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## SECTION 7. PROMOTIONS

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7-1

GENERAL PLACEMENT AND PROMOTION POLICY - SUPPORT AND SERVICE PERSONNEL

(1) The policy of the FBI is to fill all vacancies based on merit and fitness. Merit, based on demonstrated skill, knowledge, ability and the employee's contributions to the Bureau's service, is the predominant factor to be considered in selecting support employees for more responsible or higher grade positions. Seniority is a secondary factor and merely a control to assure no senior employee is being overlooked. Seniority is a determining factor only when two or more employees are considered to be equally qualified from a merit standpoint.

(2) Personnel decisions are based on merit and job-related criteria without personal favoritism or regard to political or religious affiliation or nonaffiliation, marital status, race, color, sex, national origin, age, or nondisqualifying physical handicap.

(3) Merit procedures are to be used in making selections for trial assignment, reassignment, promotion, details, principal relief, backup to permanent incumbent, training, and any other action affecting the employee's duties or assignments that may in any manner prepare him/her for advancement or enhance his/her qualifications beyond that of his/her peers. [ Personnel recommendations for promotions, reassignments, permanent or trial assignments for established positions are to be submitted on Form FD-325. [ Where the recommendation includes a request for position classification action, Form FD-243a is to be used to request a new position or to upgrade, abolish or redescribe a position. If a personnel recommendation is included with the position classification request, it is to be submitted on Form FD-325 and will not become effective until the classification action has been completed.]

(4) Every supervisor has the responsibility of keeping employees informed of the Bureau's policy in regard to placement and promotion, and to encourage and assist them in developing promotional potentialities. Also, supervisors are to ensure all vacancies are staffed by the best persons available and that all involved employees are receiving fair consideration.

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[ 7-2      POSTING GUIDELINES

[            (1) Support vacancies which do not require specific or  
 [ specialized experience at a lateral or next lower level in the work involved  
 [ must be posted on special bulletin boards that have been provided for this  
 [ purpose. The notice must indicate: title; series; grade; opening and closing  
 [ dates; promotional potential; general duties; any special requirements such as  
 [ tour of duty, travel, expected overtime, etc.; and all items which will be  
 [ used to rank candidates for selection, such as knowledges, skills, abilities,  
 [ and other characteristics. Most of these items can be identified through a  
 [ review of the job description and accompanying guidelines. While traits such  
 [ as attitude, dependability (attendance), resourcefulness, judgment, ability to  
 [ work under stress, forcefulness, and the like, cannot be articulated in a  
 [ position description, they should be set out in the vacancy notice if the  
 [ possession or lack thereof will affect performance of duties. Be sure to  
 [ include any requirements for testing.

[            (2) The determination whether or not to post a position depends  
 [ upon the duties of the position, its location in the organizational entity,  
 [ past practice, and the scope of competition. If only two or three employees  
 [ are qualified or eligible for the position, it serves no useful purpose to  
 [ post. When the number is small, it is better to consider all candidates.  
 [ There are certain positions that do not require posting. Three examples of  
 [ this are as follows:

[            (a) Clerk-Typist GS-5, since advancement is based on the  
 [ employees meeting fair and reasonable production and accuracy requirements  
 [ established by each office for promotion to GS-5;

[            (b) A career ladder GS-7 position, wherein selection was  
 [ made at the GS-5 level based on established selection criteria;

[            (c) A vacancy requiring experience in an individual unit,  
 [ section, or division; it is better to consider all employees involved or to do  
 [ an internal canvass.

[            (3) A vacancy notice is to be posted for a minimum period of ten  
 [ workdays (if circumstances require a shorter period, make sure all employees  
 [ are aware of this).

[            (4) Candidates must be physically and mentally able to  
 [ efficiently perform the essential functions of the position without hazard to  
 [ themselves or others. This does not mean, however, that a handicap will  
 [ disqualify a candidate for a position or that reasonable accommodation should  
 [ not be considered in determining a candidate's ability to perform the duties  
 [ of a position. Reasonable accommodation may include, but is not limited to,  
 [ the use of assistive devices, job or worksite modification or restructuring,  
 [ provision of readers, interpreters, or adjusting work schedules. If specific  
 [ physical requirements are an integral part of the position, this must be  
 [ indicated.

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[ 7-3            RESPONSES TO POSTINGS

[            (1) It is incumbent upon any employee who meets the stated  
[ qualifications and who desires to be considered for a posted vacancy to  
[ respond prior to the expiration date of the notice. Closing dates will be  
[ strictly adhered to and no consideration will be given to any responses  
[ received after that date.

[            (2) Employees who expect to be in a leave status during posting  
[ time frame(s) are encouraged to employ a "buddy system" wherein another  
[ individual advises absent employee of vacancies that may be of an interest to  
[ the employee.

[ 7-4            SCREENING

[            (1) An initial review of all candidates in the area of  
[ consideration or all who responded to a vacancy announcement, will be  
[ necessary in order to screen out unqualified and/or ineligible candidates.  
[ The overall objectives of screening are to narrow the number of candidates to  
[ a reasonable number from which a selection can be made and to assure that  
[ selection is made from among the best qualified candidates.

[            (2) Unqualified candidates should be eliminated from further  
[ consideration on the basis of elements that are essential to adequate  
[ performance in the specific position to be filled. It is important that  
[ screen-out criteria distinguish only between those who can adequately perform  
[ in the job and those who cannot. It is also important to avoid use of  
[ screen-out criteria which unduly restrict competition or impose artificial  
[ barriers, for instance by including as an element a skill which can be learned  
[ within a reasonable period.

[            (3) Ineligible candidates should be eliminated from further  
[ consideration on the basis of: undesirable attendance record; failure to meet  
[ time-in-grade restrictions; on warning or probation for work performance;  
[ under administrative action, etc.]

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[ [7-5 ATTENDANCE

[ The Bureau expects every employee considered for advancement to  
[ attend work regularly. If attendance of employee is questionable, completely  
[ analyze situation for Bureau's benefit. Such factors as number of absences  
[ for illness, reasons, frequency, and pattern of such absences are significant,  
[ along with steps employee has undertaken to improve health and attendance.  
[ Each recommendation for selection of a candidate must include comment whether  
[ attendance record is considered satisfactory.

[ 7-6 TIME-IN-GRADE RESTRICTIONS

[ Time-in-grade restrictions have been mandated by the Office of  
[ Personnel Management and reinforced by Department of Justice directives.  
[ Time-in-grade restrictions are for the purpose of preventing excessively rapid  
[ promotions and are the minimum requirements that must be met. Certain  
[ positions, because of the nature of the duties, may require longer periods at  
[ a specific grade level before advancement.

[ (1) Candidates for advancement to a position as GS-12 or above  
[ must have completed at least one year of service in positions no more than one  
[ grade lower than the position to be filled.

[ (2) Candidates for advancement to a position at GS-6 through  
[ GS-11, which is in a line of work properly classified at one-grade intervals,  
[ must have completed at least one year of service in positions no more than one  
[ grade lower than position to be filled.

[ (3) When there is no position at the next lower grade in the  
[ normal line of promotion to the position to be filled, candidates must have at  
[ least one year of service in positions no more than two grades lower than the  
[ position to be filled.

[ (4) Candidates for advancement to a position at GS-7, 9, or 11,  
[ which is in a line of work properly classified at two-grade intervals, must  
[ have completed at least one year of service in positions no more than two  
[ grades lower than the position to be filled.

[ below if: (5) Candidates may be advanced to a position in grade GS-5 or

[ (a) The position is no more than two grades above the lowest  
[ grade level employee held within the preceding year.

[ (b) Employee met the above restriction for advancement to  
[ the grade of the position any time in the past.

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(c) Employee previously held a position at or above the grade level of the position to be filled, at any time under any type of appointment.

(6) Exceptions to time-in-grade restrictions will be considered only on the request of the appropriate SAC or Assistant Director and then only to avoid undue hardship or inequity in an individual case of meritorious nature. Before any exception can be made, the case must be submitted in detail to Headquarters, which in turn will be submitted to the Department of Justice for presentation to the Office of Personnel Management for approval.

The number of advancements an employee may receive, and the number of grades, he/she may be advanced, are not limited so long as one of the above terms is met at the time of each advancement.

(7) Time-in-grade restrictions apply to the promotion of employees to higher levels of the same position, such as Clerk-Typist, or to higher levels of positions in a like or closely allied line of work involving the same skills, such as clerical skills. Under certain circumstances, employees may be promoted through reappointment procedures to a higher pay level in a different position without regard to time-in-grade restrictions. Under this procedure, an employee may be promoted to a higher grade in a position not in the normal line of advancement in the employee's current position. This is a promotion to a position in another line of work for which the employee is otherwise well qualified and for which experience in the current position is not germane. The employee is promoted as a result of reappointing the employee into the new position. For example, a Clerk-Typist, GS-4, with a bachelor's degree in accounting may be reappointed as an Accounting Technician, GS-6, without first having spent one year in GS-5. Experience as a Clerk-Typist is not considered germane to the Accounting Technician position. The degree in accounting qualifies the employee for the GS-6 Accounting Technician position. The Accounting Technician position is not closely allied with the Clerk-Typist position. Conversely, a Clerk-Typist

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[ GS-4, cannot be reappointed as a Secretary GS-6, since the skills required for  
[ both positions are closely allied. Generally, if the employee could have been  
[ hired directly in the higher graded position, the employee may be reappointed  
[ to the higher graded position without regard to time-in-grade restrictions.

[ In situations of this nature, the employee must be qualified for the new  
[ position and otherwise eligible for selection under normal procedures.  
[ Requests for reappointments are to be submitted to the Administrative Services  
[ Division, Attention: Personnel Officer. Set forth detailed information as  
[ to the employee's qualifications and positions involved.

[ 7-7            PERFORMANCE APPRAISALS

[            (1) Refer to Part I, Section 5-6, of this manual, "Overall  
[ Adjective Rating," for guidance on the level of performance required to be  
[ considered for advancement.

[            (2) Level of performance may be used as a selection criterion if  
[ all of the candidates are rated on the same critical elements and at the same  
[ grade level. Screen out employees rated below Fully Successful.

[            (3) A principal difference between considering current appraisals  
[ for promotion purposes and appraisals for other purposes is that appraisals  
[ for promotion focus on the job to be filled, and appraisals for other purposes  
[ focus on the employee's present job. It is important that appraisals used to  
[ evaluate employees for promotion to be relevant to the job for which they are  
[ being considered, if they are not, care should be taken to ensure that due  
[ credit is given for related work behaviors and knowledges, skills, abilities  
[ and other characteristics that have been demonstrated at different levels than  
[ those needed on the new job.

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[ 7-8            SENIORITY

[            (1) Length of service may be used only to the extent to which it  
[ can be shown to be a valid, job-related factor for the position being filled.  
[ This limitation does not rule out use of length of service as a tie breaker if  
[ after all appropriate evaluation factors have been applied, and two or more  
[ employees have been determined to be equally qualified.

[            (2) To ensure all employees in an area of consideration for a  
[ vacancy are identified, each division head and SAC must maintain a list of  
[ support employees by grade, arranged within each grade, in order in which  
[ employee entered on duty. Particular attention should be given to employees  
[ who are absent for legitimate reasons, e.g., detail, on leave, military  
[ service, etc. Adjusted entry-on-duty dates should be computed for  
[ reinstatements other than mandatory military restorations. Mandatory military  
[ restorations maintain their original entry-on-duty date. This index must be  
[ referred to in selecting candidates for all promotional opportunities,  
[ especially those that are not required to be posted; e.g., in filling GS-5  
[ position, every GS-4 employee in the office should be considered, whether  
[ absent or not.

[ 7-9            EVALUATION AND SELECTION

[            In making selections for support vacancies, one of the first  
[ factors involved is the establishment of the exact selection criteria to be  
[ used unless already established in the event the position was posted. Tools  
[ used by selecting officials to establish criteria may include but are not  
[ limited to Manual of Administrative Operations and Procedures, pertinent  
[ position descriptions (and guidelines and notes accompanying the description),  
[ SAC Memoranda, employee personnel files, responses to the vacancy notice,  
[ X-118 Qualification Standards, Position Classification Standards, and test  
[ scores.

[            (1) Job Analysis

[            The foundation of a sound evaluation process is the careful  
[ analysis of the job. This critical step is necessary to determine the  
[ qualification requirements and the measurement instruments that will be used  
[ to assess the candidates. The work qualification requirements that should be  
[ identified are work behaviors and knowledges, skills, abilities and other

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characteristics, and the level or amount needed for each. On the basis of this information, appropriate measurement methods can be selected or developed in terms of job needs. The job analysis should also identify information pertaining to the total environment of the job, its position in a career ladder, etc. If an element is found to be essential to successful performance, it may be added as a selection factor. (Example: A position may require foreign language ability.)

Selection for certain positions can be made without a full job analysis if the factors that are essential to job performance are such that cannot be articulated in the description. (Example: The requirement to meet certain production rates.)

(2) Training, Education, and Experience

Evaluation of training, education, and experience is used to predict the probable effectiveness of future performance on the basis of quality of relevant past performance and to determine how well the candidate is prepared for higher level work. Credit for training, education, and experience are evaluated in terms of the degree to which the employee possesses the work behaviors or the knowledges, skills, and abilities that are needed for successful performance in the job being filled.

(3) Tests

Tests in some instances are a prerequisite for selection. In these instances the scores are only one consideration in the selection process.

(a) Written tests are valuable in identifying knowledge, skills, abilities, and other characteristics that employees may have had little opportunity to demonstrate through past performance. They also are appropriate measures of information or knowledge about given subjects.

(b) Performance tests are tests in which the employee uses physical equipment or stimulates or replicates a work process or product. Well-known examples are the stenographic/typist tests and the road test for driving skills. Performance tests are particularly useful in the skilled trades.



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(c) Oral tests are standard questions which are used to measure the employee's ability to respond to problems and to demonstrate job knowledge. These tests are usually used in interviews and career board sessions.

(4) Selection

To identify the best qualified employees, the results of the evaluation should be used to group eligible candidates in order of relative merit. All candidates are to be equally evaluated on the same criteria and in the same manner. Selection officials should not be confronted with so many employees that he/she cannot reasonably review every case and make comparisons among all employees. At the same time, it is improper to reduce the number in the best qualified group on the basis of minute evaluation score difference, or arbitrary or artificial factors, which are unlikely to have real meaning in terms of likelihood of success on the job. When too large a number of employees in the best qualified group continues to be a problem, it is probably indicative of need to review the job information and evaluation procedures to focus more clearly on work behaviors or knowledges, skills, abilities, and other characteristics which distinguish highly successful performance. Selection officials may find it helpful to make charts outlining qualifications and contributions to the Bureau's service of candidates to be compared side by side. When the candidates have been ranked in order of merit based on written evidence, the selecting official or board may make a choice either with or without an interview of the candidates. The recommended employee must be given an opportunity to review the description of the new position.

(5) Interviews

(a) Some important elements of the job may be identified from the job analysis which involve personal characteristics of the employee. In some cases, observable information pertinent to these elements cannot be obtained adequately by means such as appraisals, etc. In these instances an interview with the employee may be useful. In addition, an interview may be useful as means for giving information about the job to the employee. Interviews are to be job related and are to be used consistently with other methods. If no elements are identified that must be measured by an interview, it is not necessary to interview candidates.

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(b) It is critical that the interview be well planned in terms of the behaviors and responses to be observed, the evaluation standards to be applied, and the procedures for conducting the interview session. It is particularly important to pay careful attention to objectivity. The interview should be structured so that the information to be obtained is well defined and recorded. Special care should be taken not to ask questions which violate equal opportunity law.

(c) Since the interview, at best, is only a small sample of the employee's behavior and is conducted in a setting which may not be representative of the work situation, care should be taken not to attribute more precision to the interview than it warrants.

(6) Career Boards

(a) While it is not an Administrative Requirement to convene a Career Board to make selections and recommendations to the SAC or division head, the use of such a board does lend credibility to the fairness and impartiality of the whole selection process and, therefore, is strongly recommended.

(b) If a board is convened, it is suggested that it be made up of an odd-numbered group (3 to 5 members) including one or more experienced support employee(s) who have demonstrated sound judgment and who have no vested interest in the position being filled. Such a board may be chaired by an individual so designated, and who may or may not be a voting member.

(c) Employees interviewed are to be those that are considered most qualified and of equal standing. Factors such as attendance, performance, time-in-grade, etc., must have already been evaluated.

(d) The board may consider only the issue before them and may not make their selection based on any factor that is not entirely related to the position being filled. The board may make a recommendation to the SAC or division head; however, the SAC or division head has final authority with regard to the recommendation submitted for final approval.

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(7) Recommendations

(a) All personnel recommendations are subject to final approval by Headquarters. Recommendations are to be submitted on an individual basis regardless of the number of actions taken simultaneously. The selection criteria used and justification for selection of recommended employee must be indicated, e.g., method used to identify candidates, candidates considered and reasons for nonselection, and reason selected employee considered most qualified. A statement such as "not as well qualified" is not sufficient. Candidates not recommended for a vacancy must be advised of their nonselection.

(b) If a vacancy is not posted, identify employees having greater seniority, absent for military or maternity purposes, or on extended leave, and furnish adequate justification for nonselection. No employee is to be passed over for promotional opportunity because his/her assignment may create a temporary hardship in the operation of an office.

(c) In requesting additional incumbents in a limited position or in a position which has been operating for some time with a certain number of incumbents, set forth factual justification to increase the incumbency. In most instances this can be covered by statistics over a 6- or 12-month period.

(8) Reporting/Recordkeeping

Administration of any merit promotion system must include recordkeeping that ensures that individual rights to privacy are protected. One employee's attributes or lack thereof should not be discussed with another employee unless there is an official need to know. Control should be maintained of all official records; reports to and by employees and selecting officials; and working records such as promotion roster, skill files, and computer printouts which include scores or ratings. Records sufficient to allow reconstruction of a personnel action decision, including documentation on how candidates were rated and ranked and how final selection was made, must be kept for review in the event that a complaint or grievance is filed.

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[ 7-10            GRIEVANCE

[            Support personnel have a right to file a complaint or grievance  
[ against procedures used to identify and rank qualified candidates for a  
[ particular position, but do not have a right of grievance for nonselection  
[ from among a group of qualified candidates. Within the FBI, such grievances  
[ are to be submitted to the Administrative Services Division, Attention:  
[ Personnel Officer. There is no right of appeal to the Office of Personnel  
[ Management.

[ 7-11            UPWARD MOBILITY PROGRAM

[            (1) The Upward Mobility Program is a plan wherein lower level  
[ employees (grade GS-8 and below or any equivalent Wage Board employee) can  
[ aspire to realize his/her full work potential. See Part I, Section 4-8, of  
[ this manual, "Upward Mobility Plan."

[            (2) Upward Mobility targeted positions within the FBI are:  
[ Accounting Technician; Investigative Assistant; Investigative Case Information  
[ Analyst; Legal Clerk and Technician; Miscellaneous Documents Examiner;  
[ Technical Information Specialist (Organized Crime Information Analyst only);  
[ Typing/Stenographic positions; and Special Agent. Employees selected for one  
[ of these positions and whose present salary cannot be accommodated within the  
[ entry rate range, are entitled to salary retention.

[ 7-12            DEFINITION OF TERMS

[            (1) Ability: A present competence to perform an observable  
[ behavior or a behavior which results in an observable product.

[            (2) Area of Consideration: An area in which an intensive search  
[ for eligible candidates for specific vacancy is made.

[            (3) Best Qualified Candidate: The employee who ranks at the top  
[ when compared with other eligible candidates for a vacancy.

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- (4) Job Analysis: A detailed statement of work behaviors and other information relevant to the job.
- (5) Knowledge: A body of information applied directly to the performance of a function.
- (6) Observable: Able to be seen, heard, or otherwise perceived by a person other than the person performing the action.
- (7) Permanent Assignment: Permanent assignment involves the moving of an employee from one position to another with no change in grade or salary but follows satisfactory completion of a trial assignment. A trial assignment is usually deemed necessary when the employee is assuming new duties with which he/she is not familiar.
- (8) Promotion: Promotion involves the moving of an employee from one position to another at a higher grade level.
- (9) Reassignment: Reassignment involves the moving of an employee from one position to another with no change in grade or salary where no trial assignment is necessary. (See (12), "Trial Assignment.")
- (10) Selection Procedure: Any measure, combination of measures, or procedure used as a basis for any placement decision.
- (11) Skill: A present, observable competence to perform muscular activity associated with mental process.
- (12) Trial Assignment
- (a) Trial assignment is to be recommended when an employee is assuming new duties either at the same or a higher grade level where he/she has not previously demonstrated the ability or aptitude to perform such new duties. Normal trial assignment period is 60 days, except for employees being placed in top level supervisory positions (top three in field offices), then the trial assignment should be for 90 days. Trial period of either shorter or longer duration must be justified. Bureau clearance must be secured to extend

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[ an employee's trial assignment beyond period for which initially recommended. In no instance will trial be permitted to extend beyond 120 days. If an employee cannot demonstrate the ability to perform the duties of the position to which trial assigned, he/she should be removed from trial and returned to his/her former position, and FBIHQ should be so advised.

[ (b) Reassignments or trial assignments to nonsupervisory positions in GS 5 or below are considered to be on a "UACB" basis and should be submitted in sufficient time prior to such reassignment to enable FBIHQ to evaluate and take any action necessary before reassignment becomes effective.

[ (c) Informal training to determine best qualified candidate for promotion does not require Bureau clearance. In such cases, ensure employees understand they have not yet been selected for formal trial assignment and such training may not ultimately result in promotion or reassignment.

[ (d) Time spent on trial assignment is not to be considered as official time spent performing certain duties, but rather as time utilized to evaluate an employee's capabilities to perform the duties.

[ (13) Work Behavior: An activity performed to achieve the objectives of the job. Work behaviors involve observable (physical) components and unobservable (mental) components. A work behavior consists of the performance of one or more tasks. Knowledges, skills, and abilities are not behaviors, although they may be applied in work behaviors.]

[[7-13] SPECIFIC REQUIREMENTS FOR SELECTED POSITIONS

[[7-13.1] Support Services Supervisor[(Office Services Manager);]Records and Administrative Services Unit and Correspondence and Communications Unit Supervisors

[ Incumbents of these positions must possess qualities and abilities necessary to assume managerial-type duties and not just day-to-day supervisory responsibilities. Refer to the Supervisory Grade Evaluation Guide for a complete discussion of managerial and supervisory positions. The Bureau regards selection of personnel for the three top support positions to be extremely critical and that it is imperative that the best qualified be selected in view of the vital managerial roles which must be performed. Bear in mind seniority is a determining factor only when two or more employees are considered to be equally qualified from a merit standpoint.

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7-13.2 Clerk-Typist and Clerk-Stenographer, GS-4

Employees in GS-3 who pass qualifying tests necessary for assignment to positions Clerk-Typist and Clerk-Stenographer, GS-4, may be promoted without trial at such time as they begin the duties of typist or stenographer. Attendance must be satisfactory and overall performance must be fully successful.

7-13.3 Clerk-Typist and Clerk-Stenographer, GS-5

Each office should establish fair and reasonable production and accuracy requirements for promotion to GS-5.

7-13.4 Electronics Technician

(1) Promotion action must be initiated by the SAC. No promotions are routine and employees must clearly demonstrate, and recommendations show, that they have earned and merit promotion based on overall performance, including meeting experience, operating, and technical requirements as described in the master position description for Electronics Technician (ET) position at the various grade levels. Attendance record must be satisfactory and shown as such.

(2) ETs appointed in GS-5 grade level are eligible for consideration for promotion to ET, GS-7, upon completion of a minimum of one year's satisfactory training and experience. SAC must ensure that GS-5 ETs are provided on-the-job training by a senior technician with the view toward qualifying such employees to handle duties of ET, GS-7.

(3) ETs in GS-7, 9, 10, [11, and 12 are eligible for consideration for promotion to GS-9, 10, 11, 12, and Communications Manager GS-13,] respectively, upon completion of a minimum of one year's satisfactory service in assigned grade level performing ET duties.

(4) Promotions to GS-11 (Operating), GS-11 (Supervisory) and GS-12 (Supervisory) are limited to those technical positions in field offices and resident agencies utilizing extensive and complex FM Radio, HF Radio, radio teletype, secure telephone, data and teletype and intrusion systems. [Promotions to ET GS-12 (Operating) and Communications Manager GS-13 (Supervisory) are limited to those technical positions in field offices meeting two or more of the following criteria:

- (a) fully converted to a Digital Voice Privacy System,
- (b) office serves as a communications hub for Computer Applications Communication Network and/or Secure Automated Message Network,
- (c) designated as a top-twelve office.]

(5) Recommendations for ET promotions are subject to review and approval of the candidate's technical qualifications by the Engineering Section. Such review may involve a written or oral examination or interview of the candidate in the event employee's record does not clearly show whether or not employee is qualified from a technical standpoint for promotion. Recommendations must also contain specific comment on employee's current ability to perform all duties required at the grade level for which employee is recommended, as well as all other pertinent factors.

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[[7-14] SPECIAL AGENT PROMOTIONS

(1) The promotion of Special Agents is a matter to be determined upon the basis of the individual Agent's record and accomplishment, and such promotions do not follow automatically upon the completion of time requirement for the promotions, but after certification that they are performing at the next higher grade level and that their most current performance is at least at the Fully Successful level. Special Agents will be eligible to be considered for possible grade promotion in accordance with the following schedule: from GS-10 to GS-11 after two years' satisfactory service in GS-10; from GS-11 to GS-12 after completion of two years of satisfactory service in GS-11. When an Agent in the field becomes a full field supervisor, or Senior Resident Agent in a resident agency comprising eight or more Agents, or is assigned to FBIHQ in accordance with the regular path of the Career Development Program, that Agent will be considered for accelerated promotion to the next grade from GS-10 to GS-11 and GS-11 to GS-12 upon approval effective the first pay period after incumbent assumes the supervisory position and subject to the time-in-grade restrictions which require the individual to serve one year in the lower grade before being eligible for promotion to the next higher grade. Agents in GS-12 in investigative assignment may be considered for GS-13 after three years of service in grade GS-12.

(2) If for nonwork-related reasons more than ten days (80 hours) of LWOP are used for each year of the satisfactory service period required for a Special Agent promotion from GS-10 to GS-11; GS-11 to GS-12; GS-12 to GS-13; the promotion eligibility date will be delayed by the amount of time that exceeds the ten days. For example, a Special Agent normally becomes eligible for promotion to GS-11 following the required two years of satisfactory service in GS-10. However, if the Special Agent had used 200 hours of LWOP for nonwork-related reasons during that two-year period, the Special Agent's promotion eligibility date would be delayed one week or five workdays because there were 40 hours of LWOP taken for nonwork-related reasons in excess of the 160 hours' LWOP (80 hours per year of required satisfactory service) allowed for nonwork-related reasons before an adjustment to the promotion eligibility date is made. In this example, the Special Agent's promotion eligibility date would be delayed five workdays, and the promotion, if approved, would be effective at the beginning of the first full pay period following the adjusted promotion eligibility date.

(3) Agents in full-time supervisory assignment in GS-12 may be considered for promotion to GS-13 upon approval effective the first pay period after assumption of the supervisory position. Any of these grade promotions are subject to the time-in-grade restriction which requires the individual to serve one year in the lower grade before being eligible for promotion to the next higher grade. Agents in full-time supervisory assignment in GS-13 and Senior Resident Agents in GS-13 in resident agencies comprising eight or more Agents, may be considered for GS-14 upon approval effective the first pay period after incumbent assumes the supervisory position and subject, of course, to the previously mentioned time-in-grade restriction. When an Agent is advanced to a supervisory position and has not satisfied the provisions of the Career Development Program, such as an assignment to fill a scientific need in the Technical Services and Laboratory Divisions, Agent will be promoted to the next higher grade upon becoming fully operational in the special assignment he or she fills.



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[[7-14.1] Initiation of Consideration for Promotion of Special Agents

(1) Promotion action with respect to nonsupervisory Special Agents or supervisory Special Agents who have not met time-in-grade restriction is generally initiated by the Administrative Services Division at FBIHQ requesting a recommendation from the appropriate SAC or division head. However, in any case in which the SAC or division head believes that an Agent is performing his/her duties in such a manner as to warrant advancement, as recommendation with appropriate justification may be submitted at any time by the SAC or division head and this recommendation will be afforded appropriate consideration at FBIHQ.

(2) Grade restoration after reinstatement - In the case of Special Agents who resign voluntarily, and are subsequently reinstated in a grade below that held at resignation, consideration will be given to restoration to their original grade, with a maximum of GS-13, six months after their reinstatement entry-on-duty date, providing their record justifies such action, and subject to other requirements, such as the time-in-grade restrictions.

(3) Rate of pay for supervisors returning to investigative assignments - Special Agent personnel in supervisory positions at FBIHQ, or in the field, who request to be returned to nonsupervisory investigative assignments will be required to go back to the step of the grade GS-13 they would have been in had they never served in the supervisory capacity. This policy will apply whether the Agent is being assigned to an office of preference or nonpreference office. The rate of pay will be established by the Bureau and the employee advised prior to acting on the reassignment request. An FBIHQ Supervisory Special Agent in grade GS-15, who voluntarily requests reallocation to a grade GS-14 field supervisory position in order to qualify for career development, is entitled to grade and pay retention.

[[7-14.2] Guidelines in the Submission of Recommendations for the Promotions of Special Agents

[[7-14.2.1] Promotion to Grades GS-11 and GS-12

(1) Agents will be considered for promotion from grade GS-10 to grade GS-11 and from grade GS-11 to grade GS-12 contingent upon the availability of funds and the work record of the individual Agent.

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(2) The most current performance appraisal on the Agent being considered for promotion must be at least at the Fully Successful level. In addition to the current performance appraisal requirement, the annual appraisals of Agents subject to the two or three year time-in-grade restrictions must average out to the Fully Successful level. Refer to Part I, Section 5 of this manual for guidance and to determine the average.

(3) The Agent must be completely available for general or special assignment wherever his/her services may be required.

(4) Any probationary action taken against an Agent during the pertinent period will be taken into consideration. However, this action may be offset by otherwise exceptional or outstanding performance.

[[7-14.2.2] Promotions to Grade GS-13

(1) Agents will be considered for advancement from GS-12 to grade GS-13 also contingent upon the availability of funds, the individual Agent's record, and performance at least at the Fully Successful level.

(2) An Agent being considered for grade GS-13 promotion on the basis of supervisory service (as distinguished from investigative service) must be interested in and ambitious to progress in the Bureau's service either in the field or at FBIHQ, must be potential material for advancement, and his/her services must have been entirely satisfactory in all aspects during his/her period of supervisory assignment.

(3) An Agent being considered for GS-13 promotion on the basis of investigative service (as distinguished from supervisory service) must meet the following qualifications:

His/Her services in all aspects must be entirely satisfactory. Any adverse administrative action against the individual during the pertinent period will be taken into consideration, but full consideration will also be given to favorable action recognizing above-average and meritorious performance or may be offset by otherwise exceptional or outstanding performance. (See Part I, Section 13, of this manual, "Disciplinary Matters.")

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(4) The Agent must be completely available for general or special assignment wherever his/her services may be required. (See Part I, Section 13, of this manual, "Disciplinary Matters.")

[[7-14.2.3] Promotions Above Grade GS-13

Agents performing full-time administrative or supervisory duties may be considered for advancement to grade GS-14 or higher. These cases are considered on an individual and highly selective basis and each individual case is considered on its merits.

[[7-15] WITHIN-GRADE INCREASES (WIGI)

A WIGI is a one-step increase within a salary grade and is based on length of service and performance at an acceptable level of competence. Within the FBI, the "acceptable level of competence" requires performance at least at the Fully Successful level as set forth in a performance plan. A quality salary WIGI may be considered and awarded in recognition of sustained performance which substantially exceeds normal requirements and gives promise of continuing at that same high level.

[[7-15.1] Waiting Period

(1) The waiting period for employees in steps one - three of a grade is 52 calendar weeks; for those in steps four - six, 104 weeks; and for those in steps seven - nine, 156 weeks.

(2) Quality salary WIGIs do not change the date for consideration for the next regular WIGI increase except in those cases where the quality increase places the employee in Step 4 (where the waiting period changes to two years) or Step 7 (where the waiting period changes to three years). In these instances, the employee must serve an additional year before becoming eligible to be considered for a WIGI. However, employee must receive an overall rating of at least Superior level before he/she may be considered for a quality step increase.

[[7-15.2] Effect of Leave Without Pay (LWOP)

If more than ten days of LWOP for each year of the waiting period are used, the effective date of the WIGI is delayed for the amount of time which exceeds the ten days. For example, if 15 days of LWOP are taken when the pertinent waiting period is one year, the WIGI would be delayed for one pay period because of the five days taken in excess of the maximum allowable ten days.

[[7-15.3] Effective Date

WIGIs are effective at the beginning of the next pay period following completion of the required waiting period providing employee's performance is at an acceptable level of competence.

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[[7-15.4] Performance Requirements

(1) To be entitled to a WIGI, an employee's performance must be at an acceptable level of competence (ALOC) and performance appraisal is the basis for determining if an employee is performing at an ALOC. In the absence of unusual circumstances, employees must achieve the Fully Successful level to be performing at an ALOC.

(2) The ALOC determination is to be based on an employee's performance during the entire waiting period and must be supported by the most recent performance appraisal. In addition to the requirement that the current appraisal be at the Fully Successful level, the annual appraisals of employees in two- or three-year waiting periods must average out to the Fully Successful level to be performing at an ALOC. Refer to Part I, Section 5 of this manual for guidance.

(3) An employee whose overall performance during the waiting period is at the minimum level required for retention in his/her position but below the Fully Successful level is not performing at an ALOC.

(4) If the level of an employee's most recent appraisal does not support the rating official's decision to grant or withhold a WIGI, he/she must submit a written statement to the Personnel Officer setting forth specific reasons, related to the employee's current performance, for granting or withholding the WIGI.

(5) If at any time during the employee's waiting period it becomes evident that his/her performance is below the Fully Successful level, the rating official must advise the employee that, in the absence of performance improvement, his/her WIGI may be denied.

[[7-15.5] Notice of ALOC Determination

(1) Approximately two weeks before the completion of the waiting period, the head of the office will receive an individual certification for each employee who is eligible for WIGI consideration. Rating officials are to check appropriate comments and certify whether or not the employees' WIGIs should be granted or withheld. Certification should be returned to the Pay and Position Management Unit within three days after receipt.

(2) Positive determinations are confirmed in writing when the employee receives his/her Standard Form 50-B, Notification of Personnel Action, regarding the granting of his/her WIGI.

(3) If a negative determination is reached based on failure to meet the performance appraisal criteria, the employee is informed of this by a written communication from the Personnel Officer advising of the denial of the WIGI, the reason for the negative determination and his/her right to request reconsideration of the determination.

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[[7-15.6] Reconsideration of a Negative Determination

(1) An employee may request reconsideration of the Bureau's action by doing so in writing within 15 calendar days after receiving the denial notification. If the denial is reaffirmed, employee may, within 15 calendar days after being so notified, appeal in writing to the Merit Systems Protection Board. The appropriate address will be furnished to the employee in the letter reaffirming the denial.

(2) FBIHQ, upon receipt of a reconsideration request, will establish a reconsideration file and proceed with the reconsideration in accordance with 5 CFR 531.410 and Bureau policy.

(3) The division head or SAC may reconsider a WIGI at any time after the denial; however, barring any such recommendation, a new ALOC determination must be made within 52 calendar weeks of the end of the waiting period to which the negative determination applied. Any special appraisal at or above the Fully Successful level constitutes demonstrated sustained performance at an ALOC. The performance appraisal will not automatically generate a WIGI; therefore, the rating official must submit a written recommendation to grant or deny the WIGI based on the appraisal at or above the Fully Successful level.

[[7-15.7] Step Increases for Federal Wage System (FWS) Employees

(1) The waiting periods for advancement to the second, third, fourth and fifth rates are 26 calendar weeks for creditable service in rate one, 78 weeks of creditable service in rate two, and 104 weeks of creditable service in each of steps three and four. Lithographic employees have only three steps in each grade with waiting periods as indicated for step two and step three.

(2) If more than five days of LWOP are used in the waiting period for step two, 15 days for step three, or 20 days for steps four or five, the effective date of the increase is delayed for the amount of time which exceeds the specific number of days.

(3) Performance requirements, ALOC determinations and reconsiderations of negative determinations apply to FWS employees as well as GS employees.

(4) FWS employees are not eligible for quality increases regardless of their satisfaction of the performance appraisal requirement.