and psychiatric disabilities; and
 - (d) an excepted service appointment in the Pathways Program as an Intern-indefinite, Recent Graduate, or a Presidential Management Fellow. For more detailed information about the Pathways Program, please see [5 CFR 362](#).
- (9) position changes of injured or disabled employees placing them into a position in which they can be reasonably accommodated;
- (10) reassignment or demotion of an employee under 5 CFR 315.907 for failing to complete a supervisory or managerial probationary period; and
- (11) reassignment or demotion as a result of a performance issue covered under [5 USC Chapter 43, Performance Appraisal](#).

D. Effective Date of Eligibility. Employee eligibility under the PPP begins on the effective date of the action that officially downgrades the employee's position.

E. Loss of PPP Eligibility Based on Loss of Grade or Pay Retention.

- (1) All career and career conditional competitive and excepted service employees automatically lose their entitlement to receive grade retention and will be excluded from PPP when they:

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- (a) have a break in service of one workday or more;
 - (b) are demoted for personal cause or at their personal request;
 - (c) are placed in a position where the grade is equal to or higher than their retained grade;
 - (d) decline a reasonable offer of a position, the grade of which is equal to or higher than the retained grade;
 - (e) elect in writing to have the benefits of grade retention terminated; or
 - (f) fail to enroll in, or to comply with, written requirements established to assure full consideration under the PPP.
- (2) The effective date for loss of grade retention and therefore exclusion from PPP coverage will be:
- (a) at the end of the day before separation from service if the break in service results from a termination;
 - (b) at the end of the day before placement if the employee is made whole or is placed at their request or for personal cause; or
 - (c) on the last day of the pay period for all other reasons listed for losing grade retention.
- (3) All career and career conditional competitive and excepted service employees automatically lose their entitlement for pay retention and therefore lose coverage under the PPP when they:
- (a) have a break in service of one workday or more;
 - (b) are demoted for personal cause or at their personal request;
 - (c) become entitled to a rate of basic pay which is equal to, or higher than, their retained rate (such as when the pay in their downgraded position catches up with the pay they received before the downgrade); or
 - (d) decline a reasonable offer of a position the rate of which is equal to, or higher than, the employee's retained rate.
- (4) The effective date for loss of pay retention and therefore loss of coverage under the PPP will be:
- (a) at the end of the day before separation from service if the break in service results from a termination;

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- (b) at the end of the day before the employee becomes entitled to pay equal to or greater than the employees retained pay (as a result of a permanent job placement, not a temporary action such as a temporary promotion); or
- (c) at the end of the last day of the pay period for all other reasons listed for losing pay retention.

6. Procedures and Processes.

A. Employee Action.

- (1) PPP eligible employees are responsible for providing complete and accurate information to their servicing HR office.
- (2) PPP eligible employees must provide their servicing HR office with a printed resume/application and any supporting information they wish to include to support and explain their qualifications (within 10 work days of notice of program eligibility).
- (3) PPP covered employees who are provided with written reasonable job offers must provide a written decision accepting or declining that job offer to their servicing HR office within 5 work days of receipt of the offer. Failure to respond in writing to a written job offer within this time frame will be considered to be a declination of the job offer on the part of the PPP eligible employee.
- (4) PPP covered employees are not entitled to pick which locations, offices, supervisors, etc., in which they wish to be referred or not referred.
- (5) All decisions made by a PPP eligible employee to accept or decline a written job offer must be made in writing, except in the case of an employee's failure to respond.

B. Hiring Official's Action

- (1) Hiring officials must submit written documentation to their servicing HR office regarding vacant positions, detail positions, accretion action, and temporary promotion and placement opportunities that they wish to fill.
- (2) Hiring officials must actively work with their servicing HR office to return PPP employees to their original grades and pay levels.
- (3) Hiring officials cannot request advance review of PPP covered employees' qualifications prior to providing their servicing HR office with information regarding the vacant positions, details, accretion actions, temporary promotion, or placement opportunities they wish to fill.

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- (4) Hiring officials must not ask the servicing HR office the names of PPP covered employees.
- (5) Hiring officials may request that PPP candidates meet selective factors before placement into a position when those factors are appropriate and specifically related to the position being filled.
- (6) Hiring officials must refrain from asking specific and detailed phrasing or narrative questions when interviewing PPP candidates referred for job consideration.
- (7) Hiring officials must not advertise vacant positions, details, temporary promotions, or other possible placement opportunities for which PPP candidates are being considered until a final official decision is made regarding the PPP referrals.

C. Servicing HR Office Action. (Please note: Steps 3 through 8 must be accomplished in order and each step must be completed before the next step is undertaken.)

- (1) Servicing HR offices must maintain a file of current employees covered under the PPP in their region.
- (2) Servicing HR offices must create an activity log for tracking PPP referral activity that includes, at a minimum:
 - (a) PPP employee(s) name, position title, series, retained grade and/or salary;
 - (b) employee(s) geographical location;
 - (c) referral actions accomplished for each covered individual (date referred, position, office and geographic location, results of each referral including any non-selections that were upheld); and
 - (d) any other information pertinent to explain the activities that occurred and the opportunities the employees were considered for while registered under the PPP.
- (3) Upon official receipt of vacant position information, servicing HR offices must review PPP employee resumes/applications to determine qualifications and possession of any additional selective factors identified for the position.
- (4) In the event that the servicing HR Office fails to receive a copy of a PPP covered employee's resume/application timely, an HR representative will obtain the most recent and available copy of that information from the employee's electronic Official Personnel Folder (eOPF) or the most recent vacancy announcement file

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within Reclamation's hiring system (HireMe) to which the employee had previously applied to be considered.

- (5) Servicing HR offices must forward resume/application packets (and other documentation submitted if appropriate) for PPP covered employees, by non-competitive priority referral, to hiring officials for vacant positions which the individuals are eligible, minimally qualified, and meet position selective factors.
- (6) Servicing HR officers must review referral information for PPP covered employees received back from hiring officials to determine that justifications and activities are in compliance with PPP procedures.
- (7) Servicing HR offices must forward all priority referrals and justifications received from hiring officials that resulted in non-selection of a PPP eligible to the servicing HR officer for review.
- (8) After the servicing HR officer has issued the official decision referenced in Paragraph 6.D.(6) above, depending upon the outcome, the servicing HR office will:
 - (a) complete normal placement activities for the selectee;
 - (b) return the vacant position to the originating hiring official without action if the non-selection was not approved; or
 - (c) continue the competitive process by advertising to fill the vacant position if the non-selection was approved.
- (9) The servicing HR office will provide a copy of justifications, received from hiring officials to not select a PPP covered employee, that were determined to be valid and based on job and mission-related criteria to the individual employee that was referred but not selected.
- (10) Servicing HR offices must annotate all logs and records to indicate selection or non-selection.
- (11) Servicing HR offices must provide first and second reconsideration request decisions in writing to PPP candidates.

E. **Records.** Records must be maintained by servicing HR offices covering all placement and referral activities related to the PPP. These records shall not be destroyed until they are reviewed as part of a Human Capital (HC) Accountability review conducted under the Department's policy on HC accountability and program evaluation ([Personnel Bulletin No. 08-13](#)). A copy of the servicing HR office log maintaining this information must be sent to the Manager, HRPPD at the end of each fiscal year quarter. Other records to be maintained include:

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- (1) a listing of all employees covered (by fiscal year) under the PPP, showing whether they are on grade or pay retention, the reason for that retention, and the dates they became eligible for or were terminated from the plan;
- (2) a listing of positions for which PPP covered employees were referred that shows the date of referral, title, series, grade of the position, and indicates how the vacant position was filled;
- (3) a copy of all justification packets received and approved where valid non-selection of a PPP covered employee was allowed by the servicing HR officer; and
- (4) a copy of all requests that were approved by the servicing HR officer to except a vacancy from being filled by a PPP covered candidate.

F. Requests for Reconsideration and Appeals and Complaint Information.

- (1) Requests for Reconsideration of Qualification Determinations.
 - (a) PPP covered employees may request a first reconsideration of an initial qualifications determination directly from their servicing HR office's staffing supervisor or other designated HR representatives, in writing, by following that office's official reconsideration of procedures for any vacant position which they feel they are at least minimally qualified but were not considered. The reconsideration decision will not be made by the same HR staff member who made the initial qualifications decision.
 - (b) If they are unsatisfied with the results of a first reconsideration decision, PPP employees may request a second reconsideration of qualifications determination from the HR staffing supervisor or their servicing HR officer.
 - (c) All second reconsideration decisions that have been officially made by the HR officer or HR staffing supervisor are final. No further appeal is allowed.
- (2) Appeal of Termination of Grade or Pay Retention.
 - (a) A PPP covered employee whose grade or pay retention benefits are terminated on the grounds of having declined a reasonable offer, may appeal the termination to OPM in writing, no later than 20 calendar days after being notified in writing that his or her retention benefits have been terminated.
 - (b) Appeals based on termination of grade or pay retention must include the reasons why the individual believes the job offer is not a reasonable offer.
 - (c) Decisions issued by OPM regarding appeals of termination of grade or pay retention are final. OPM, at its discretion, may reconsider a decision only

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when new and material information is presented in writing that establishes doubt as to the appropriateness of the original action.

- (d) A request for reconsideration of an original appeal decision from OPM, as indicated in Paragraph 6.F.(2)(c) above, must be submitted within 30 calendar days of the date of the original decision.
- (3) Other Appeals and Complaint Information. Depending upon the issue covered, employees must address the matter by:
 - (a) discussing the issue with their servicing HR offices;
 - (b) utilizing the Department's formal or informal administrative grievance procedures ([370 DM 752](#));
 - (c) following the guidance contained in the negotiated grievance procedures section of their negotiated bargaining unit agreement, if applicable;
 - (d) contacting the [Merit Systems Protection Board](#);
 - (e) filing a complaint with the [Equal Employment Opportunity Commission](#); or
 - (f) filing a complaint with the [Office of Special Counsel](#).