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1. **PURPOSE**

The purpose of this policy is to update and set forth guidelines for managing the special selection priority programs within the United States Department of Agriculture (USDA). The special selection priority programs include the Career Transition Assistance Plan (CTAP), the Reemployment Priority List (RPL), and the Interagency Career Transition Assistance Plan (ICTAP). This policy is intended to provide a general understanding of the special selection authorities and required placement processes.

2. **AUTHORITY**

The Office of Personnel Management (OPM) issued Title 5, Code of Federal Regulations (CFR), Part 330, requiring Executive Branch departments to provide

career transition and interagency career transition assistance plans to employees affected by downsizing or restructuring. These regulations also require USDA to maintain an RPL listing all employees by geographic local commuting area who were separated by Reduction in Force (RIF).

The Director, Office of Human Resources Management (OHRM), is delegated authority to set policy and provide overall guidance and direction for implementing those plans and maintaining the CTAP and RPL for USDA.

3. REFERENCES

This Directive must be used in conjunction with:

- a. Title 5, CFR, Part 330, Recruitment, Selection, and Placement (General);
- b. Title 5, CFR, Part 353, Restoration to Duty from Uniformed Service or Compensable Injury;
- c. Title 5, United States Code (U.S.C.), Section 5724a(g), Travel and Transportation Subsistence;
- d. Title 5, U.S.C. , Section 8337, Retirement, Civil Service Retirement, Disability Retirement;
- e. Title 5, U.S.C. , Section 8451, Federal Employees' Retirement System, Disability Benefits, Disability Retirement;
- f. Title 5, U.S.C. , Section 8456, Federal Employees' Retirement System, Disability Benefits, Military Reserve Technicians;
- g. Workforce Investment Act (WIA) of 1998, administered by the U.S. Department of Labor;
- h. CTAP information and surplus letters issued list at USDA website <http://www.dm.usda.gov/employ/CTAP-website-2a.htm>;
- i. RPL information at USDA website <http://www.dm.usda.gov/employ/policy-employment/rpl.htm>;
- j. USDA's RPL website <http://www.dm.usda.gov/employ/reemployment-priority-list.htm>; and
- k. USDA's RPL Registration Sheet at <http://www.dm.usda.gov/employ/Rplappl.htm>.

4. SPECIAL INSTRUCTIONS/CANCELLATIONS

This policy supersedes Departmental Regulation 4030-330-001, Special Placement Programs, dated August 5, 2005, and OHRM Advisory 2011-003 "Changes to 5 C.F.R. 330, Recruitment, Placement, and Selection," dated March 2, 2011.

5. POLICY

All USDA mission areas, agencies, and staff offices will effect special placement priority selection to surplus and displaced employees for vacancies subject to

consideration in the local commuting area before selecting candidates from either within or outside the Department unless the action is an exception as identified in Section 8(e), 9(g), and 10(e) of this Directive. (Also listed at 5 CFR 330.211, 5 CFR 330.609, and 5 CFR 330.707) The provisions of the USDA CTAP, RPL, and ICTAP special priority placement policy are effective upon release of this DR and will be applied uniformly across the Department for all surplus and displaced employees, including those in the excepted service as described. This policy shall be used in conjunction with support and advice from the servicing HRO and the regulations at 5 CFR 330.

6. RESPONSIBILITIES

The Director, OHRM, is responsible for setting policy and providing overall technical guidance and direction for USDA's special selection priority programs. OHRM will provide staff assistance and monitor compliance with laws, regulations, and Departmental policy and will ensure that information regarding the special selection priority programs is available and accessible to employees affected by downsizing, workforce reshaping, reorganization, and budget constraints who may ultimately be separated.

Mission areas, agencies and staff offices may not supplement this Directive without prior approval of the Director, OHRM, and the HR Policy Division. Approved supplemental regulations, policies or internal guidance, which are integrated into the standard operating procedures, issued by mission areas, agencies, staff offices, or servicing Human Resources offices (HRO) may not conflict with the contents of this Directive. Servicing HROs must make this Directive, and any approved supplemental regulations or guidance, available to all employees.

Management officials have the responsibility for upholding the intent of USDA's special selection priority programs.

7. EMPLOYEE COVERAGE

This Directive covers the following employees:

- a. All current or former USDA career or career-conditional (tenure group I or II) competitive service employees at the GS-15 (or equivalent) and below who meet eligibility requirements for a special priority placement program;
- b. All current or former USDA excepted service employees on an appointment without time limit (tenure group II) at grade level GS-15 (or equivalent) or below who meet eligibility requirements for a special placement priority program; and
- c. Former competitive service employees fully recovered from a compensable injury (as defined in 5 CFR 353) after more than one year who meet eligibility requirements for a special placement priority program.

Note: Although “grades” are referred to throughout this document, agencies with an alternative personnel system may substitute “pay band” or other applicable term for “grade,” as appropriate.

CTAP and ICTAP do not apply to the Senior Executive Service (SES), although they do apply to Senior Level (SL) and Scientific and Professional (ST) Positions in the competitive service, and Senior Science and Technology Service (SSTS) positions in the excepted service in certain cases. The Department's Executive Resources Management Division will address transition assistance for these senior employees and SES employees accordingly.

8. CAREER TRANSITION ASSISTANCE PLAN (CTAP)

a. Eligibility

A CTAP eligible is a current career or career-conditional employee (tenure I or II) in the competitive service who is "displaced" or "surplus" and who has a current performance rating of record of at least fully successful (Level 3) or equivalent.

(1) Displaced Employee

A current USDA career or career-conditional competitive service employee at the GS-15 (or equivalent) or below who: received a RIF separation notice under 5 CFR 351 and has not declined an offer for a position with the same type of work schedule and representative rate at least as high as that of the position from which the employee will be separated; or received a notice of proposed removal under 5 CFR 752 for declining a directed reassignment outside the local commuting area (positions with mobility statements not covered); or

A current USDA excepted service employee serving on an appointment without time limit, at the GS-15 (or equivalent) and below, who: is covered by law providing both noncompetitive appointment eligibility to and selection priority for, competitive service positions; and received a RIF separation notice under 5 CFR 351 or notice of proposed removal under 5 CFR 752 for declining a directed reassignment outside the local commuting area (positions with mobility statements not covered).

(2) Surplus Employee

A current USDA career or career-conditional competitive service employee at the GS-15 (or equivalent) and below who: received a Certificate of Expected Separation (CES) under 5 CFR 351 or other official agency notification indicating the employee's position is surplus, such as a notice of position abolishment or eligibility for a discontinued service retirement;

A current USDA excepted service employee serving on an appointment without time limit, at the GS-15 (or equivalent) and below, who: is covered by

law providing both noncompetitive appointment eligibility to, and selection priority for, competitive service positions; and received a CES notice under 5 CFR 351; or

A current excepted service employee on a Schedule A or B appointment without a time limit at a GS-15 (or equivalent) or below and who: received a CES under 5 CFR 351 or other official agency notification indicating the employee's position is surplus, such as a notice of position abolishment or eligibility for a discontinued service retirement; or received a RIF notice under 5 CFR 351 or a notice of proposed removal under 5 CFR 752 for declining a directed reassignment outside the local commuting area (positions with mobility statements not covered).

(3) Period of Eligibility

Eligibility begins on the date the servicing HRO issues the employee a RIF separation notice, notice of proposed separation for declining a transfer of function or directed reassignment outside the local commuting area, CES, or other official agency certification.

CTAP eligibility for selection priority expires upon the earliest of:

- (a) On the RIF separation date, the date of the employee's resignation, retirement, or separation from USDA (including separation under adverse action procedures for declining a directed reassignment or transfer of function or similar relocation to another local commuting area);
- (b) Cancellation of the RIF separation notice, notice of proposed removal for declining a directed reassignment or transfer of function outside of the local commuting area, a CES, or other official certification (e.g., a notice of position abolishment or a notice stating that the employee is eligible for discontinued service retirement) issued by the servicing HRO;
- (c) Being placed in another position, within the department at any grade or pay, either permanent or time limited before the agency separates the employee;
- (d) Receiving a career, career-conditional, or excepted service appointment without time limit in any agency at any grade level;
- (e) Declining a career, career-conditional, or excepted appointment without time limit within USDA for which the employee has applied and has been rated "well qualified;" or
- (f) Failing to respond within a reasonable period of time (recommend 10 business days) to an offer or official inquiry of availability.

b. Vacancy

A vacant competitive service position at grade GS-15 (or equivalent) or below to be filled for a total of 121 days or more, including all extensions, regardless of whether a vacancy announcement was advertised qualifies as a vacancy requiring CTAP clearance. Vacancy announcements must contain information regarding how eligible employees may apply, proof of eligibility requirements, and the standard for what constitutes a “well qualified” candidate.

A CTAP eligible must file an application for a specific vacancy announcement by 11:59pm Eastern Time on the closing date and provide proof of eligibility as required; apply for a vacancy that is at a grade or pay level with the representative rate no higher than the representative rate of the grade or pay level of the CTAP eligible's permanent position of record; has no greater promotion potential than the position from which the employee may be or is being separated; occupy a position in the same local commuting area as the position vacancy for which he/she is requesting priority consideration; is filled during the CTAP/ICTAP eligible's eligibility period and is filled under the same competitive or excepted appointing authority as the eligible's permanent position of record. A candidate claiming CTAP/ICTAP consideration, but is determined not eligible, must still be considered as he/she would have otherwise without claiming the priority.

Agency components may place a component employee, who is currently employed within the local commuting area, into the vacant position after the servicing HRO applies the above criteria to determine if there are selection priority candidates.

c. Determining “Well Qualified”

Candidates are determined “well qualified” if they possess the competencies which exceed the minimum qualification requirements for the vacancy. The servicing HRO must be able to determine that the CTAP eligible:

- (1) Meets basic eligibility requirements, qualification standards, and applicable selective factors;
- (2) Is physically qualified with or without reasonable accommodation to perform the essential duties of the position;
- (3) Meets any special qualifying conditions of the position;
- (4) Is able to satisfactorily perform the duties of the position upon entry; and
- (5) Rates at or above specified level(s) on all quality ranking factors. (See 5 CFR 330.606(b)) Applicants must receive a rating of at least 85 out of a possible 100 points when assessed through traditional or score-based category rating methods or be determined to be in the “well qualified” group when assessed through the category rating method. If it is determined that the applicant is not “well qualified”, the HRO must conduct a second review of the application and notify the applicant of the results in writing in accordance with 5 CFR

330.608(e).

d. Order of Selection

A CTAP selection priority candidate is a CTAP eligible who applied for and was determined to be “well qualified” by the servicing HRO and whom the selecting official must select over any other applicant for the vacancy unless the action to be taken is listed as an exception under 5 CFR 330.609.

When it is determined that there are two or more CTAP selection priority candidates for a vacancy, to determine the order, the component may provide an internal component candidate a higher priority than another component's candidate.

Only after the servicing HRO has made the vacancy available to CTAP eligibles and met its obligation to CTAP selection priority candidates can the position be filled by a permanent competitive service candidate from within its workforce through appropriate staffing procedures.

A mission area, agency, or staff office may provide CTAP selection priority to eligible employees from another commuting area only after fulfilling its obligation to CTAP selection priority candidates in the local commuting area.

If the HRO can document that there are no CTAP eligibles in a local commuting area (i.e., via the USDA CTAP website), the HRO need not post the vacancy announcement for CTAP eligibles. (See 5 CFR 330.608(d))

Agencies and staff offices may not hire temporary help services until a determination is made that no CTAP eligible is available in accordance with 5 CFR 300 subpart E.

e. Exceptions to CTAP Selection Priority

Below are the personnel action exceptions which are exempt from CTAP priority consideration. HROs must confirm and document current exceptions, listed under 5 CFR 330.609, prior to effecting selection.

- (1) Reemployment of a former USDA employee with regulatory or statutory reemployment rights, including the reemployment of an injured worker who either has been restored to earning capacity by the Office of Workers' Compensation Programs, Department of Labor, or has received a notice that his or her compensation benefits will cease because of full recovery from the disabling injury or illness;
- (2) Reassignment or demotion of an employee under 5 CFR 432 or 752;
- (3) Appointment of an individual for a period limited to 120 or fewer days, including all extensions;

- (4) Reassignment of employees between or among positions in the local commuting area (sometimes called job swaps) when there is no change in grade or promotion potential and no actual vacancy results;
- (5) Conversion of an employee currently serving under an appointment providing noncompetitive conversion eligibility to a competitive service appointment, including from: (1) a Veterans Recruitment Appointment under 5 CFR 307; (2) an appointment under 5 U.S.C. 3112 and 5 CFR 316 of a veteran with a compensable service-connected disability of 30 percent or more; and (3) make an excepted service appointment under 5 CFR 213, such as for persons with disabilities or in one of the Pathways Programs (i.e., the Presidential Management Fellow Program, Recent Graduates Program, or Internship Program);
- (6) Effecting a personnel action under, or specifically in lieu of, 5 CFR 351;
- (7) Effecting a position change of an employee into a different position as a result of a formal reorganization, as long as the former position ceases to exist and no actual vacancy results;
- (8) Assignment or exchange of an employee under a statutory program, such as Subchapter VI of Chapter 33 of Title 5, U.S.C. (also called the Intergovernmental Personnel Act), or the Information Technology Exchange Program under Chapter 37 of Title 5, U.S.C.;
- (9) Appointment of an individual under an excepted service appointing authority;
- (10) Effecting a position change of an employee within the excepted service;
- (11) Detailing an employee within USDA;
- (12) Promoting an employee for a period limited to 120 or fewer days, including all extensions;
- (13) Effecting a position change of a surplus or displaced employee in the local commuting area;
- (14) Effecting a position change of an employee under 5 U.S.C. 8337 or 8451 to allow continued employment of an employee who is unable to provide useful and efficient service in his or her current position because of a medical condition;
- (15) Effecting a position change of an employee to a position that constitutes a reasonable offer as defined in 5 U.S.C. 8336(d) and 8414(b);
- (16) Effecting a position change of an employee resulting from a reclassification action (such as accretion of duties or an action resulting from application of new position classification standards);

- (17) Promoting an employee to the next higher grade or pay level of a designated career ladder position;
- (18) Recalling a seasonal or intermittent employee from non-pay status;
- (19) Effecting a position change of an injured or disabled employee to a position in which he or she can be reasonably accommodated;
- (20) Effecting a personnel action pursuant to the settlement of a formal complaint, grievance, appeal, or other litigation;
- (21) Reassignment or demotion of an employee under 5 CFR 315.907 for failure to complete a supervisory or managerial probationary period;
- (22) Retaining an individual whose position is brought into the competitive service under 5 CFR 316 and convert that individual, when applicable, under 5 CFR 315;
- (23) Retaining an employee covered by an OPM-approved variation under Civil Service Rule 5.1 (5 CFR 5.1);
- (24) Reemployment of a former USDA employee who retired under a formal trial retirement and reemployment program and who requests reemployment under the program's provisions and applicable time limits;
- (25) Extending a time-limited promotion or appointment up to the maximum period allowed (including any OPM-approved extensions beyond the regulatory limit on the time-limited promotion or appointment), if the original action was made subject to CTAP selection priority and the original announcement or notice stated that the promotion or appointment could be extended without further announcement;
- (26) Transfer of an employee between departments (i.e. USDA and DOT) under appropriate authority during an inter-departmental reorganization, inter-departmental transfer of function, or inter-departmental mass transfer;
- (27) Appointment of a member of the Senior Executive Service into the competitive service under 5 U.S.C. 3594;
- (28) Transfer of an employee voluntarily from one department to another (i.e. USDA and DOT) under a Memorandum of Understanding or similar agreement under appropriate authority resulting from an inter-departmental reorganization, inter-departmental transfer of function, or inter-departmental mass transfer, when both the departments and the affected employee agree to the transfer;
- (29) Reassignment of an employee whose position description or other written mobility agreement provides for reassignment outside the commuting area as part of a planned USDA rotational program;

- (30) Transfer or a position change of an employee under 5 CFR 412; or
- (31) Conversion of an employee's time-limited appointment in the competitive or excepted service to a permanent appointment in the competitive service if the employee accepted the time-limited appointment while a CTAP eligible.

f. CTAP Notification & Tracking Services

Employees receiving a surplus certification or a separation notice due to RIF or failure to accept relocation to a different commuting area must be informed in writing of their eligibility for priority placement and career transition services. Similarly, when an HRO identifies a former employee as displaced under 5 CFR 330.703(b), he/she will be notified of their eligibility under Subpart G of 5 CFR Part 330.

Each servicing HRO will establish a method of tracking its affected employees and furnishing information on current eligibility. In addition, each HRO employing a displaced employee on a basis that affects their eligibility under CTAP shall notify in writing the former employing office and OHRM Human Resources Policy Division of the action taken.

g. USDA Transition Services

Each HRO will provide information to its servicing area's employees on the use of transition services, and the supervisors and managers on the requirements of CTAP selection priority. Per Section 10(g) of this Directive, priority information and services regarding ICTAP and an overview of the Workforce Investment Act of 1998 are to be provided in conjunction with CTAP information and services. They will also provide a specific orientation session for surplus and displaced employees at the time they become eligible for services and selection priority.

A minimum level of services will be available to all employees affected by downsizing, workforce reshaping, budget reductions, reorganization, or similar events to include, as applicable:

- (1) Government job vacancy information – www.usajobs.gov/;
- (2) Career transition workshops, training, and skills development;
- (3) Employee Assistance Program (EAP) – These programs are staffed by professional counselors who provide free, confidential assistance to employees on a number of issues. Employees may contact their EAP provider directly for assistance. HROs will provide information on how to contact EAP counselors; and
- (4) Reasonable accommodations for employees with disabilities who are entitled to services under this plan. Mission areas, agencies, staff offices, and HROs must

ensure that both training and materials are suitable for employees with disabilities and alternative formats are provided upon request.

Mission areas, agencies, staff offices, and HROs have the authority to provide the required CTAP orientation session in person, through an automated training session, or Intranet.

h. Use of Services and Facilities

Displaced employees will have access to career transition services for 90 days from the date of separation. This does not allow for continued access to secure areas or information.

OHRM will coordinate the development of any cost-shared services for mission areas.

i. Use of Excused Absence

Each affected employee who requests excused absence will be granted up to forty (40) hours of administrative leave to make use of the available career transition services. Additional administrative leave may be approved by the first level supervisor as warranted by the individual situation. Supervisors should verify that time granted is used appropriately. Mission areas, agencies, and staff offices must be prepared to reimburse individuals for travel expenses, in accordance with regulation, for transition services activities which it makes available.

j. Retraining Efforts

Mission Areas, agencies and staff offices will, to the extent possible, retrain surplus/displaced employees for other occupations needed by their organization before hiring external candidates to fill a USDA vacancy. Managers should make every effort to provide training to internal employees who lack specialized knowledge in a specific program area, but who are basically qualified to perform the job. However, to ensure that all affected employees receive adequate training opportunities, prudence must be used in considering the course(s) and potentially the number of courses authorized. Such considerations include budget constraints, training costs, the parity of spending, and the likelihood of making placement(s).

Employees who begin training before the effective date of separation may complete their training after separation unless additional costs would be incurred or other limitation reason, such as security or system access.

k. Information on Federal, State, or Local Assistance to Support Career Transition for Employees with Disabilities

The servicing HRO or, as applicable, mission area, agency or staff office, will designate a coordinator or provide contacts for Federal, state or local availability of persons or organizations to support career transition for persons with disabilities.

Upon employee request, printed materials will be provided in suitable formats.

l. USDA CTAP Website

OHRM developed a website to post contact information on current USDA CTAP eligibles, including location (city, state), contact names (one primary contact and one alternate contact) and phone numbers, current series and grade, and date of eligibility. The HROs are responsible for submitting this contact information to the OHRM designee within two business days of a surplus letter being issued. In turn, OHRM is responsible for maintaining and updating website within three business days of receipt.

Additionally, cancellations and changes to information on the CTAP website must be provided timely by the servicing HROs to the OHRM designee. Information may be obtained from the website at: <http://www.dm.usda.gov/employ/CTAP-website-2a.htm>.

Agencies filling positions subject to CTAP considerations must check this website for eligible candidates before announcing the position. If a determination is made that there is no available candidate, then normal staffing procedures may continue. A copy of the webpage, signed and dated by the servicing HR Specialist, showing the CTAP eligibles or none (no one listed) is to be kept with the recruitment action (i.e. the job announcement case file if applicable).

m. Notice of Application Status

Surplus and displaced employees must receive written results of their application status, including whether or not they were determined “well qualified” for specific vacancy announcement within their local commuting area. If a CTAP eligible applicant is found to be “well qualified” and another “well qualified” applicant is selected, the CTAP eligible applicant must be informed of his/her non-selection including whether another CTAP selection priority candidate was hired; whether the position was filled under an exception listed in 5 CFR 330.609; and whether the recruitment was cancelled. If the CTAP eligible applicant was not found to be “well- qualified,” such notification must include results from an independent, second review, consistent with 5 CFR 330.605(b).

n. Not “Well Qualified” Reviews

Servicing HROs will ensure that a documented, independent second review is conducted whenever an otherwise eligible CTAP selection priority candidate is determined to be not “well qualified”. The applicant must be advised in writing of the results of the second review before a referral certificate is issued. Both of these reviews are to be maintained in the applicable vacancy announcement case file.

9. REEMPLOYMENT PRIORITY LIST (RPL)

In accordance with 5 CFR 330.201(a), RPL assists current and former competitive

service employees who will be or were separated by RIF under 5 CFR 351, or who have recovered from a compensable work related injury after more than one year, as required by 5 CFR 353. In filling vacancies, mission areas, agencies and staff offices must give USDA's RPL registrants placement priority for most competitive service positions before hiring an individual outside the USDA workforce.

a. General Provisions

Servicing HROs are responsible for ensuring that USDA employees separated by RIF or those who are fully recovered from a compensable injury after more than one year receive non-competitive reemployment priority consideration for vacant positions for which he/she is qualified. The reemployment priority consideration requires careful review of the basic qualifications of the RPL eligible, followed by contact to determine interest and availability. Eligibility for RPL is limited to competitive service employees in tenure groups I (career) and II (career-conditional) in accordance with 5 CFR 330.203 and §330.204 respectively. HRO staff are expected to interpret and apply OPM's qualification standards, minimum educational requirements and selective placement factors (including any minimum education and established selective placement factors) to place basically qualified RPL eligibles in vacant positions when possible.

b. Establishment of the RPL

The Department's OHRM is required to establish and maintain the RPL for USDA. The USDA RPL lists each duty station for which an employee has been separated by RIF or who is fully recovered from a compensable injury after more than one year.

USDA's RPL (most recent list) is available online at <http://www.dm.usda.gov/employ/reemployment-priority-list.htm>.

c. RPL Application and Registration

An RPL eligible must request reemployment consideration by submitting the Department's RPL Registration Sheet on or before the RIF separation date, or 30 calendar days after the date compensation ceases for a work-related injury or the Department of Labor denies an appeal for continuation of injury compensation benefits. An employee who fails to submit a timely application is not entitled to placement on the RPL. The Registration Sheet must be submitted to the servicing HRO, specifying the series, grade(s), tenure, work schedule(s), and other information as noted on form for RPL registration.

Information can be obtained from the USDA website <http://www.dm.usda.gov/employ/policy-employment/rpl.htm>, which includes a link to the USDA RPL Registration Sheet, <http://www.dm.usda.gov/employ/Rplappl.htm>.

The servicing HRO is responsible for faxing or otherwise submitting the completed Registration Sheet to OHRM no later than 10 calendar days after

receipt of the form. The servicing HRO must contact OHRM for any additions/deletions to RPL information, to be effected within three business days.

RPL eligibles may apply for designated population centers within a commuting area. RPL eligibles cannot be removed from the list for refusing an offer outside of designated population centers for which they have registered. At any time, an RPL eligible may further expand or reduce their availability within a commuting area by providing an updated Registration Sheet.

RPL registration is limited to the local commuting area in which the eligible was, or will be, separated unless:

- (1) If USDA has or will have no competitive service positions remaining in the local commuting area from which the RPL eligible will be separated under 5 CFR 351, the servicing HRO with Director, OHRM (or designee) concurrence may designate a different local commuting area where there are continuing positions for the RPL eligible to exercise placement priority. The Director, OHRM (or designee), has sole discretion over whether to offer this option and which local commuting area to designate, taking into consideration the size and locations of its workforce, available vacancies, and available funds.
- (2) If the RPL eligible agreed to transfer with his or her function under 5 CFR 351 but will be separated by RIF from the gaining competitive area, registration is limited to the RPL covering the gaining competitive area's local commuting area.
- (3) For an individual who is eligible under 5 CFR 330.203(b), registration is initially limited to the RPL covering the local commuting area of the position from which the employee was separated.
- (4) If the RPL eligible was, or will be, separated from an overseas position (see 5 CFR 301), RPL registration is limited to the local commuting area in which the eligible was, or will be, separated, unless:
 - (a) The servicing HRO in concurrence with the Director, OHRM (or designee), approves a written request by the RPL eligible for registration in the local commuting area from which employed for overseas service, or in another area within the United States that is mutually acceptable to the eligible and the Department; or
 - (b) The Department has a formal program for rotating employees between overseas areas and the United States (USDA does not), and the RPL eligible's preceding and prospective overseas service would exceed the maximum duration of an overseas duty tour in the rotation program. In this case, the eligible may register for a local commuting area within the United States that is mutually acceptable to the eligible and USDA.

d. Period of Eligibility

An employee or former employee must meet the conditions in either subsection (1) or (2) to be an RPL eligible.

- (1) For eligibility based on RIF (5 CFR 351), the employee:
 - (a) Must be serving in an appointment in the competitive service in tenure group I or II;
 - (b) Must have received either a specific notice of separation or a CES that has not been cancelled, rescinded, or modified so that the employee is no longer under notice of separation;
 - (c) Must have received a rating of record of at least fully successful (Level 3) or equivalent as the most recent performance rating of record; and
 - (d) Must not have declined an offer of a position with the same type of work schedule and with a representative rate at least as high as that of the position from which the employee will be separated.

- (2) For eligibility based on Restoration to Duty (5 CFR 353), the employee or former employee:
 - (a) Must be serving in, or separated from, an appointment in the competitive service in tenure group I or II;
 - (b) Must either have accepted a position at a lower grade or pay level in lieu of separation or have been separated because of a compensable injury or disability;
 - (c) Must have fully recovered more than one year after compensation began; and
 - (d) Must have received notification from the Office of Workers' Compensation Programs, Department of Labor, that injury compensation benefits have ceased or will cease.

An employee or former employee must meet the conditions in subsection (3), (4), or (5) to be removed from the RPL. Declinations should be obtained in writing for documentations purposes. Declination of time-limited employment does not affect RPL eligibility.

- (3) The period of RPL eligibility for selection priority at all registered grades or pay levels expires the earliest of when an employee:
 - (a) Declines or fails to reply to the HRO, mission area, agency, or staff office's inquiry about an RPL offer of a career, career-conditional, or excepted appointment without time limit for a position having the same type of work schedule and a representative rate at least as high as the position from which the registrant was, or will be, separated;

- (b) Receives a written cancellation, rescission, or modification to:
 - 1 The RIF separation notice or CES so that the employee no longer meets the conditions for RPL eligibility in 5 CFR 330.203(a); or
 - 2 The notification of cessation of injury compensation benefits so that injury compensation benefits continue;
 - (c) Separates from USDA for any other reason (such as retirement, resignation, or transfer) before the RIF separation effective date. Registration continues if the RPL registrant retires on or after the RIF separation effective date. This condition does not apply to an RPL registrant under 5 CFR 330.203(b);
 - (d) Requests in writing removal from the RPL;
 - (e) Is placed in a USDA position without time limit at any grade or pay level;
 - (f) Accepts a career, career-conditional or excepted appointment without time limit at any grade or pay level in any department;
 - (g) Leaves the area covered by an overseas RPL (see 5 CFR 301) or is ineligible for continued overseas employment because of previous service or residence;
 - (h) Declines an offer of career, career-conditional, or excepted appointment without time limit or fails to reply to an inquiry; or
 - (i) The period of eligibility for RPL has elapsed.
- (4) An RPL registrant is removed from the RPL (no longer eligible for selection priority) at registered grades or pay levels with a representative rate at and below the representative rate of a position offered by a USDA HRO if the offered position is below the last grade or pay level held and the registrant:
- (a) Declines or fails to reply to the HRO, mission area, agency or staff office's inquiry about an RPL offer of a career, career-conditional, or excepted appointment without time limit for a position meeting the acceptable conditions shown on the RPL registrant's application; or
 - (b) Declines or fails to appear for a scheduled interview.

An RPL registrant removed from the RPL under this subsection at lower grades or pay levels than the last grade or pay level held remains on the RPL for positions with a representative rate higher than the offered position up to the grade or pay level last held, unless registration expires or otherwise terminates.

- (5) RPL registration expires two years from the date of RIF separation under 5 CFR

351, or two years from the date the Department registers the RPL eligible because of recovery from a compensable work injury under 5 CFR 330.206(a)(3)(i) or (ii). An RPL eligible remains registered for the full two-year period unless the registrant is removed from the RPL for a reason specified in 5 CFR 330.209.

OPM may extend the registration period when an RPL eligible does not receive a full two years of placement priority, for example, because of an administrative or procedural error by the Department or sub-organization. Either the servicing HRO through the Director, OHRM (or designee) or the RPL eligible themselves may request OPM to extend the registration period based on the error. The request must describe the administrative or procedural error that caused the RPL eligible to be registered for less than the full two-year period. OPM may request additional information either from the Department or the RPL eligible in connection with any such request. OPM will notify both the Department and the RPL eligible of the decision to approve or deny an extension request. OPM's decision regarding an extension request is not subject to appeal under 5 CFR 330.214.

e. RPL Consideration

Agencies filling positions subject to RPL consideration, and with regard to any permanent or temporary positions vacancies, the servicing HROs must check the USDA RPL website for eligible candidates. A copy of the most recent RPL is to be kept with the personnel action (i.e., the job announcement case file if applicable). In conducting external and internal recruitment, the HRO must consider RPL eligibles at one of the following stages of the process after fulfilling agency obligations to CTAP selection priority candidates and before hiring an individual outside the USDA workforce:

- (1) Prior to announcing the vacancy;
- (2) Prior to requesting a certificate issued by OPM or a Delegated Examining unit;
- (3) Prior to referring a certificate of eligibles; or
- (4) Prior to making an offer of employment.

The servicing HRO must document that there are no RPL placement priority candidates for the vacancy when requesting a competitive certificate of eligibles under 5 CFR 332. Similarly, the HRO must offer the vacancy to any RPL placement priority candidate(s) before effecting an appointment under a noncompetitive appointing authority, such as under 5 CFR 315. Once the servicing HRO has ensured there are no CTAP or RPL placement priority candidates for a particular vacancy and documents in writing an employment offer that is accepted by another individual, the HRO may fulfill that employment offer to that individual.

Mission areas, agencies, and staff offices must use the USDA RPL to give placement priority to USDA's:

- (5) Current competitive service employees with a specific notice of RIF separation or a CES issued under 5 CFR 351;
- (6) Former competitive service employees separated by RIF under 5 CFR 351; and
- (7) Former competitive service employees fully recovered from a compensable injury (as defined in 5 CFR 353) after more than one year.

f. Order of Selection

When hiring from the RPL, selection must be made in tenure group and subgroup order with tenure group I (career) eligibles being considered before tenure group II (career-conditional) eligibles. Tenure group I are career employees eligible for two years from date entered on RPL; tenure group II are career-conditional employees also eligible for two years from date entered on RPL. In each tenure group, veteran's preference eligibles are given priority over non-preference eligibles. Within the veteran's preference subgroup, priority order is the same as with Delegated Examining consideration though this consideration process does not involve points and scores. HROs may allow mission areas, agencies, and staff offices to select RPL eligibles in a subgroup without regard to retention standing within the subgroup. If there are no qualified and available RPL eligibles whose last work schedule matches that of the vacancy, they may consider RPL eligibles with other work schedules.

g. Exceptions to Clearing RPL Placement Priority

Clearance of RPL (see Section 9e) is not required for actions involving employees already on the USDA's rolls. Below are the personnel action exceptions which are exempt from RPL placement priority. HRO's must confirm and document current exceptions, listed under 5 CFR 330.211 prior to effecting a personnel action:

- (1) When all RPL placement priority candidates decline an offer of the position or fail to respond to a written HRO inquiry about their availability;
- (2) With an employee of the Department's current permanent competitive service workforce through detail or position change;
- (3) Appoint a 10-point preference eligible through an appropriate appointing authority;
- (4) Appoint a current or former employee exercising restoration rights under 5 CFR 353 based on return from military service or recovery from a compensable injury or disability within one year;
- (5) Appoint a current or former employee exercising other statutory or regulatory reemployment rights;

- (6) Convert an employee serving under an appointment that provides noncompetitive conversion eligibility to a competitive service appointment, including from:
 - (a) A Veterans Recruitment Appointment under 5 CFR 307;
 - (b) An appointment under 5 U.S.C. 3112 and 5 CFR 316 of a veteran with a compensable service-connected disability of 30 percent or more; and
 - (c) An excepted service appointment under 5 CFR 213, such as for persons with disabilities or Pathways appointees;
- (7) Reappoint without a break in service to the same position currently held by an employee serving under a temporary appointment of one year or less (only to another temporary appointment not to exceed one year or less);
- (8) Extend an employee's temporary or term appointment up to the maximum permitted by the appointment authority or as authorized by OPM; or
- (9) Appoint an individual under an excepted service appointing authority.

h. RPL Notification & Tracking Services

The servicing HRO must give each RPL eligible information about its RPL program, including Merit Systems Protection Board appeal rights under 5 CFR 330.214, when:

- (1) The HRO issues a RIF separation notice or a CES under 5 CFR 351; or
- (2) The employee accepts a position at a lower grade or pay level or is separated from USDA because of a compensable work-related injury.

In addition, each HRO employing a displaced employee on a basis that affects their eligibility under RPL shall notify in writing the former employing office and OHRM, Human Resources Policy Division, of the action taken.

All position offers to RPL eligibles must be in writing and contain: the USDA sub-organization; official title, pay plan, series, grade, salary; duty station; type of appointment and work schedule; effect of acceptance or declination on RPL status; and candidate acceptance or declination section for written confirmation of decision.

i. Appeal Rights

An RPL registrant who believes USDA violated his or her reemployment rights under 5 CFR 330 by employing another person who otherwise would not have been eligible to be appointed properly may appeal to the Merit Systems Protection Board under the Board's regulations in 5 CFR 1200.

10. INTERAGENCY CAREER TRANSITION ASSISTANCE PLAN (ICTAP)

The ICTAP provides eligible displaced Federal employees with inter-departmental selection priority for vacancies in agencies which are being filled from outside of the USDA permanent competitive service workforce; it does not prohibit movement of competitive service employees within a department.

a. Eligibility

An ICTAP Eligible is a current or former career or career-conditional employee (tenure I or II) in the competitive service who is "displaced" and has a current/last performance rating of record of at least fully successful (Level 3) or equivalent.

(1) Displaced Employee

A current career or career-conditional competitive service employee at grade levels GS-15 (or equivalent) and below, who has received a specific RIF separation notice, or a notice of proposed removal for declining a transfer of function or directed reassignment outside of the local commuting area;

A former career or career-conditional competitive service employee at grade levels GS-15 (or equivalent) and below, who was separated through RIF, or removed for declining a transfer of function or directed reassignment outside of the local commuting area;

A former career or career-conditional employee who was separated because of a compensable injury or illness as provided under the provisions of Subchapter I of Chapter 81 of Title 5, U.S.C., whose compensation has been terminated and whose former department is unable to place the individual as required by 5 CFR 353.110(b);

A former career or career-conditional competitive service employee who retired with a disability under Sections 8337 or 8451 of Title 5, U.S.C., whose disability annuity has been or is being terminated;

A former career or career-conditional competitive service employee at grades GS-15 level (or equivalent) or below, who received a RIF separation notice, and who retired on the effective date of the RIF or under the discontinued service retirement option;

A former Military Reserve Technician or National Guard Technician who is receiving a special disability retirement annuity from OPM under Section 8337(h) or 8456 of Title 5 U.S.C.;

A current Executive Branch employee in the excepted service, serving on an appointment without time limit, at grade levels GS-15 (or equivalent) and below, who has been given noncompetitive appointment eligibility (e.g., non-appropriated fund employees) and selection priority by statute for positions in

the competitive service, and who is in receipt of a RIF separation notice or notice of proposed removal for declining a transfer of function or directed reassignment outside of the local commuting area; or

A former Executive Branch employee in the excepted service, who served on an appointment without time limit, at grade levels GS-15 (or equivalent) and below, who has been given noncompetitive appointment eligibility and selection priority by statute for positions in the competitive service, and who has been separated through RIF or removed for declining a transfer of function or directed reassignment outside of the local commuting area.

(2) Period of Eligibility

Eligibility begins on the date:

- (a) The servicing HRO issues the employee a RIF separation notice;
- (b) A department certifies that it cannot place an employee eligible under 5 CFR 353;
- (c) An employee eligible under 5 U.S.C. 8337 or 8451 is notified that his or her disability annuity has been or is being terminated;
- (d) The servicing HRO issues a formal notice of proposed separation to an employee for declining a transfer of function or directed reassignment outside the local commuting area; or
- (e) The National Guard Bureau or Military Department certifies that an employee has retired receiving a special disability retirement annuity under 5 U.S.C. 8337(h) or 8456.

ICTAP eligibility for selection priority expires upon the earliest of:

- (f) One year after separation;
- (g) One year after a department certifies that an individual under 5 CFR 353 cannot be placed;
- (h) One year after an individual under 5 U.S.C. 8337 or 8451 receives notification that his/her disability annuity has been or will be terminated;
- (i) When the employee receives a career, career-conditional, or excepted appointment without time limit in any department at any grade level;
- (j) When the employee no longer meets the eligibility requirements (e.g., the employee is no longer being separated by RIF, or under adverse action procedures for declining a transfer of function or directed reassignment outside the local commuting area, or separates by resignation or non-discontinued service retirement prior to the RIF effective date);

(k) When an eligible employee declines a career, career-conditional, or excepted appointment (without time limit), for which the employee has applied and been rated “well qualified”; or upon the failure of the applicant to respond within a reasonable period of time (recommend 10 business days) to an offer or official inquiry of availability; or

(l) Two years after separation, for those employees eligible under 5 CFR 330.407(b).

b. Vacancy

A vacant competitive service position at grade GS-15 (or equivalent) or below to be filled for a total of 121 days or more, including all extensions, regardless of whether a vacancy announcement was posted qualifies as a vacancy requiring ICTAP clearance. Vacancy announcements must contain information regarding how eligible employees may apply, proof of eligibility requirements, and the standard for “well qualified”. See Section 8 (b) of this Directive for additional information and requirements.

c. Determining “Well Qualified”

Candidates are determined “well qualified” if they possess the competencies which exceed the minimum qualification requirements for the vacancy. The servicing HRO must be able to determine the ICTAP eligible:

- (1) Meets basic eligibility requirements, qualification standards, and applicable selective factors;
- (2) Is physically qualified with or without reasonable accommodation to perform the essential duties;
- (3) Meets any special qualifying conditions of the position;
- (4) Is able to satisfactorily perform the duties of the position upon entry; and
- (5) Rates at or above specified level(s) on all quality ranking factors. Applicants must receive a rating of at least 85 out of a possible 100 points when assessed through traditional or scored-based category rating methods or be determined to be in the “well qualified” group when assessed through the manual category rating method. If it is determined that the applicant is not “well qualified”, the HRO must conduct a second review of the application and notify the applicant of the results in writing in accordance with 5 CFR 330.605.

d. Order of Selection

When a mission area, agency, or staff office considers candidates from outside the Department for vacancies, USDA CTAP eligibles and registrants in USDA's RPL

have priority for selection over employees eligible under ICTAP in accordance with 5 CFR 330.705. ICTAP selection priority applies only when agencies or staff offices are making selections from outside the USDA workforce, and does not prohibit movement within USDA.

When filling a vacancy from outside USDA's workforce the hiring manager must select in the following order:

- (1) Current or former USDA employees eligible under USDA's Reemployment Priority List (see Section 9 of this DR), then;
- (2) Any other former employee displaced from the Department (under appropriate selection procedures), then;
- (3) From any of the following three conditions:
 - (a) Current or former Federal employees displaced from other departments;
 - (b) Current or former eligible employees displaced from the District of Columbia Department of Corrections, or
 - (c) Displaced eligible Panama Canal Zone employees.
- (4) Any other candidate under appropriate selection procedures.

The following actions are subject to the above order of selection:

- (5) Competitive appointments (e.g., from registers or delegated examining);
- (6) Noncompetitive appointments to the competitive service (e.g., the types listed in 5 CFR 315(f));
- (7) Movement between departments (e.g., transfer), except noncompetitive movement due to an inter-departmental reorganization, inter-departmental transfer of function, or inter-departmental mass transfer, or other per 5 CFR 351;
- (8) Reinstatements; and
- (9) Time-limited competitive appointments of 121 days or more, including all extensions, except as provided in 5 CFR 330.705(c)(11).

e. Exceptions to ICTAP Selection Priority

Below are the personnel action exceptions which are exempt from ICTAP priority consideration. HROs must confirm and document current exceptions, listed under 5 CFR 330.707, prior to effecting selection.

- (1) Placement of a current or reinstate a former USDA employee with RPL selection priority;

- (2) Effecting a position change of a current permanent competitive service USDA employee;
- (3) Appointment of a 10-point veteran preference eligible through an appropriate appointing authority;
- (4) Reemployment of a former USDA employee with regulatory or statutory reemployment rights, including the reemployment of an injured worker who either has been restored to earning capacity by the Office of Workers' Compensation Programs, Department of Labor, or has received a notice that his or her compensation benefits will cease because of recovery from disabling injury or illness;
- (5) Appointment of an individual for a period limited to 120 or fewer days, including all extensions;
- (6) Effecting a personnel action under, or specifically in lieu of, 5 CFR 351;
- (7) Appointment of an individual under an excepted service appointing authority;
- (8) Conversion of an employee serving under an appointment that provides noncompetitive conversion eligibility to a competitive service appointment, including from: (1) a Veterans Recruitment Appointment under 5 CFR 307; (2) an appointment under 5 U.S.C. 3112 and 5 CFR 316 of a veteran with a compensable service-connected disability of 30 percent or more; and (3) an excepted service appointment under 5 CFR 213, such as for persons with disabilities or in the Pathways Program;
- (9) Transfer of an employee between departments under appropriate authority during an inter-departmental reorganization, inter-departmental transfer of function, or inter-departmental mass transfer;
- (10) Reemployment of a former USDA employee who retired under a formal trial retirement and reemployment program and who requests reemployment under the program's provisions and applicable time limits;
- (11) Effecting a personnel action pursuant to the settlement of a formal complaint, grievance, appeal, or other litigation;
- (12) Extending a time-limited appointment up to the maximum period allowed (including any OPM-approved extension past the regulatory limit on the time-limited appointment), if the original action was made subject to ICTAP selection priority and the original vacancy announcement stated that the appointment could be extended without further announcement;
- (13) Reappointment of a former USDA employee into a hard-to-fill position requiring unique skills and experience to conduct a formal skills-based Department training program;

- (14) Retaining an individual whose position is brought into the competitive service under 5 CFR 316 and convert that individual, when applicable, 5 CFR 315;
- (15) Retaining an employee covered by an OPM-approved variation under Civil Service Rule 5.1 (5 CFR 5.1);
- (16) Appointment of an appointee of the Senior Executive Service into the competitive service under 5 U.S.C. 3594;
- (17) Assigning or exchange of an employee under a statutory program, such as Subchapter VI of Chapter 33 of Title 5, U.S.C. (also called the Intergovernmental Personnel Act), or the Information Technology Exchange Program under Chapter 37 of Title 5, U.S.C.;
- (18) Detailing an employee to another department;
- (19) Transfer of employees under an OPM-approved inter-departmental job swap plan designed to facilitate the exchange of employees between departments to avoid or minimize involuntary separations;
- (20) Transfer or reinstatement of an ICTAP eligible who meets USDA's definition of "well qualified";
- (21) Transfer of an employee voluntarily from one department to another under a Memorandum of Understanding or similar agreement under appropriate authority resulting from an inter-departmental reorganization, inter-departmental transfer of function, or inter-departmental realignment, when both the departments and the affected employee agree to the transfer; or
- (22) Transfer or a position change of an employee under 5 CFR 412.

f. ICTAP Notification & Tracking Services

In addition to meeting the requirements of 5 CFR 330.602(a)(1)(iv) and §330.607(a), at the time a HRO issues a specific RIF separation notice or notice of proposed removal for declining a transfer of function or directed reassignment outside of the local commuting area, the servicing HRO must give each of its eligible employees information in writing of their eligibility for priority placement and career transition services. Such information must contain guidance to the employee on how to apply for vacancies under the ICTAP, and what documentation is generally required as proof of eligibility.

Similarly, when a mission area, agency or staff office identifies a former employee as displaced under 5 U.S.C. 8337, 8451, or 8456, he/she will be notified of their eligibility under Subpart G of 5 CFR Part 330.

Each HRO employing a displaced employee on a basis that affects their eligibility under ICTAP shall notify in writing the former employing office (whether internal

to USDA or from another department) and OHRM Human Resources Policy Division of the action taken.

g. USDA Transition Services

Each HRO will provide information to its servicing area's employees on the use of transition services, and the supervisors and managers on the meaning of selection priority. They will also provide a specific orientation session for surplus and displaced employees at the time they become eligible for services and selection priority. See Section 8(g) of this Directive for more specifics as the ICTAP selection priority information and services are provided in conjunction with CTAP information and services.

h. Notice of Application Status

Surplus and displaced employees must receive written results on their application status, including whether or not they were determined "well-qualified" for specific vacancy announcement within their local commuting area. If an ICTAP eligible applicant is found to be "well qualified" and another "well qualified" applicant is selected, the ICTAP eligible must be informed of his/her non-selection including whether another CTAP/ICTAP selection priority candidate was hired; whether the position was filled under an exception listed in 5 CFR 330.705; and whether the recruitment was cancelled. If the displaced employee was not found to be "well-qualified", such notification must include results from an independent, second review, consistent with 5 CFR 330.706(c).

i. Not "Well Qualified" Reviews

Servicing HRO will ensure that a documented, independent second review is conducted whenever an otherwise eligible ICTAP priority employee is determined to be not "well qualified". The applicant must be advised in writing of the results of the second review before a referral certificate is issued. Both of these reviews are to be maintained in applicable vacancy announcement case file.

11. PAYMENT OF TRAVEL AND RELOCATION EXPENSES

A former employee separated under RIF or transfer of function, who within one year after the date of separation is reemployed under a non-temporary appointment at a different geographical location other than that from which separated, may be authorized travel and relocation expenses under 5 U.S.C. 5724a(g). Questions regarding what expenses are paid should be directed to the appropriate servicing travel office.

- END -

APPENDIX A

DEFINITIONS

Agency	<p>Mission areas, bureaus, agencies, staff offices, component or organizational unit of USDA.</p> <p>In this Directive, “department” is USDA (or in comparison to other organizations at the same government level). “Department” in this policy is synonymous with “agency” in the CFR references. The terms “mission area,” “agency” and “staff office” are used in reference to USDA’s sub organizations.</p>
Application (as applicable with CTAP and ICTAP)	<p>To receive this special selection priority, eligible employees must apply directly to departments/agencies for specific vacancies in the local commuting area within the prescribed time frames, attach the appropriate proof of eligibility and be determined “well qualified” by the agency for the specific position. See “proof of eligibility” for related information.</p>
Commuting Area / Local Commuting Area	<p>The geographic area that usually constitutes one area for employment purposes. It includes any population center (of two or more neighboring ones) and surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment. For example, the Washington, D.C., metropolitan area includes the District of Columbia; Prince George’s, Montgomery and Charles counties in Maryland; the cities of Alexandria, Fairfax, and Falls Church in Virginia; and Arlington, Fairfax, Loudoun, Prince William, Stafford, and King George counties in Virginia.</p>
Component	<p>The first major subdivision of the Department (USDA) that is separately organized and clearly distinguished from other components in work function and operation. Those parts of the Department within a local commuting area that are assigned to a separate agency code for Central Personnel Data File (CPDF) purposes.</p>
Department	<p>An executive department, a government corporation, and an independent establishment.</p> <p>In this Directive, “department” is USDA (or in comparison to other organizations at the same government level, i.e. U.S. Department of Labor). “Department” in this policy is synonymous with “agency” in the CFR references. The terms “mission area,” “agency” and “staff office” are used in reference to USDA’s component organizations.</p>
Displaced Employee (as applies to CTAP and ICTAP)	<p>An individual in one of these two categories:</p> <ol style="list-style-type: none"> 1) A current career or career-conditional (tenure group I or II) competitive service employee at grade GS-15 (or equivalent) or below who received a RIF separation notice or received a notice of proposed removal for declining a directed reassignment or transfer of function outside the local commuting area; or 2) A current Executive Branch department employee in the excepted service, serving on an appointment without time limit, at grade level GS-15 (or equivalent) or below who has been given noncompetitive appointment eligibility and selection priority by statute for position in

	the competitive service, and who is in receipt of a RIF separation notice or notice of proposed removal for declining a transfer of function or directed reassignment outside of the local commuting area.
Eligible Employee	A surplus or displaced employee who has a current performance rating of record at least Fully Successful or equivalent and who meets the other conditions set forth in 5 CFR 330.605 and §330.704.
Injury (as applies to RPL)	A compensable injury sustained under the provisions of 5 U.S.C. chapter 81, subchapter 1, and includes, in addition to accidental injury, a disease proximately caused by the employment. See “partially recovered” for related information.
Mission Area	The term used within USDA to denote one or more agencies that report to an Under Secretary.
Partially Recovered (as applies to RPL)	An injured employee, though not ready to resume the full range of his or her regular duties, has recovered sufficiently to return to part-time or light duty or to another position with less demanding physical requirements. Ordinarily, it is expected that a partially recovered employee will fully recover eventually. See “injury” for related information.
Proof of Eligibility	<p>Employees must submit the following as proof of eligibility for the special selection priority:</p> <ul style="list-style-type: none"> • RIF separation notice, or notice of proposed removal for declining a transfer of function or directed reassignment to another commuting area; • Documentation, e.g., SF-50, Notification of Personnel Action, showing that they were separated as a result of reduction in force, or for declining a transfer of function or directed reassignment to another commuting area; • Other official agency notification indicating the employee's position is surplus, such as a notice of position abolishment or eligibility for a discontinued service retirement; • Official certification from USDA stating that it cannot place an individual whose injury compensation has been or is being terminated; • Official notification from OPM that an individual's disability annuity has been or is being terminated; or • Official notification from the Military Department or National Guard Bureau that the employee has retired under 5 U.S.C. 8337(h) or 8456. <p>See “application” for related information.</p>
Qualified (for RPL purposes)	A registrant who: (1) meets OPM established or approved qualification standards and requirements for the position, including minimum educational requirements, and department/agency-established selective factors (as this term is used in OPM's "Operating Manual: Qualification Standards for General Schedule Positions"); (2) will not cause an undue interruption, as defined in 5 CFR 351.203 of this chapter, that would prevent the completion of required work by the registrant 90 days after the registrant is placed in the position; (3) is physically qualified, with or without reasonable accommodation, to

	perform the duties of the position; (4) meets any special OPM-approved qualifying conditions for the position; and (5) meets any other applicable requirements for competitive service appointment.
Reduction-In-Force (RIF)	The process defined in 5 CFR 351 used in the Federal government to identify one or more employees who will be separated or downgraded for a reason such as reorganization, lack of work, shortage of funds, insufficient personnel ceiling, or the exercise of certain reemployment or restoration rights.
Reorganization	The planned elimination, addition, or redistribution of work function within an organization, normally announcement in writing.
Surplus Employee (as applies to CTAP and ICTAP)	An individual in one of these two categories: 1) A current department employee serving under an appointment in the competitive service, in tenure group I or II, at grade level GS-15 (or equivalent) and below, who has received a certificate of expected separation (CES) or other official certification issued by the department indicating that the position is surplus; or 2) A current Executive Branch department employee serving on an excepted service appointment without time limit, at grade level GS-15 (or equivalent) and below, who has been issued a CES or other official agency certification indicating that his/her position is surplus, and who has been conferred noncompetitive appointment eligibility and specialist selection priority by statute for position in the competitive service; and 3) At a department's (USDA) discretion, a current Executive Branch employee serving on a Schedule A or B executive appointment without time limit, as grade level GS-15 (or equivalent) and below, and who is in receipt of a CES or other official agency certification indicating that his/her job is surplus; such employee may exercise selection priority for permanent excepted service positions within the department's local commuting area, provide the position to which appointed has the same appointing authority, i.e. Schedule A or B, as the position from which being separated.

Appendix B

USDA CTAP Eligibility Adjudication Worksheet Sample

Applicant Name: _____

	Criteria	Yes	No
1	Is the vacancy for a position lasting 121 days or longer, including extensions?		
2	Is the applicant a displaced USDA employee (e.g., has a notice of RIF separation or a notice of proposed removal for declining a directed reassignment out of the commuting area) or a surplus employee (e.g. has been issued a notice of position abolishment or other agency certification), and <i>still on the rolls</i> until actually separated from the agency?		
3	Is the displaced/surplus USDA employee a current career or career-conditional (tenure group I or II) competitive service employee, at GS-15 (or equivalent) and below?		
4	Does the displaced/surplus USDA employee have a current/last performance rating of at least fully successful?		
5	Did the displaced/surplus USDA employee apply for the vacancy, <i>which is at grade or pay level with a representative rate no higher than the representative rate of the grade or pay level of the employee's permanent position of record</i> , and which does not have promotion potential above the current grade? NOTE: A CTAP eligible can still exercise his/her priority consideration regardless of whether or not the agency issues a vacancy announcement.		
6	Is the position the displaced/surplus USDA employee is being separated from in the same local commuting area as the vacancy for which he/she applied?		
7	Did the displaced/surplus USDA employee apply directly to the vacancy within the timeframe established by its announcement and provide proof of eligibility (see question 2) for CTAP?		
8	Has the displaced/surplus USDA employee been determined to be "well qualified" for the position? To be "well qualified" the employee must exceed the OPM minimum qualification criteria for the position and meet any educational requirements. NOTE: If he/she is determined not "well qualified" for the position, the HRO must conduct an independent second review of the employee's qualifications. If the second review confirms the employee is not "well qualified," the HRO must advise the employee in writing of the results of the second review before a referral certificate is issued.		
9	Are there any other applicants/employees with higher order of consideration/priority when filling a vacancy? If so, the individual with higher consideration has first priority for the position.		
10	<ul style="list-style-type: none"> • If two or more CTAP eligible employees are found "well qualified" for the vacancy, the agency may select from among them. • The HRO must provide a CTAP eligible who applied for a specific vacancy written notice of the final status of his or her application. 		

If the answers are "YES" to questions 1-8, the applicant is eligible for CTAP selection priority; the HRO must then apply questions 9 and 10. If the answer is "NO" to any of questions 1-8, the applicant is not eligible for CTAP selection priority; however, the applicant must still be considered for referral if otherwise eligible.

CTAP Determination: _____ Eligible / Not Eligible (circle one) for CTAP Selection Priority

HR Adjudicator Name: _____ Date: _____

Appendix C

USDA RPL Eligibility Adjudication Worksheet Sample

Registrant Name: _____

	Criteria	Yes	No
1	Is the hire from outside of USDA's workforce?		
2	Is the vacant position being filled by a competitive service permanent or time-limited appointment?		
3	Is the RPL registrant in the same local commuting area as the vacancy?		
4	Does the vacancy/position have a representative rate at or below the grade for which the RPL registrant is listed? NOTE: The registrant cannot exercise placement priority for positions with promotion potential above their current grade level.		
5	Does the vacancy/position have the same type of work schedule as the RPL registrant?		
6	Does the RPL registrant meet the position's OPM qualification requirements including as applicable education, any selective factors, and the criteria listed below? <ul style="list-style-type: none"> • Will not cause undue interruption as defined in 5 CFR 351.203 that would prevent the completion of required work by the registrant 90 days after placed in the position; • Is physically qualified with or without reasonable accommodation to perform the duties of the position; • Meet any special OPM-approved qualifying conditions for the position (e.g., medical standards); and • Meet any other applicable requirements for competitive service appointment. 		
7	Are there any other applicants/employees with higher order of consideration/priority when filling a vacancy? If so, the individual with higher consideration has first priority for the position.		

If the answers are "YES" to questions 1-6, the registrant is eligible for RPL priority placement; the HRO must then apply question 7. If the answer is "NO" to any of questions 1-6, the registrant is not eligible for RPL priority placement.

RPL Determination: _____ Eligible / Not Eligible (circle one) for RPL Priority Placement

HR Adjudicator Name: _____ Date: _____

<p>Additional information in case an applicant claims Reemployment Priority, but is not registered on the USDA list.</p> <p><u>Criteria Under RIF:</u></p> <ul style="list-style-type: none"> • USDA employee in Tenure Group I or II must be serving in a competitive service appointment. • USDA employee received a specific notice of separation or a CES under RIF that has not been cancelled, rescinded, or modified so that the employee is no longer under notice of separation. • USDA employee has a current/last performance rating of at least fully successful. • USDA employee must have not declined an offer under RIF of a position with the same type of work schedule and with a representative rate at least as high as that of the position from which the employee will be separated. <p><u>Criteria Under Compensable Injury:</u></p> <ul style="list-style-type: none"> • USDA current or former employee, in Tenure Group I or II must be serving in, or separated from, a competitive service appointment. • USDA current or former employee must have either accepted a position at a lower grade of pay level in lieu of separation, or have been separated because of a compensable injury or disability. NOTE: For these purposes, any reference to the position from which an individual was or will be separated includes a position from which the RPL eligible accepted a lower graded or pay level position. • USDA current or former employee must have fully recovered for more than one year after compensation began. • USDA current or former employee must have received notification from the Office of Workers' Compensation Programs, Department of Labor that injury compensation benefits have ceased or will cease.

Appendix D

ICTAP Eligibility Adjudication Worksheet Sample

Applicant Name: _____

	Criteria	Yes	No
1	Is the hire from outside of USDA's workforce?		
2	Is the vacancy for a position lasting 121 days or longer, including extensions?		
3	Is/was the employee/applicant a career or career-conditional (tenure group I or II) competitive service employee at GS-15 (or equivalent) and below?		
4	Does the employee/applicant have a current/last performance rating of at least fully successful?		
5	Did the employee/applicant apply for the vacancy, <i>which is at grade or pay level with a representative rate no higher than the representative rate of the grade or pay level of the employee's permanent position of record</i> , and which does not have promotion potential above the current grade?		
6	Is the position the employee/applicant is being or was separated from in the same local commuting area as the vacancy for which he/she applied?		
7	Did the employee/applicant apply directly to the vacancy within the timeframe established by its announcement and provide proof of eligibility (see questions 8 and 9) for ICTAP?		
8	Did the employee/applicant provide proof of eligibility? <ul style="list-style-type: none"> • RIF Separation Notice or Proposal to Remove Notice, • SF-50 indicating separated by RIF, • SF-50 indicating declination of transfer of function or directed reassignment/change in duty station outside commuting area, or • SF-50 indicating retirement under discontinued service retirement (DSR) in lieu of RIF. 		
9	Did employee/applicant apply within one year of the separation date, from one of the following? <ul style="list-style-type: none"> • Separated by RIF • Separated because he/she declines a transfer of function or directed reassignment/change in duty station outside the commuting area • Separated under discontinued service retirement (DSR) 		
10	Has the displaced/surplus USDA employee been determined to be "well qualified" for the position? To be "well qualified" the employee must exceed the OPM minimum qualification criteria for the position and meet any educational requirements. NOTE: If he/she is determined not "well qualified" for the position, the HRO must conduct an independent second review of the employee's qualifications. If the second review confirms the employee is not "well qualified," the HRO must advise the employee in writing of the results of the second review before a referral certificate is issued.		
11	Are there any other applicants/employees with higher order of consideration/priority when filling a vacancy? If so, the individual with higher consideration has first priority for the position.		
12	<ul style="list-style-type: none"> • If two or more ICTAP eligibles are found "well qualified" for the vacancy, the agency may select from among them. • The HRO must provide an ICTAP eligible who applied for a specific vacancy written notice of the final status of his or her application. 		

If the answers are "YES" to questions 1-10, the applicant is eligible for ICTAP selection priority; the HRO must then apply questions 11 and 12. If the answer is "NO" to any of questions 1- 10, the applicant is not eligible for ICTAP selection priority; however, the applicant must still be considered for referral if otherwise eligible.

ICTAP Determination: _____ Eligible / Not Eligible (circle one) for ICTAP Selection Priority

HR Adjudicator Name: _____ Date: _____