



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON, TN 38055-0000

BUPERSINST 12300.4
BUPERS-05
4 Sep 2014

BUPERS INSTRUCTION 12300.4

From: Chief of Naval Personnel

Subj: CIVILIAN MERIT STAFFING PLAN

Ref: (a) 5 CFR, Part 335 (Promotion and Internal Placement)

1. Purpose. The purpose of this instruction is to set forth the Merit Promotion Program requirements for Bureau of Naval Personnel (BUPERS) activities.

2. Discussion

a. The civilian merit staffing plan outlines competitive procedures to be used in selecting best qualified persons to fill vacancies on the basis of merit and qualifications in relation to job-related criteria, without regard to political, religious, or labor organization affiliation or non-affiliation, marital status, race, color, religion, gender, sexual orientation, national origin, non-disqualifying disabling condition, genetic information, or age. The plan does not guarantee promotion, but is intended to ensure that qualified applicants receive fair consideration for positions filled under competitive procedures. Subject to laws and regulations, management makes the final decision on selections and has the right to select or not select from among the best qualified candidates.

b. Reference (a) provides regulatory information on the subject.

3. Policy. The merit staffing policy exists to ensure selections are made from among the best qualified candidates. Merit promotion is but one source of filling a position; other means may be properly utilized concurrently or to the exclusion of the merit promotion process. In deciding which source to use, managers have an obligation to consider the agency's affirmative employment and Federal Equal Employment Opportunity Recruitment Program (FEORP) goals and objectives when

determining which method will fill their vacancies in the most expeditious manner and in a way that best meets their mission objectives.

4. Employee Eligibility

a. Career or Career-Conditional Employees. All career or career-conditional employees, whether their tour of duty is full-time, part-time, or intermittent, are eligible to compete for promotion opportunities, provided they meet all statutory and regulatory requirements for placement.

b. Temporary Employees. Temporary employees are not eligible to compete for promotion unless they have reinstatement or other noncompetitive eligibility.

c. Excepted Employees. Excepted employees may apply for positions in which they are interested and will be considered to the extent permitted by Office of Personnel Management (OPM), Department of Defense (DoD), and Department of Navy (DON) regulations.

d. Employees and Others With Eligibility on Registers. Regardless of types of appointment, employees and others with eligibility on an appropriate civil service register may be considered if management decides to use that recruiting source in addition to or in lieu of competitive promotion procedures.

5. Merit Promotion Plan Coverage

a. The requirements and procedures outlined in this plan apply to actions involving GS-15 and below positions in the competitive service. The procedures of this promotion plan apply to:

(1) Selection for training which is required for promotion or part of an authorized training agreement or promotion plan;

(2) Reassignment, demotion, transfer, or reinstatement to a position with more promotion potential or a higher grade than previously held on a permanent basis in the competitive service;

(3) Details to a higher grade or temporary promotion for over 120 days;

(4) Details over 120 days to a position with greater promotion potential; and

(5) Temporary promotions over 120 days.

b. Exceptions to competition (competitive procedures do not apply to the following actions):

(1) A promotion resulting from upgrading a position, without significant change in the duties and responsibilities, due to the issuance of a new classification standard or the correction of an initial classification error;

(2) A position change permitted by reduction-in-force regulations (see 5 Code of Federal Regulations 351);

(3) The upgrading of an employee's position due to accretion of additional higher grade duties and responsibilities in which the successor position absorbs the old position;

(4) A career ladder promotion when at an earlier stage an employee was selected from a civil service register or under competitive promotion procedures for a position below the full performance level. The career ladders must be documented and the intent made a matter of record;

(5) A career ladder promotion following noncompetitive conversion of a student career experience program employee, veteran's readjustment appointee, Presidential management intern, or other authorized program or action;

(6) A promotion from a trainee position when the employee was selected for the target position under competitive procedures;

(7) A temporary promotion or detail to a higher grade up to 120 calendar days. All details to higher grade positions and temporary promotions held during a 12-month period are counted when computing the 120-day period.

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(8) Promotion to a grade previously held on a permanent basis in the competitive service (or in another merit system with which OPM has an interchange agreement) from which an employee was neither separated nor demoted for performance or conduct reasons;

(9) Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having promotion potential no greater than the potential of the position the employee currently holds or previously held on a permanent basis in the competitive service and did not lose for performance or conduct reason;

(10) Promotion of a candidate not given proper consideration in a competitive promotion action; and

(11) Promotion as a result of a negotiated settlement agreement.

c. Area of Consideration. Each vacancy will be advertised in a geographical or organizational area large enough that a reasonable number of highly qualified candidates may be attained with a diverse workforce that represents all segments of society. When staffing limits, ceiling controls, or hiring freezes prevent an organization from adding to its staff, the scope of competition may be limited when consideration of candidates from a larger area is not feasible.

d. Evaluating Candidates. Evaluation must be based on job-related requirements and must be applied fairly and consistently. Requirements for evaluating candidates for selection should be clearly defined at the command level. Credit for performance appraisals, training, education, experience, awards, etc., may only be given to the degree that it provides evidence that the applicant possesses the knowledge, skills, or abilities required for the position being filled, and credit must be applied in a consistent and equitable manner.

6. Responsibilities

a. Chief of Naval Personnel is responsible for providing guidance and compliance with Merit Promotion Program requirements contained in this instruction.

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b. BUPERS, Director, Total Force Human Resources (BUPERS-05) is responsible for:

(1) Effecting compliance and assisting managers and supervisors in accomplishing their responsibilities under the Merit Promotion Program and advising them on pertinent Federal, DoD, and DON policies, laws, and regulations affecting accomplishment of their responsibilities.

(2) Providing advice and support to managers and supervisors with respect to selection methods and procedures (e.g., evaluation methods and procedures, candidate search, records maintenance, and administration of mandatory placement or special consideration rights of employees).

c. Management officials and supervisors are responsible for making selections and, based on decisions made during the merit promotion process, are accountable for the end result and appropriate documentation for merit promotion actions (e.g., factors, fair and open competition, selection based on relative affirmative employment and FEORP goals and objectives for areas identified for special emphasis.

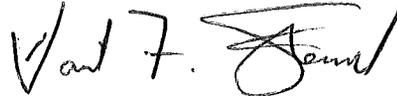
d. Equal employment opportunity (EEO) officials are responsible for identifying positions that are under-represented and assisting with locating recruitment sources and conveying job opportunity information to categories of under-represented candidates; and providing advice and assistance to hiring managers in fulfilling their EEO responsibilities.

e. Employees are responsible for carefully following the instructions in the "How to Apply" section of USAJOBS for each announcement and for submitting any additional documentation (e.g., transcripts, SF-50 Notification of Personnel Action, and/or veteran's DD 214 Certificate of Release or Discharge from Active Duty) to verify their qualifications.

7. Point of Contact. BUPERS-05 at (com) (901) 874-4487/DSN 882.

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8. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per Secretary of the Navy Manual 5210.1 of January 2012.



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