

employee eligible under its Career Transition Assistance Plan before selecting any other candidate from within or outside the agency, unless doing so would cause another employee to be separated by reduction in force.

(b) The following actions are not covered under this subpart:

(1) Placement of an agency employee through reassignment, change to lower grade, or promotion, when no employees eligible under this subpart apply;

(2) Reemployment of a former agency employee exercising regulatory or statutory reemployment rights;

(3) Position changes resulting from reclassification actions;

(4) Temporary appointments of under 90 days (including extensions);

(5) Exchange of positions between or among agency employees, when the actions involve no increase in grade or promotion potential;

(6) Conversion of an employee on an excepted appointment which confers eligibility for noncompetitive conversion into the competitive service;

(7) Placement activities under part 351 of this chapter;

(8) Placement of an employee into a new position as a result of a reorganization, when the former position ceases to exist, and no actual vacancy results;

(9) Placements made under the Intergovernmental Personnel Act (IPA) as provided in part 334 of this chapter where they are for critical situations where the failure to make the assignment would substantially harm Federal interests, such as providing training for State takeover of a Federal program;

(10) The filling of a position through an excepted appointment;

(11) Details;

(12) Time-limited promotions of under 90 days;

(13) Noncompetitive movement of surplus or displaced employees;

(14) Movement of excepted service employees within an agency;

(15) A placement under 5 U.S.C. 8337 or 8451 to allow continued employment of an employee who has become unable to provide useful and efficient service in his or her current position because of a medical condition;

(16) A placement that is a "reasonable offer" as defined in 5 U.S.C. 8336(d) AND 8414(b);

(17) Career ladder promotions; and

(18) Recall of seasonal employees from nonpay status.

§ 330.607 Agency notification responsibilities.

(a) At the time it issues a specific RIF separation notice, Certification of

Expected Separation, or other certification that identifies an employee as being likely to be separated by RIF, an agency must give each of its eligible employees information about the special selection priority available to them under the agency's Career Transition Assistance Plan.

(b) Agencies must take reasonable steps to ensure eligible employees are notified of all vacancies the agency is filling and what is required for them to be determined as well-qualified for the vacancies.

§ 330.608 Application and selection.

(a) *Application.* (1) To receive this special selection priority, an eligible employee must apply for a specific agency vacancy in the same local commuting area as the position the employee occupies within the prescribed time frames, attach the appropriate proof of eligibility as described in paragraph (a)(2) of the section, and be determined well-qualified by the agency for the specific vacancy.

(2) *Proof of eligibility.* Employees may submit the following as proof of eligibility for the special selection priority:

(i) RIF separation notice;

(ii) Certification of Expected Separation; or

(iii) Other agency certification identifying the employee as being in a surplus organization or occupation.

(b) *Selection.* An agency may decide the specific order of selection of its eligible employees within the provisions set forth in § 330.606(a) (e.g., the agency may decide to select displaced employees before surplus employees or may select surplus and/or displaced employees from within a particular component of the agency before selecting surplus and/or displaced employees from another component of the agency).

(c) An agency cannot select any other candidates from within or outside the agency if eligible agency employees are available for the vacancy or vacancies.

(d) If two or more eligible employees apply for a vacancy and are determined to be well-qualified, any of these eligible employees may be selected.

(e) If no eligible employees apply or none is deemed well-qualified, the agency may select another agency employee without regard to this subpart.

§ 330.609 Qualification reviews.

Agencies will ensure that a documented review is conducted whenever an otherwise eligible employee is determined to be not well-qualified.

§ 330.610 Reporting.

(a) Each agency shall submit an annual report covering each fiscal year activity under this subpart to OPM no later than December 31 of each year, beginning December 31, 1996.

(b) Each report will include the following:

(1) Number of employees identified by the agency as surplus and displaced during that fiscal year;

(2) Number of selections of eligible employees under the agency CTAP, or in the case of the Department of Defense, under its Priority Placement Program; and

(3) The name, title, and telephone number of the agency official responsible for the report.

(c) Reports should be addressed to: U.S. Office of Personnel Management, Workforce Restructuring Office, Employment Service, Room 6504, Washington, DC 20415.

§ 330.611 Oversight.

OPM provides advice and assistance to agencies in implementing their Career Transition Assistance Programs. OPM is also responsible for oversight of agency CTAPs and may conduct reviews of the plans at any time.

4. Subpart H is removed and reserved and subpart G is revised to read as follows:

Subpart G—Interagency Career Transition Assistance Plan for Displaced Employees

Sec.

330.701 Purpose

330.702 Duration.

330.703 Definitions.

330.704 Eligibility.

330.705 Order of selection in filling vacancies from outside the agency's workforce.

330.706 Agency notification requirements.

330.707 Application and selection.

330.708 Qualification reviews.

330.709 Reporting.

330.710 Oversight.

Authority: Presidential memorandum dated September 12, 1995, entitled "Career Transition Assistance for Federal Employees".

Subpart G—Interagency Career Transition Assistance Plan for Displaced Employees

§ 330.701 Purpose.

(a) This subpart implements the President's memorandum of September 12, 1995, to establish a special interagency career transition assistance program for Federal employees during a period of severe Federal downsizing.

(b) This subpart is effective February 29, 1996.

(c) Nothing in this subpart negates an agency's responsibilities for reemploying displaced employees as defined in § 330.703(b).