

Programs

Career Transition Assistance Program

Section 1. Purpose

This document revises a career transition assistance program plan (CTAP) for surplus and displaced employees of the Department of Commerce in effect since February 29, 1996.

Section 2. Authority

This plan is required by the President's memorandum on career transition assistance for Federal employees (dated September 12, 1995) and Office of Personnel Management (OPM) final regulations (dated June 9, 1997). The plan supplements 5 CFR 330 ["Recruitment, Selection, and Placement (General)"]; Subpart A ["Discretion in Filling Vacancies"]; Subpart F ["Agency Career Transition Assistance Plans (CTAP) for Local Surplus and Displaced Employees"]; and Subpart G ["Interagency Career Transition Assistance Plan for Displaced Employees" (ICTAP)].

Section 3. Coverage and Restrictions

.01 The program for career transition assistance covers all Department of Commerce surplus and displaced employees, including those in the excepted service, the NOAA Corps, the Foreign Service, and the Senior Executive Service, and applies to all Commerce competitive service vacancies.

.02 The term "surplus" employee is defined in 5 CFR 330.604(i). The term "displaced" employee is defined in 5 CFR 330.604(c) and 330.703(b).

.03 Only employees with competitive status, reinstatement eligibility, or eligibility for appointment under a noncompetitive appointing authority are eligible for priority selection in the competitive service.

.04 Competitive appointments are subject to the provisions and restrictions of the program except as specified in Paragraph .05 of this Section.

.05 After surplus and displaced employees who have CTAP eligibility have been accorded selection priority within their component of the Department in the local commuting area, internal placements (e.g., reassignments, promotions, voluntary changes to lower grades) may be made within the component in the same local commuting area without regard to this program.

.06 Components of the Department include the following:

- Office of the Secretary

- Office of Inspector General
- Economics and Statistics Administration (including the Bureau of the Census and the Bureau of Economic Analysis)
- Bureau of Industry and Security
- Economic Development Administration
- International Trade Administration
- Minority Business Development Agency
- National Oceanic and Atmospheric Administration
- National Telecommunications and Information Administration
- Patent and Trademark Office
- Technology Administration (including the National Institute of Standards and Technology and the National Technical Information Service)

Section 4. General Provisions

.01 This program does not require alterations to any existing negotiated agreement with employee unions. However, in a spirit of partnership, operating units and unions are encouraged to amend existing agreements to make them consistent with this program. New negotiated agreements are subject to the program.

.02 Each Servicing Human Resources Office will designate a coordinator for the program to serve as a central point of contact for staff of the Departmental Office of Human Resources Management (OHRM).

.03 Operating units must conduct orientation sessions for their surplus and displaced employees on the use of career transition services, eligibility requirements for selection priority under CTAP and ICTAP, and how to apply for vacancies under CTAP and ICTAP, as applicable [5 CFR 330.602(a)(1)(iv)].

.04 Under existing regulation, operating units may not procure temporary help services in lieu of appointing a surplus or displaced Federal employee eligible for placement under CTAP or ICTAP [5 CFR 330.606(a)].

Section 5. Priority Consideration and Selection

.01 Surplus and displaced DOC employees must be considered for competitive service vacancies before screening the applications of other candidates for positions within the Department of Commerce. A DOC employee who meets the eligibility requirements of the program may apply for an advertised vacancy at any time (before or after the closing date of the announcement) until a certificate of candidates is issued to the selecting official. Consideration of applications other than CTAP eligibles will be suspended upon receipt of an application of a CTAP eligible employee until a determination is made as to the selection of the CTAP eligible.

.02 Displaced non-Commerce Federal employees must be considered for all suitable vacancies for which they timely apply (i.e., by the closing date of the vacancy

announcement) and are well-qualified, before any other non-Commerce employees may be considered.

.03 Placement actions exempt from requirements of the CTAP/ICTAP program are specified in 5 CFR 330.606(d).

.04 Notification of Vacancies

a. Other than positions to be filled through the provision contained in Section 3.05 of this plan, and as a minimum, all vacancies (full text) must be entered into OPM's electronic job information systems. Vacancy information then is available to employees through additional electronic means and hard copy. The vacancy announcements must contain information on how eligible employees can apply, what proof of eligibility is required, and the criteria for meeting the definition of well-qualified.

b. Temporary and term actions may be extended if the original announcement was open to CTAP and/or ICTAP candidates and clearly stated that the appointment might be extended.

.05 Well-qualified applicants

Eligible applicants who are well-qualified must receive priority consideration for selection. A well-qualified applicant would be expected to clearly exceed minimum qualifications for the position but otherwise may or may not be among the highly or best qualified candidates. ICTAP/CTAP candidates referred for priority consideration must be well qualified and able to perform the duties of the position.

.06 Notice to applicants

a. Operating units must notify eligible applicants of the results of their applications. When an otherwise eligible applicant is determined to not be well-qualified, an independent second review is required. This documented review is to be conducted by the Servicing Human Resources Manager.

b. The written notice to the applicant must include the results of the second review [5 CFR 330.607(c), 330.609, and 330.709].

.07 Order of Selection

a. Individuals seeking selection priority consideration must apply for a specific vacancy and must be well-qualified. The order of selection is as follows:

1. Surplus or displaced employees of the Departmental operating unit/secretarial office in the local commuting area who have appropriate certification (e.g., a RIF separation notice) as to their surplus or displaced status [mandatory selection].

2. Employees of other Departmental operating units/secretarial offices in the local commuting area who have appropriate certification as to their surplus or displaced status [mandatory selection].
3. Displaced Commerce employees from other geographic areas [mandatory selection].
4. Other Commerce employees [discretionary selection].
5. Employees on the Reemployment Priority List (RPL) for the local commuting area [mandatory selection].
6. Displaced employees from other Federal agencies in the local commuting area [mandatory selection].
7. Other non-Commerce applicants [discretionary selection].

b. Before selection of a surplus or displaced employee is made, the selecting Human Resources (HR) Office must confirm with the employee's HR Office that he/she is eligible for priority selection at that time.

c. Selection of any non-CTAP eligible applicant when one or more well-qualified CTAP-eligible applicants are available must be approved in advance. Approval must be by the Servicing Human Resources Manager in the bureau or at a higher level. The authority may not be re-delegated below the Servicing Human Resources Manager level.

.08 Setting Pay

Unless the employee is already on grade or pay retention at the time of the most recent RIF notice, individuals selected under CTAP for positions at lower grades within the Department of Commerce are not entitled to grade or pay retention in the new positions. However, the application of the highest previous rate is encouraged where otherwise consistent with bureau practices.

.09 Termination of CTAP/ICTAP Eligibility

a. Once selected for a position under CTAP or ICTAP, an individual is no longer eligible for priority selection consideration as a result of the original RIF notice. However, the individual is again eligible for priority consideration should he/she receive another RIF notice subsequent to placement in the new position.

b. Under the provisions of 5 CFR 330.605(c) and 330.704(c)(6), an individual who declines an appointment without time limit to a position in either the competitive or excepted service for which he/she applies and is rated well-qualified loses eligibility for further selection priority throughout the Department. Applicants under ICTAP also lose eligibility upon failure to respond within a reasonable period of time to an offer or official inquiry of availability.

Section 6. Services and Facilities

.01 Services Provided

Within the Department of Commerce, a variety of career transition services will be made available to its surplus and displaced employees, including those on temporary and excepted service appointments, those with disabilities, and those in field offices. The nature and extent of such assistance is contingent upon the extent of downsizing anticipated or being experienced by the bureau. The following list is not intended to be all-inclusive but serves as an example of the kinds of services to be provided by DOC bureaus undergoing or anticipating downsizing:

- Use of office equipment to prepare resumes and applications, access job vacancy databases (e.g. job vacancy information, etc.)
- Information on local and community job placement services
- Information on private sector job opportunities
- Use of DOC fax equipment for sending job applications
- Employee Assistance Program

.02 Use of Services and Facilities During the Notice Period

Supervisors will afford displaced employees excused absences to utilize the above career transition services to: interview for jobs, obtain necessary documentation (e.g., from the Department of Veterans Affairs), receive pertinent training, and/or perform other activities preliminary to securing other employment. Supervisors may also approve excused absences and support the training and counseling of surplus employees around transition issues as is appropriate to the situation. Each instance of excused absence for the above purposes must be requested by the employee and is subject to approval by his/her supervisor. The length of each excused absence will be determined by the supervisor on a case-by-case basis, considering workload requirements, budgetary constraints, consistency with other organizations within the bureau, the nature of the activity, distance (when the activity requires the employee to travel away from the worksite), and equity (with other employees).

.03 Use of Services/Facilities After Separation

DOC career transition services will continue to be made available to displaced employees until they are placed (find other employment), up to two years for Tenure Group I employees, one year for Tenure Group II employees, and one year for excepted service employees.

Section 7. Training

.01 Regulations on training/retraining issued by the Office of Personnel Management and the Department of Labor will be applicable.

.02 Surplus and displaced employees will be counseled concerning the type of transition services offered by the bureau, those available Department-wide, the Interagency Career Transition Program, and the Career Assistance Program. Employees also will be informed how to avail themselves of these services.

.03 The Servicing Human Resources office will furnish managers, supervisors, and union representatives with information regarding the types of services available to displaced employees.

Section 8: Oversight

All approvals granted under Section 5.08c must be sent to the Director, OHRM, no later than the next workday following local approval.

Section 9: Effective Date

The provisions of this plan are effective as of January 1, 2005, and will remain in effect until new OPM regulations necessitate their revision.