

3 Employment and Placement

310 General Provisions

311 Functional Responsibilities

311.1 Basic Principles

311.11 Best Qualified Personnel

Employment and placement functions are designed to ensure that the recruitment, assignment, promotion, motivation, training, development, and retention procedures result in the best qualified personnel to carry out the mission of the Postal Service with maximum productivity and economy of operations.

311.12 Prohibition of Discrimination

The recruitment, assignment, promotion, and training functions of the Postal Service may not discriminate for any nonmerit reason such as race, color, religion, sex, age (40+), union or political affiliations, marital status, or physical or mental handicap with respect to any position which may be efficiently performed by a person with the mental or physical impairment. Equal opportunity is afforded to all employees. Position changes and advancement may be based solely on merit, applicable experience, knowledge, skills, abilities, and the physical requirements specified for the vacancy being filled.

311.13 Prohibition of Political Recommendations

The Law (39 U.S.C. 1002) prohibits political and certain other recommendations for appointments, promotions, assignments, transfers, or designations of persons in the USPS.

311.2 Administration

311.21 Assistant Postmaster General, Employee Relations

Develops policies, methods, and procedures for recruiting, selecting, appointing, assigning, reassigning and promoting employees.

311.22 **Regional Director, Human Resources**

Directs the review and continued long-term improvement of all employee and labor relations programs, including collective bargaining, grievance processing, arbitrations, contract interpretation, contract analysis, recruitment, compensation, organizational design, staffing, training, EEO, safety, and PCES administration.

311.23 **Field Manager, National Test Administration Center**

Stocks and distributes examination material, provides support programs, scores examinations, and generates reports and statistical data as required.

311.24 **Sectional Center Installation Heads**

Supports the postal examination program and applicable national and regional guidelines for recruitment, selection, promotion, assignment, and reassignment.

311.25 **Examinations Specialist**

Supports the postal examination program within the scope of established guidelines.

311.26 **Postal Medical Officer**

Determines whether or not eligibles meet medical requirements for employment.

311.27 **Postal Inspection Service**

Investigates instances of irregularities in the employment and placement process and related activities, as required.

311.3 **Employee Classifications**

311.31 **Nonbargaining Unit Employees**

311.311 **Full-Time Salaried**

The following salaried employees are employed according to procedures established by the USPS and are paid on an annual rate basis:

- a. *Officers* — Postmaster General, Deputy Postmaster General, Associate Postmasters General, Regional Postmasters General, Senior Assistant Postmasters General, General Counsel, Assistant Postmasters General, Judicial Officer, Consumer Advocate, Treasurer, Controller, Executive Assistant to the Postmaster General and the Chief Postal Inspector.
- b. *Exempt Salaried* — Career employees who are exempt from the Fair Labor Standards Act (FLSA) provisions and not limited to working a specified number of hours in a service week, and are expected to work at least 40 hours per week fulfilling the responsibilities of their positions.

- c. *Nonexempt Salaried* — Career employees who are not exempt from (i.e., are covered by) FLSA provisions. These employees are assigned to work schedules consisting of five 8-hour days in a service week.

311.312 **Part-Time Salaried**

Career hourly rate employees assigned to regular work schedules of less than 40 hours in a service week.

311.313 **Supplemental**

- a. *Temporary* — Noncareer employees with a limited term appointment up to, but not to exceed, 1 year who perform duties assigned to nonbargaining unit positions.
- b. *Casual* — Noncareer employees with limited term appointments used as a supplemental work force, as described in the National Agreement, or in other Postal Service collective-bargaining agreements, who perform duties assigned to bargaining unit positions.

311.32 **Bargaining Unit Employees**

311.321 **Full-Time Employees**

Career employees paid an annual salary, assigned to work schedules of five 8-hour days in a service week. For administrative and reporting purposes, regular rural carriers who serve on an established rural route on the basis of 6 days, or on a heavy route for 5, 5 1/2, or 6 days in a service week, are considered to be full-time employees.

311.322 **Part-Time Employees**

- a. *Part-Time Regular* — Career hourly rate employees assigned to work regular schedules of less than 40 hours in a service week.
- b. *Part-Time Flexible* — Career hourly rate employees available to work flexible hours as assigned by the Postal Service during the course of a service week.

311.323 **Substitute Rural Carrier**

Noncareer rural carriers, with an appointment without time limitation, assigned to serve as a substitute on one to three established rural routes in the absence of a regular rural carrier. This service may be as a leave replacement and/or covering a vacant route pending the selection of a rural carrier.

311.324 **Auxiliary Rural Carrier**

Persons selected to serve an auxiliary rural route (one that has not been evaluated and designated as a regular rural route). Normally, auxiliary rural routes are served by substitute rural carriers.

311.325 **Rural Carrier Relief (RCR) and Rural Carrier Associate (RCA)**

Noncareer rural carriers with an appointment without time limitation, that provide service on established regular rural routes in the absence of regular rural carriers or to provide service on auxiliary rural routes. This service may be as a leave replacement and/or covering a vacant regular route pending the selection of a regular rural carrier.

312 **Qualification Standards**

312.1 **General**

All candidates must meet the appropriate qualification standards for positions. The statements of knowledge, skills, and abilities establish the minimum requirements which all candidates must meet. Qualifications of all eligible applicants must be fully and fairly assessed without regard to race, color, religion, sex, age (40+), physical or mental handicap, marital status, national origin, or political affiliation.

312.2 **Sources**

312.21 **Handbook EL-302**

Handbook EL-302, *Qualification Standards — Nonbargaining Unit Positions*, contains qualification standards for U.S. Postal Service nonbargaining unit positions. It does not include qualification standards for the following positions:

- a. Officer and executive positions in the Inspection Service, and regional offices.
- b. Postmaster and installation head positions.

312.22 **Handbook EL-303**

Handbook EL-303, *Qualification Standards — Bargaining Unit Positions*, contains qualification standards for use in entrance and inservice placement actions for U.S. Postal Service bargaining unit positions. The application of these standards must be consistent with the applicable provisions of the appropriate collective-bargaining agreement.

313 **Collection, Use and Disclosure of Personnel Information Under the Privacy Act**

313.1 **Privacy Act Requirements**

313.11 The Privacy Act guidelines presented in this part only highlight the application of privacy to employment and placement record-keeping activities. Complete requirements and guidelines appear in the *Administrative Support Manual* (ASM 353).

313.12 Under the Privacy Act of 1974, the Postal Service must:

- a. Upon specific request, permit individuals to (1) know whether the Postal Service has records filed or cross-indexed under their names, (2) gain access to and have copies made of most such records pertaining to themselves, (3) request amendment or correction of those records, and (4) know the purposes for and most disclosures made of those records.
- b. Comply with certain requirements regarding the collection, use, disclosure, and safeguarding of information about individuals.

- c. Publicly announce, in advance of implementation, any proposal to establish, modify, or alter the uses of any Privacy Act system of records containing information about individuals.

313.2 Responsibilities of Records Custodian

313.21 Compliance With Laws and Regulations

The head of a postal installation in the field or of a group or department at Headquarters is the official custodian of all the records in the custody of that installation, group, or department. The Records Custodian is responsible for ensuring compliance with all laws and Postal Service regulations and instructions pertaining to such records. (Office of Personnel Management instructions regarding the Privacy Act do not apply to the Postal Service.)

313.22 Safeguarding Information

- 313.221 Appropriate safeguards, such as record controls, restrictions on access, and lockable cabinets must be provided to ensure the security and confidentiality of records that contain information about individuals.
- 313.222 Records containing information about individuals must be burned or shredded when their retention or other disposition is not appropriate.
- 313.223 Employees who have access to records containing information about individuals must be instructed in the local procedures for safeguarding such information and advised of the penalties provided by the Privacy Act.

313.3 Penalties

- 313.31 The Privacy Act provides criminal penalties, including fines up to \$5,000, for any officer or employee of a federal agency, including the Postal Service, who:
 - a. Knowing that disclosure of specific material is prohibited, willfully discloses information about an individual to any person or agency not entitled to receive it.
 - b. Willfully maintains a system of records containing information about individuals without giving appropriate notice in the Federal Register.
- 313.32 The Privacy Act also provides criminal penalties, including fines up to \$5,000, for any person who knowingly and willfully requests or obtains any record concerning another individual under false pretenses.

313.4 Authorized Systems of Records

313.41 Individual Records

A Privacy Act system of records means any group of records under the control of the Postal Service, including mailing lists, from which information is retrieved by the name of an individual or by some identifying number or symbol assigned to the *individual*, such as a Social Security number. (*Individual* in this context does not include proprietorships, businesses, or corporations, which are not covered by the Privacy Act.)

313.42 Record Systems Currently Authorized

Required public notice has been published by the Postal Service regarding all the systems of records authorized in the Postal Bulletins, handbooks, publications, and other official directives. Those currently *authorized personnel* records systems which are generally maintained in the field are:

- a. Blood Donor Records System.
- b. Employee Accident Records.
- c. Grievance and Appeals Records for Nonbargaining Unit Employees.
- d. Employee Job Bidding Records.
- e. Employee Suggestion Control Records.
- f. General Personnel Folders (Related Official Personnel Folders and Records).
- g. Medical Records.
- h. Performance Awards Records.
- i. Preemployment Investigation Records.
- j. Personnel Research and Test Validation Records.
- k. Postmaster Selection Program Records.
- l. Employee Assistance Program (EAP) Records.
- m. Recruiting, Examining, Training, and Placement Records.
- n. Skills Bank (Human Resources) Records.
- o. Supervisors' Personnel Records.
- p. Vehicle Maintenance and Operator Records.
- q. Payroll System Records.
- r. Employee Travel Records.
- s. Uniform Allowance Program Records.
- t. EEO Discrimination Complaint Investigation Records.
- u. Office of Workers' Compensation Program (OWCP) Record Copies.

313.43 Prohibited Record Keeping

313.431 Unauthorized Records

No Postal Service officer or employee may collect or maintain information to be retrieved by the individual's name or identifying symbol except as a part of one of the authorized systems of records, and then only in an authorized manner relevant to the purpose of the system.

Notes:

- a. The complete list of authorized record systems appears in the Appendix of the ASM.
- b. See ELM 314.5 for an explanation of the purpose and use of supervisor's personnel records and personal notes.

313.432 Minority Code Records

The USPS is required to collect and maintain minority designation code data on all employees, and submit such reports as may be required by the Office

of Personnel Management (OPM). The collection, maintenance, and reporting of minority designation code data must be accomplished in accordance with procedures specified in 670. Except for the specific conditions or approved exceptions authorized in writing by the Assistant Postmaster General, Employee Relations, and certain requirements of the formal EEO complaint investigation process, the linking of an individual employee's name or Social Security account number with a minority designation code is strictly prohibited.

313.433 Lists of Bond and Charity Program Participants

No postal facility or postal employee may maintain a listing of participants or nonparticipants in the U.S. Savings Bond Program, the Combined Federal Campaign, or other similar voluntary programs. Upon request, PDCs send postal managers only statistical reports concerning installation participation.

313.44 Obtaining Authorization for New Record-Keeping Practices

Postal Service officers and employees who are interested in expanding the uses of personnel records, modifying the structure of personnel record keeping systems, or creating new types of personnel records must obtain approval to do so. Further guidance for obtaining approval is covered in the ASM.

313.5 Disclosure of Information About an Employee to Others

313.51 To the Public

The name, job title, grade, salary, duty status, and dates of postal employment of any current or former individual postal employee is available to the public and may be disclosed to any person. No accounting of such disclosures is required.

313.52 For Credit References

Credit bureaus, federal credit unions, banks, and other commercial firms from which an employee is seeking credit may be given public information and "yes" or "no" responses to verify specific information about an employee. No accounting of these disclosures is necessary. However, if a firm requests additional information, it must submit a release form signed by the individual, and an accounting of the disclosure must be kept (list of employees' names may not be released without approval of the Regional Counsel).

313.53 For Job References

A prospective employer may be furnished public information listed in 313.51, in addition to the date and reason for separation. The reason for separation must be limited to one of the following terms: *retired*, *resigned*, or *separated*. Other terms or variations of these terms (e.g., *retired-disability*) may not be used. If additional information is desired, the requester must submit the written consent of the employee, and an accounting must be kept.

313.54 **Third-Party Disclosures**

Information which may be made available to employees about their own records (see 313.6) may be disclosed to another person, including their spouses, only under one of the following conditions:

- a. The person has a signed statement of permission from the individual to obtain the information.
- b. The person is invited by the individual to be present when the individual is reviewing his own records, and submits a written statement authorizing the disclosure of information in that person's presence.
- c. The person shows compelling evidence that the health or safety of the individual to whom the record pertains is affected, and notification is sent to the individual's last known address.

313.55 **Freedom of Information Act Requests**

For guidelines regarding the processing and denial of requests under the Freedom of Information Act, see Chapter 3 of the ASM.

313.56 **Information for Postal Uses**

Personnel information required in the performance of postal duties may be given to any postal employee, or employee of a contractor operating a Postal Service system of records. No accounting of the disclosure is required for such internal uses.

313.57 **Restrictions on Other Disclosures**

Custodians must keep an accurate accounting of every other disclosure of information pertaining to an employee. The accounting of disclosures is described in Chapter 3 of the ASM.

313.6 **Requests Made by an Employee Regarding Information Pertaining to Self**

313.61 **For Personnel Information**

Individuals may review and have copies of any information pertaining to themselves that is contained in a record filed or cross-indexed under their names or other identifiers, except the following:

- a. The name or information identifying an individual who has expressly requested and been promised anonymity in providing information to the Postal Service. This exception applies only to Preemployment Investigation Records; Recruiting, Examining, Training, and Placement Records; Postmaster Selection Records; and records originated by the Postal Inspection Service. (The information which cannot be disclosed must be excised from a copy of the record before it can be reviewed or copied by the individual.)
- b. Records compiled in reasonable anticipation of civil action or proceeding.
- c. Records of the disclosure of information to law enforcement agencies for civil or criminal law enforcement purposes.

- d. Information within records that might compromise testing or examination materials.
- e. Registers for positions to be filled. (Upon written request an individual may be told: (1) the approximate number of eligibles ahead on the hiring register; (2) the number of eligibles expected to be employed during a specific time frame; (3) whether prospects for employment consideration are good, fair or unfavorable.)
- f. Medical or psychological records, including those received from the Veterans Administration, Public Health Service, Office of Workers' Compensation, which in the opinion of a medical doctor should not be made directly available to the individual. Such records may be made available to a physician designated in writing by the individual, in which case a disclosure accounting must be filed. (See Handbook EL-806, *Health and Medical Service*.)
- g. Information pertaining to individuals in the form of uncirculated personal notes kept by Postal Service employees, supervisors, counselors, investigators, etc. (See 314.5.) This exception does not apply to official, signed supervisory evaluations or appraisals of an employee, which must be made available to the employee to whom they pertain upon request.
- h. Results (other than annotated SF 85A, *National Agency Check — Data for Nonsensitive or Noncritical-Sensitive Position*, and SF 86, *Security Investigation Data for Sensitive Position*) of national agency check and written inquiry investigations (NACI) conducted by the Office of Personnel Management. (See 314.2.) Individuals requesting NACI records should be advised to send their requests to

FEDERAL INVESTIGATIONS PROCESSING CENTER
OFFICE OF PERSONNEL MANAGEMENT
PO BOX 618
BOYERS PA 16018-0618.

313.62 **Requests to Amend a Record**

An employee may request the correction or amendment of a Postal Service record pertaining to him. Policy is covered in the ASM.

313.63 **Requests for Records of Disclosures**

Employees may request that they be notified of any disclosures of specific personal records to any person, organization, or agency outside of the Postal Service. Such requests must be made to the facility where the record is located and must clearly identify the system of records. Procedures are covered in Chapter 3 of the ASM.

313.64 **Fees**

No fee is charged an individual for the process of retrieving, reviewing, or amending a record pertaining to that individual. A fee of 15 cents per page may be charged for duplicating any paper or micrographic record or publication or computer report, except that the first 100 pages furnished in response to a particular request are furnished without charge. Copying fees

collected as a result of Privacy Act requests are deposited in Account Identifier Code (AIC) 127. Further guidance regarding fees is covered in Chapter 3 of the *Administrative Support Manual* (ASM).

313.7 **Processing Requests for Personnel Information**

313.71 **Requests for Local Records**

313.711 Requests to review or copy a record must be made to the installation where the record is kept, except in the case of retired Official Personnel Records (see 313.72).

313.712 Records are made available for inspection and copying during normal business hours at the facility where the record is to be reviewed.

313.713 Postal employees who wish to review or copy any of their own records must do so on their own time, except as provided for under current collective-bargaining agreements.

313.72 **Requests for Retired Official Personnel Folders**

A request to review an Official Personnel Folder which has been retired to the National Personnel Records Center may be made at any postal installation. The requester should specify the installation at which review is desired. The request must be immediately forwarded to that installation for processing, if other than the installation initially receiving the request. If the requester meets the criteria in 313.5 or 313.6, the installation where review is to take place sends an SF 127, *Request for Official Personnel Folder (Separated Employee)*, to the

CIVILIAN PERSONNEL RECORDS
NATIONAL PERSONNEL RECORDS CENTER
NATL ARCHIVES AND RECORDS ADMIN
111 WINNEBAGO ST
ST LOUIS MO 63118-4126.

Upon receiving the folder, the installation notifies the requester that it is available for review. After the review, the installation retains the folder for 30 days and then, if there is no further need for its retention, returns it by registered mail to the National Personnel Records Center.

314 **Maintaining Personnel Records and Files**

314.1 **Official Personnel Folders (OPFs)**

314.11 **Establishment**

A single official personnel folder is established and maintained by the appropriate appointing or personnel officer for each employee of the Postal Service, regardless of appointment type or duration.

Note: See Handbook EL-301, *Processing Personnel Actions*. This new handbook (scheduled for publication in the near future) revises and replaces Chapter 6 of the former Handbook P-11 (this identifier has been changed to EL-311), *Personnel Actions*. The OPF contains documents that reflect or

have a bearing on the official status, salary, benefits, service, or work performance of the employee, and those with significance in the employee's career history. Separate files must be established for investigative reports, medical records and reports, occupational injury and illness compensation claims, performance evaluation forms, and for certain disciplinary records. Also, separate files containing relevant records may be temporarily established incident to completion of a current case such as a grievance action. The retention of such case files must be in accordance with the established records retention schedules (see Appendix A). Photographs of the employee may not be placed in an employee's OPF. OPFs are maintained by the Postal Service within the privacy system of records identified as USPS 120.070.

314.12 **Laws Governing Use of Information**

314.121 **Privacy Act**

Officers of the Postal Service are responsible for compliance with regulations of the Privacy Act concerning the collection, use, disclosure and safeguarding of information pertaining to employees, and permitting employees to gain access to and to correct or amend records containing such information. This applies to all records maintained in the OPF. (See 313 for these requirements.)

314.122 **Freedom of Information Act**

The records in the OPF are exempt in most cases from mandatory public disclosure under the Freedom of Information Act, except for certain public information which may be disclosed under the provisions of 313.51. For guidelines regarding the processing and denial of requests under the Freedom of Information Act, see Chapter 3 of the ASM.

314.13 **Security of Folders**

The OPF is the basic source of official data on the employee. The integrity of the OPF is essential to postal officials in discharging their responsibilities, and employees depend on the completeness of these records for assurance of their rights and benefits. Furthermore, the records in the OPF contain information which, if improperly disclosed, could cause substantial harm, embarrassment, inconvenience, or unfairness to the employee. Consequently, it is required by law that the custodian establish appropriate administrative, technical, and physical safeguards to ensure the security and confidentiality of the OPFs and to protect against any threat to their integrity. See 313.2 and 313.3 regarding responsibilities of the custodian to safeguard personnel records, and on penalties provided by the Privacy Act for unauthorized collection or disclosure of information about an individual. Handbook EL-301, *Processing Personnel Actions*, outlines procedures related to the protection of OPFs.

314.14 **Access to Folders**

314.141 **Official Uses**

Postal officials and personnel office employees who require personnel information in the performance of postal duties must so state before being

given access to OPFs. No Privacy Act accounting is required for such disclosures.

314.142 Employee Review

With no exceptions, individuals may review and have copies made of any information contained in their OPF. Such review must be conducted in the presence of an official or employee who has custody of the folder. Records are made available for inspection and copying during normal business hours at the facility where the record is to be reviewed. Employees wishing to review or copy records pertaining to them must do so on their own time except as provided for under current collective-bargaining agreements. Information to which an employee is not entitled access is listed in 313.61a through h; however, none of the items of information listed there may ever be kept in the OPF. For further information on requests made by employees regarding information pertaining to themselves see 313.6.

314.143 All Others

See 313.5 for instructions regarding the disclosure of personnel information to others.

314.15 Detailed Instructions

Detailed instructions governing the establishment, content, maintenance and disposition of OPFs are contained in Handbook EL-301, *Processing Personnel Actions*, scheduled for publication in the near future.

314.2 Personnel Investigation Records

314.21 Responsibility

Postal officials with appointing authority are responsible for the security and disposition of personnel investigation records in their possession or in the possession of their subordinates. Personnel investigation records are normally maintained by the same official who is responsible for maintaining OPFs, although access is more restricted.

314.22 Purpose

Personnel investigation records are developed and maintained for the purpose of determining suitability of employment, and for security purposes as authorized by 39 U.S.C. 410(b) and 1001.

314.23 Location of Record System

To comply with the Privacy Act and to prevent unauthorized access to sensitive investigative information, personnel investigation records on employees and applicants for employment must be stored in locked file cabinets accessible only to those with the appropriate authorization and the need to know. Investigative records must not be filed in the OPF, nor may they be stored in the same file cabinets as the OPFs except in those small offices where access to both record systems is restricted to the same one or two individuals.

314.24 **Content**

Personnel investigation records include such items as character references, former employee references, police records, drug abuse reports, investigative reports, accountings of disclosures for law enforcement purposes, and such other material as may be generated in any of four ways. Due to the differing disposal requirements for each of the four types of records, it is advisable to keep each type segregated within the same alphabetical file. Employees may therefore have up to four folders filed under their names in the personnel investigations files. The four types of investigative records are:

- a. Those resulting from local preemployment background investigations performed by appointing officers in compliance with Part 310 of Handbook EL-311. Preemployment investigation records are maintained by the Postal Service within the privacy system of records identified as USPS 120.110.
- b. Information returned to the appointing officer, either directly or through the Postal Inspection Service, as a result of the National Agency Check and Inquiries (NACI) investigation. (Form 85 *Nonsensitive Security Clearance*, or SF 86 *Security Investigation Data for Sensitive Position*, on which background data is submitted to OPM and on which notations may be made showing that investigative requirements have been met, are filed as permanent records in the OPF.)
- c. Investigative memorandums on employees generated by the Postal Inspection Service. Whether or not these memorandums become the basis for disciplinary action, they must never be placed in the OPF. Written letters of decision regarding disciplinary action based on investigative memorandums are filed in the OPF as permanent documents immediately below the Form 50 which effects the action. The case number on the investigative memorandum is noted in the remarks section of this Form 50. Investigative memorandums are maintained by the Postal Service within the privacy system of records identified as USPS 080.010.
- d. Records of all disclosures of any personal information maintained by the Postal Service to a federal, state, or local government agency for civil or criminal law enforcement purposes.

314.25 **Disclosure to Employee Concerned**

314.251 **Local Preemployment Background Investigations Records**

Employees may review and have copies of any information pertaining to themselves in these records, except the name or information identifying an individual who has expressly requested and been promised anonymity in providing information to the Postal Service. The fact that such a request or promise has been made must be clearly reported in the record by the responsible appointing official. The information must be excised from a copy of the record before it can be reviewed or copied by the individual.

314.252 **Investigative Material Developed by the Office of Personnel Management During NACI Investigation**

Individuals requesting NACI records are advised to send their requests to the
FEDERAL INVESTIGATIONS PROCESSING CENTER
OFFICE OF PERSONNEL MANAGEMENT
PO BOX 618
BOYERS PA 16018-0618.

314.253 **Investigative Memorandums Generated by the Postal Inspection Service**

Requests for access to such records are forwarded to
CHIEF POSTAL INSPECTOR
US POSTAL SERVICE
475 L'ENFANT PLZ SW
WASHINGTON DC 20260-2100.

314.254 **Disclosure Accounting Records**

When a disclosure has been made for civil or criminal law enforcement purposes, the accounting of that disclosure is not to be provided to the individual.

Note: Accountings must be provided to the individual when information has been disclosed to a law enforcement agent during a suitability for employment investigation.

314.26 **Retention and Disposal**

See Item 16 in the Appendix A for personnel investigation records retention and disposal instructions.

314.3 **Medical Records**

314.31 **Program Administration**

See Chapter 8 for instructions on the administration of the medical program.

314.32 **Confidentiality**

All medical records and information are to be considered confidential. Such records must be kept under lock when left unattended.

314.33 **Maintenance**

Restricted medical records are not to be maintained in the OPF. They must be maintained separate from all other employee records as the Privacy Act System USPS 120.090. See Chapter 2 of Handbook EL-806, *Health and Medical Services*, for definition of medical records.

314.34 **Retention and Disposal Upon Employee Reassignment, Separation, or Transfer**

See Item 49 in the Appendix A for records retention and disposal instructions.

314.4 **Injury Compensation Case Files**

314.41 **Responsibility**

The handling of injury compensation cases and maintenance of case files is the responsibility of the designated injury compensation control point or office, which may be the medical or health unit, the safety office, or an appropriate level supervisor. See 540 for complete instructions on administration of the Injury Compensation Program.

314.42 **Purpose**

Injury compensation case files are maintained to monitor the administration of benefits under the Federal Employees' Compensation Act (FECA), as amended, which covers all officers and employees of the Postal Service. Injury compensation records are maintained by the Postal Service within the privacy system of records identified as 120.098.

314.43 **Content**

Injury compensation case files are established for each employee who submits a claim to the U.S. Department of Labor, Office of Workers' Compensation Programs (OWCP). The case file contains:

- a. CA-1 (copy), *Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation*.
- b. CA-2 (copy), *Notice of Occupational Disease and Claim for Compensation*.
- c. Form CA-17, *Duty Status Report*, completed by the employee's attending physician as often as the control office or control point deems necessary during the period of disability.
- d. Form 2533 (copy), *Limited Duty Assignment*, if used.
- e. Any other forms or correspondence which pertain to the case.

314.44 **Confidentiality**

Injury compensation case files are to be treated as confidential and given the same measure of security as other personnel records systems; i.e., storage in a locked desk or file cabinet and access restricted to those with the need to know.

314.45 **Disclosure to the Individual Concerned**

Individuals may review and have copies of any information pertaining to themselves that is contained in the injury compensation files. If the case files contain medical information, the medical officer must approve the direct disclosure of this information to the employee.

314.46 **Retention and Disposal**

If an employee with an injury compensation case file is reassigned to another unit within the Postal Service, the case file is sent by certified mail to the injury compensation control point at the employee's new location. For

separation cases, see Item 55 in the Appendix for records retention and disposal instructions.

314.5 **Supervisor's Personnel Records and Personal Notes**

314.51 **General**

Supervisors establish an adequate personal filing system for the performance of their daily responsibilities and to maintain compliance with the provisions of the Privacy Act. Supervisor's Personnel Records are maintained by the Postal Service within the privacy system of records identified as USPS 120.190.

314.52 **Levels of Information**

In order to meet the requirements of the Privacy Act, the Postal Service has defined three levels of personnel information for general use:

- a. *Level 1 — General Purpose Record Systems* are those official systems necessary to support employee staffing, benefits, payroll, and other employment-related functions, e.g., the OPF.
- b. *Level 2 — Supervisor's Personnel Records* of discussions, letters of warning, the supervisor's copy of any official records maintained in Level 1, and any other relevant official records being maintained at the supervisor's discretion for the purpose of enabling effective management of personnel.
- c. *Level 3 — Personal notes and documents maintained by a supervisor and never circulated to another person.* These are considered to be unofficial, nonpostal documents until such time as at least one other person (besides the subject employee) witnesses their contents. For purposes of the Privacy Act, another person's witness of the contents of such documents legally converts them to Level 2, Supervisor's Personnel Records category.

314.53 **Maintenance**

Level 1 and 2 records are subject to the provisions of the Privacy Act. For a list of the currently authorized Level 1 personnel records systems being maintained, see 313.42 of this manual. Appendix B of the ASM describes the nature of these systems and includes disclosure and retention information. Level 2 records are described as Privacy Act system of records 120.190 in Appendix B of the ASM.

314.54 **Supervisor's Personnel Records (Level 2 Records)**

314.541 **Contents**

Supervisor's personnel files may include such employee records as: discussions; letters of warning and other disciplinary records; copies of records filed in the OPF; copies of training and placement records; attendance records; travel records; skills bank information; estimates of potential; merit evaluations; vehicle operator's and safe driver awards records; letters of commendation; customer correspondence; and other information at the supervisor's discretion.

314.542 **Privacy Act Requirements**

These records are personal and must be provided the same level of security as OPFs; i.e., storage in a locked desk or file cabinet and access restricted to those with the need to know. At installations where some employees frequently work for more than one supervisor, a separate, central file for disciplinary and/or other supervisor's personnel records may be maintained under this privacy system. Supervisor's personnel files are a recognized system under the Privacy Act, and are therefore subject to all its provisions, including the right of the employee to review and have copies of any records maintained therein. Copies of investigative memorandums prepared by the Inspection Service may not be maintained as a supervisor's personnel record, but rather as a personnel investigative record as defined under 314.2.

314.543 **Disclosure**

Upon request, from the subject employee, Supervisor's Personnel Records (Level 2) about that employee must be shown to him or her. In addition, Level 2 records are to be disclosed to persons who have the written consent of the subject employee. Level 2 records may be disclosed without the subject's consent to Postal Service officials only when needed in the course of official business; to collective-bargaining agents when relevant to a grievance; to EEO investigators when relevant to a formal EEO complaint; or for other reasons specifically authorized by the Privacy Act, including routine uses published in Appendix B of the ASM. A record must be maintained of each disclosure to anyone other than the employee or a postal official. Disclosure from an employee OPF to the subject employee or to a postal official should be accounted for using Form 6100-A or 6100-B as appropriate. This "disclosure accounting" record should be kept in the employee's OPF. (See ASM 353.3 for details.)

Note: Informal EEO complaints — EEO counselors need to review Level 2 records in order to satisfactorily perform their function. Review is permitted provided the counselor demonstrates that the information desired is relevant to resolution of the question(s) involved. Counselors are not to have access to Supervisor's Personnel Records, but only to relevant records from which they may make notes of the information needed. If most of a record is relevant, it may be photocopied with the nonrelevant portions excised.

314.544 **Retention and Disposal**

Level 2 records are generally retained as long as the employee-supervisor working relationship remains in effect. When an employee is *transferred* or *promoted* and has a new "primary" supervisor or an entirely new set of supervisors, Level 2 records, except disciplinary records, are to be destroyed on the effective date of the personnel action. All disciplinary records are transferred to the new supervisor, provided their retention period has not expired. Disciplinary records are transferred and retained in accordance with established retention periods (see system USPS 120.190 in Appendix B of ASM). When an employee *separates* from the Postal Service, all Level 2 records are to be destroyed within 30 days.

Note: Collective bargaining grievance case files should always be maintained separate and apart from Level 2 records.

314.55 **Supervisors' Personal Notes**

Although by definition a supervisor's personal notes are not Postal Service records, any use of them that is inconsistent with their purely personal character may cause them to be treated as if they were Postal Service records. Inconsistent use would include disclosure of details or circulation of the notes to other Postal Service employees, including other supervisors, or discussion of the notes' details with anyone other than the subject employee. If disclosure of details does occur, the notes, even though entirely personal in origin, should be treated as Postal Service records to which Level 2 instructions apply.

Note: Notes do not become Level 2 records when a supervisor merely informs another supervisor informally that she or he has had, for example, an attendance problem with an employee. They become Level 2 records, and subject to disclosure to the employee, only when specific information from the notes is disclosed or discussed. Any supervisor who maintains personal notes at work as a matter of convenience should ensure that other persons do not have access to them. If there is any doubt as to whether particular notes may have been seen by or discussed with anyone other than the subject employee, the doubt should be resolved in favor of treating them as official Level 2 records.

314.6 **Service Record Cards**

314.61 **Optional Use**

Some installations may elect to continue use of the Form 7, *Service Record Card*, for manpower and position control or as a locator reference for former employees until other systems are in place to replace these uses. *Service Record Cards* are maintained by the Postal Service within the privacy system of records identified as USPS 120.070.

314.62 **Disclosure**

The name, job, title, grade, salary, duty status, and dates of postal employment of any current or former postal employee is public information and may be disclosed to any person with no accounting of the disclosure. All other information may be released only in accordance with the guidelines established in 313.

314.63 **Retention and Disposal**

See Item 70 in the Appendix for retention and disposal instructions.

314.7 **Merit Evaluation Records**

314.71 **Contents**

These records consist of audit sheets, performance ratings, self-appraisal statements of goals and objectives, and related correspondence.

314.72 **Maintenance**

These records are maintained by the Postal Service within the privacy system of records identified as USPS 120.153.

314.73 **Retention and Disposal**

See Item 27 of the Appendix for retention and disposal instructions.

320 Recruitment and Hiring

321 General Provisions for Recruiting

321.1 Establishing a Need for Recruitment

321.11 Administration

The installation head is responsible for forecasting the recruitment requirements in the installation in sufficient time to assure that qualified persons are available for appointment. In so doing, the installation head must consider the number of anticipated vacancies, the size of the available register, and the status of the suitability determinations of eligibles.

321.12 Equal Employment Opportunity (EEO) Program

The installation head implements an equal employment opportunity program which includes affirmative recruitment, selection, and placement. The installation head assures that all eligibles are considered.

321.2 Obtaining Recruiting Materials and Publicizing Job Opportunities

Recruiting materials are available from the National Test Administration Center (NTAC). MSC Managers and installation heads must ensure that job opportunities are given widespread publicity within the area from which they are expected to recruit employees. See Handbook EL-311, subchapter 220 for details.

321.3 Administering Entrance Examinations

Complete details for administering written and rated examinations can be found in subchapters 420 and 440 of Handbook EL-311.

321.4 Reopening Entrance Registers

Since registers for a particular installation are usually maintained at the Division or MSC to which the installation reports, information about the adequacy of the register is available only at the Division or MSC. Appointing officials must maintain adequate registers to meet predictable needs in the job areas for which they normally hire. Procedures for reopening examinations and requesting examination announcement materials from NTAC can be found in Chapters 2 and 4 of Handbook EL-311.

321.5 Review of Rating

A competitor is allowed to request reviews of a rating in accordance with established postal policy. See Handbook EL-311, subchapter 426.

321.6 Register Preference Factors

Veteran preference is granted for employment in the Postal Service. Specific procedural guidelines are contained in Handbook EL-311, subchapter 240.

321.7 **Registers**

The appointing officer or Division or MSC is responsible for the maintenance of registers for positions to be filled in the installation or group of installations. This section is concerned primarily with positions which are filled through entrance examinations. There is a separate register for each examination. Specific procedures for establishing, maintaining, and utilizing registers are contained in Handbook EL-311, subchapter 250.

322 **Special Employment Programs (Employment of the Handicapped)**

See Handbook EL-311, 261.34.

323 **Accessions**

323.1 **Definition**

An *accession* is a personnel action which adds an employee to the rolls of the Postal Service. Movement of an employee between postal installations without a break in service is not an accession.

323.2 **Career Accessions**

323.21 **Career Appointment**

323.211 **Authority**

Career appointments are made under authority of Title 39 U.S.C. (Postal Reorganization Act) Section 1001, dated Aug. 12, 1970.

323.212 **Definition**

A *career appointment* is an appointment to the postal career service without time limitation. Included are:

- a. Full-time employees, part-time regular employees, and part-time flexible employees.
- b. Exempt, nonexempt, and part-time salaried employees. Excluded are:
 - (1) Casual and Temporary Employees.
 - (2) Substitute Rural Carriers.
 - (3) Auxiliary Rural Carriers.
 - (4) Rural Carrier Reliefs (RCRs).
 - (5) Rural Carrier Associates (RCAs).

323.213 **Offer of Appointment**

When an eligible is selected the appointing officer makes an offer of appointment which includes:

- a. Full particulars regarding the position, including title, duties, level, salary, location of employment, nature and duration of appointment, and information that a preemployment interview is required. See Handbook EL-311, 264.8 and 265.

- b. Instructions for submitting any forms required before entrance on duty concerning veteran preference, medical examination, etc.
- c. Any conditions the appointee is required to fulfill after entrance on duty, e.g., serving a probationary period and being subject to investigation.

323.22 **Transfer**

323.221 **From Other Federal Agencies**

Transfer is the movement of a career or career-conditional employee from another agency to the Postal Service without a break in service.

323.222 **Status After Transfer**

An employee transferring to the Postal Service from another agency is given a career appointment whether the employee was career or career-conditional with the former agency. See Handbook EL-301, Processing Personnel Actions.

323.223 **Effective Date**

In making a transfer, the appointing officer arranges with the losing agency to set a mutual agreeable effective date which will not result in a break in service of 1 workday or more.

323.23 **Reinstatement**

323.231 **Definition**

Reinstatement is the noncompetitive employment of a former federal career or postal career employee subject to certain time limits after separation and a new probationary period. The employee must meet the qualification standards, including any required written examination, which may be administered noncompetitively. Reinstatement of a former federal or postal employee is at the discretion of the appointing official. See Handbook EL-311, 313.

323.232 **Applicants Separated for Cause**

Prior approval of the Field Director, Human Resources, or the APMG, Employee Relations, must be obtained before employing any such former postal or federal employee who was removed from the Postal Service or from other federal employment for cause or who resigned after being notified that charges proposing removal would be, or had been, issued. See Handbook EL-311, 313.

323.233 **Time Limits on Reinstatement**

Refer to Handbook EL-311, 261.313.

323.24 **Positions Restricted to Preference Eligibles**

Certain positions are restricted to preference eligible veterans under the Veterans' Preference Act of 1944. This restriction applies only to competition in examinations for entrance into the Postal Service. See Handbook EL-311, 262.

323.3 **Reemployment of Former Postal Employees**

323.31 **After Military Duty**

For reemployment upon return from active military service or training duty in the Armed Forces of the United States, see 365.234.

323.32 **After Transfer to Other Federal Agencies, Commissions, or International Organizations**

323.321 **Eligibility**

Reemployment rights are granted only for transfer of career employees who have completed their probationary periods, when authorized by the Field Director, Human Resources. The authorization is valid for only 1 year and reemployment rights granted under the authorization automatically expire after 2 years, unless sooner forfeited or exercised. For employees who serve outside the continental limits of the United States, the expiration date is extended an additional 3 months to permit travel.

323.322 **Exercise or Forfeiture of Reemployment Rights**

- a. *Exercise of Reemployment Rights.* Employees must apply to the Postal Service in writing within 30 calendar days immediately preceding the date of expiration of their reemployment rights. (If the employee has received the consent of the other agency, or an advance notice to report to active military duty, a copy of the notice must accompany the application.) The employee must apply at an earlier date under the following circumstances:
 - (1) Within 30 calendar days after receipt of notice of involuntary separation; or
 - (2) Within 30 calendar days after date of voluntary separation, provided the employee has the written consent of the other agency to resign; or
 - (3) At least 30 calendar days in advance of the employee's scheduled entry to active military duty. (Employees who thus exercise reemployment rights are eligible for return to their postal position after military duty.)
- b. *Forfeiture of Reemployment Rights.* Employees forfeit reemployment rights granted under the authorization if they:
 - (1) Fail to apply for reemployment in the Postal Service within the time limits stated in 323.322; or
 - (2) Resign, without the written consent of the other agency, more than 30 calendar days prior to the expiration date of their reemployment rights.
- c. *Termination of Rights After Declination of Offer.* The employees' reemployment rights are terminated if they:
 - (1) Fail to accept within 10 calendar days a proper offer of reemployment by the Postal Service.
 - (2) Refuse to accept a proper offer of reemployment in a position in accordance with their rights after applying for reemployment.

- (3) Fail to make a timely appeal when they believe the postal official is not giving them the full benefit of their reemployment rights.

323.323 **Effecting the Reemployment**

The postal official places the employee on duty as promptly as possible, and no later than 30 calendar days after receipt of the employee's application for reemployment. If there is no available position, the case is referred to the Regional Director, Human Resources.

323.324 **Refusal to Reemploy**

The postal official may refuse to take action to place an employee on duty, who has reemployment rights, only if the applicant was separated from the other agency for serious cause evidencing his or her unsuitability for reemployment. If the employee is refused reemployment rights, the postal official must: (a) notify the employee in writing and (b) include a paragraph informing the applicant of her or his right to appeal the decision.

323.33 **Reemployment of Retired Annuitants**

323.331 **Definition**

Reemployed annuitant means an employee whose annuity under the Civil Service Retirement System or the Federal Employees' Retirement System was continued on reemployment in an appointive position on or after October 1, 1956. Prior approval must be obtained before reemploying a retired postal or federal employee receiving an annuity as follows:

- a. Division Manager, Employment and Development, for installations reporting directly to a division. Associate offices reporting directly to an MSC must submit requests for approval through appropriate MSC management channels to the Division Manager, Employment and Development.
- b. Field Division Director, Human Resources, for the Division.
- c. Regional Postmaster General or designees for the region.
- d. SAPMG, Human Resources Group for Headquarters and Headquarters-related units, and ASFs. Request for approval must be submitted through appropriate management channels.

323.332 **Eligibility**

Annuitants receiving annuities are not, because of retired status, barred from employment in any position for which they are qualified. Retirees under another retirement law may be reemployed only as provided by the particular act under which they retired. Annuitants are employed under the regulations governing the particular type of action (Career or Temporary Appointments) and must meet the regular physical and other requirements for the position. Annuitants may be given career or temporary appointments.

323.333 **Annuitants Who Remain Annuitants After Reemployment**

- a. *Annuities continued.* Annuitants who retired under the following circumstances continue to receive their retirement annuities after reemployment:
 - (1) Voluntary separation. (Optional Retirement)

- (2) Separation for misconduct or delinquency. (Optional Retirement)
- (3) Retirement based on age. (Mandatory Retirement)
- (4) Retirement based on disability, age 60 or more. (Disability Retirement)
- (5) Retirement based on disability, under age 60, not found recovered or restored to earning capacity and reemployed under a temporary appointment of less than 1 year's duration. (Disability Retirement)
- (6) Involuntary separation, if reappointed to a noncareer position (Discontinued Service Retirement).
- b. *Hiring annuitants.* Prior to accepting annuitants for postal employment, appointing officials advise annuitants that the rates at which their annuities are paid are deducted from the rate of the salary normally paid for the position in which they are reemployed.

323.334 **Annuitants Who Cease to Be Annuitants After Reemployment**

- a. *Annuities Discontinued.* Annuities of employees who retired under these circumstances are discontinued upon reemployment:
 - (1) Retirement based on disability, under age 60, and upon presentation of Form BRI 46-10, *Notice of Recovery from Disability*, showing the OPM has found the annuitant to be recovered or restored to earning capacity. (Disability Retirement)
 - (2) Involuntary separation, if appointed to a position subject to the Retirement Act. (Discontinued Service Retirement)
- b. *Hiring Annuitants.* Prior to accepting annuitants for employment, the appointing official advises them that their annuity will be discontinued. Immediately on reemployment (or in advance, if possible) of an individual under these conditions, the appointing official must also notify the

EMPLOYEE SERVICE AND RECORDS CENTER
OFFICE OF PERSONNEL MANAGEMENT
PO BOX 45
BOYERS PA 16017-0045

of the annuitant's name, date of birth, retirement claim number (if known), and whether retirement deductions will be made from annuitant's salary in the position in which reemployed.

323.335 **Special Requirements for Reemployment of Disability Annuitants**

- a. Disability annuitants under age 60 whose annuities have been, or within 1 year will be, discontinued because of recovery may be given any type of appointment for which they meet the regular eligibility requirements. The OPM's notice to annuitants on Form BRI 46-10 is sufficient evidence of their recovery. If this notice is not presented, the appointing officer, by letter, requests the OPM regional director to determine whether the annuitant has recovered prior to effecting any reemployment, except as authorized in 323.335 b and c. On advice from a physician, the letter includes a statement of the appointing officer's opinion as to whether the annuitants are physically qualified to

perform the duties of the positions for which they are being considered. It may be accompanied by a medical examination report if an examination can be obtained from a federal medical facility or activity, without incurring any expense to the annuitant, the USPS, or the OPM. The OPM's notices to annuitants that they have been restored to an earning capacity is evidence only of their *reemployment eligibility*. On advice from a physician, appointing officers must determine that annuitants are *physically qualified* to perform the duties of positions for which they are being considered. (The physician may be a Postal Medical Officer or a private physician designated by the USPS.)

- b. Disability annuitants under age 60, may be reemployed under temporary appointments of less than 1 year's duration without prior medical approval by the OPM.
- c. Disability annuitants age 60 or over, may be reemployed in any position for which they are qualified without prior medical approval of the OPM.
- d. Annuitants, appointed on or after October 1, 1956, whose annuities continue after appointment may be separated at the will of the appointing officer.

323.4 **Temporary and Casual Appointments**

323.41 **Temporary Appointment**

323.411 **Definition**

Temporary appointment is a noncareer limited appointment up to, but not exceeding, 1 year in a position requiring the performance of duties assigned to nonbargaining unit positions.

323.412 **Use of Temporary Appointments**

Temporary appointments may be made to meet administrative needs for *temporary employment*. The following types of positions or circumstances are filled by temporary limited appointments:

- a. Positions not expected to last more than 1 year.
- b. Part-time and intermittent positions that are not clearly of a continuing nature.
- c. Continuing positions, when temporarily vacated for periods of less than 1 year.
- d. Emergency situations such as fire, flood, earthquake, high winds, or unforeseeable circumstances which cause a severe curtailment of available manpower, e.g., epidemics, accidents involving an unusual number of employees, etc.

323.42 **Casual Appointment**

A *noncareer limited term appointment* to positions used as a supplemental work force as described in the National Agreement or in similar provisions in other Postal Service collective-bargaining agreements, requiring the performance of duties otherwise assigned to employees in the bargaining units.

323.43 Former Postal or Federal Employees

For those hired as temporary or casual employees after having previously served in a position in the Postal Service or other federal agencies, wherein they were covered by Civil Service retirement, health benefits, or life insurance, such persons must have at least a 4-day break between such service and their appointment as a temporary employee.

323.5 Rural Carrier Positions

Normally, regular rural carrier positions and rural carrier relief/leave replacement positions are filled in accordance with any applicable collective-bargaining agreement.

323.6 Dual Employment or Dual Compensation

323.61 Within the Postal Service

323.611 General Explanation

Under certain circumstances, as described in this chapter, an employee may be appointed to more than one position in the Postal Service. This is known as a dual appointment. Only one of the appointments may be to a position in the career workforce. The primary purpose of dual appointments is to improve the opportunity of part-time employees (career) and employees who provide relief/leave replacement service on rural routes and postmaster relief/leave replacements (noncareer) to gain further employment and to minimize unemployment compensation expense. Substitute rural carriers (72-0 and 73-0) may be given a dual appointment to a career part-time position or noncareer position. Rural carrier relief (RCRs), Rural Carrier Associates (RCAs) and Postmaster relief/leave replacements cannot be given a dual appointment to a career position. Dual appointments also enable the Postal Service to utilize available experienced employees instead of new hires.

323.612 Prerequisite

All dual appointments must be cost effective and in the best interest of the Postal Service. Before deciding to make dual appointments, installation heads should consider the following factors:

- a. Determine the estimated daily workload requirement (hour by hour) in each craft.
- b. Determine if this workload can be covered by increasing the hours of part-time flexibles currently on the rolls, by the judicious use of overtime hours.
- c. Determine if this workload can be covered by using employees from another craft, in accordance with applicable provisions in collective-bargaining agreements.
- d. Determine if it would be more feasible to use the services of part-time employees from other nearby post offices.
- e. Determine if the installation will have enough flexibility to make necessary leave replacements if dual appointments are made.

- f. Determine what the average weekly workhours are for each employee on the rolls and ascertain whether a dual appointment would reduce the Postal Service's liability for State Unemployment Compensation benefits.
- g. When it is proposed to offer a *substitute rural carrier* a dual appointment as a part-time employee in another craft, determine if the advantages justify the additional expense for fringe benefits. *Substitute rural carriers* are not eligible for retirement, life insurance, military leave, or health benefits. However, they become eligible for these benefits upon being appointed to a career part-time position. Normally, installation heads can obtain information on benefit and unemployment costs from the Sectional Center Director Finance/Support.
- h. Determine whether the combined hours of the dual appointment will total more than 8 hours a day or 40 hours a week.

323.613 **Authority to Appoint**

Authority to make dual appointments must be obtained from the Field Division General Manager/Postmaster or MSC Manager/PM (or designee) as appropriate.

323.614 **Appointment Requirements**

Employees considered for dual appointments must meet all qualification requirements for both positions, including examination requirements, if any. Likewise, substitute rural carrier employees may be appointed to entry level career positions noncompetitively. All other procedures for conducting examinations, maintenance of registers, and selections and promotions are included in Handbook EL-311, *Personnel Operations*.

323.615 **Compensation, Benefits, and Other Rights**

An employee serving under a dual appointment is compensated for the work performed in a particular position at the appropriate rate for that position. Where one of the positions of a dual appointment carries with it the right to fringe benefits, the employee accrues the rights immediately upon appointment to that position and retains the rights even while working in another position that does not have such fringe benefit rights. Other rights which accrue to a position under the terms of a collective-bargaining agreement are accorded to the employee.

323.616 **Change to Full-Time Status**

An employee's change to full-time status in either of the two positions necessarily requires the termination of the residual appointment.

323.62 **Between USPS and Other Federal Agencies**

An employee may serve and receive pay concurrently as an employee of the Postal Service (other than as a member of the Board of Governors or of the Postal Rate Commission) and as an employee of any other federal agency.

323.63 **Between USPS and Private Industry**

A USPS employee may be employed concurrently as an employee in the private sector unless such employment has an adverse impact on postal

operations or where conflicts of interest may be generated between the private employer and/or employee and the USPS. (See 661.42.)

323.7 **Simultaneous Holding of Federal and State or Local Office**

See 663.

323.8 **Employment of Retired Members of Uniformed Services**

323.81 **Applicability**

The reporting requirements of this section apply whenever a retired member of any of the uniformed services (officer or enlisted) is employed in a position in the USPS.

323.82 **Definitions**

For the purpose of dual compensation and these instructions the following definitions apply:

- a. *Uniformed Services* means the Army, Navy, Air Force, Marine Corps, Coast Guard, Environmental Services Administration (Coast and Geodetic Survey), Public Health Service, and the National Oceanographic and Atmospheric Administration.
- b. *Retired Member* means a member or former member of any of the uniformed services who is entitled under any provisions of the law, to retired, retirement, or retainer pay on account of service as such a member.
- c. *Civilian Position* means a civilian office or position (including a temporary position) appointive or elective, in the legislative, executive or judicial branch of the federal government including each corporation owned or controlled by the federal government.
- d. *Temporary Employment* means service under an appointment limited to 1 year or less.

323.83 **Reporting Requirements**

The appointing official records on the Form 50 specific information as it pertains to the retired member. See Handbook EL-301, *Processing Personnel Actions*.

323.84 **Obtaining Necessary Information**

In most cases, it should be possible to determine whether appointees are retired members of a uniformed service from their applications for employment, Form 2591. Some information can be obtained most easily from appointees. Retired members from the Armed Forces have been forwarded a DD Form 214, *Report of Transfer or Discharge*. The Coast and Geodetic Survey and Public Health Service utilize a statement of service for their members. If it is not possible to determine the necessary information, contact the member's finance center for any additional information or verification.

323.85 **Retired Pay**

323.851 **Reduction in Retired Pay**

Section 5532(b) of Title 5, U.S. Code, provides that a retired regular officer receive the full pay of any civilian position held, but that during a period for which civilian pay is received, the retired military pay is reduced by a specified amount. The finance center of the uniformed service concerned determines the applicability of the reduction-in-retired-pay provision to a retired officer.

323.852 **Statutory Exception**

The reduction-in-retired-pay provision does not apply to a retired regular officer whose retirement was based on disability:

- a. Resulting from injury or disease received in line of duty as a direct result of armed conflict; or
- b. Caused by an instrumentality of war and incurred in line of duty during a period of war as defined by section 101 and 301 of Title 38, U.S. Code.

323.853 **Special Rule for Temporary Work**

There is a partial exception for retired regular officers employed on a temporary (full-time or part-time) basis. The reduction-in-retired-pay provision does not apply to the first 30-day period of service on such a basis for which they receive pay under a single appointment. If they serve under more than 1 appointment in a fiscal year, the exception applies to the first period aggregating 30 days for which they receive pay from all civilian offices in which they are employed under the appointments made in that year. In each case, the period for which they receive pay means the full calendar period when the employment is on a full-time basis, and only the days for which officers actually receive pay when employment is on a part-time basis.

323.9 **Preemployment Determinations**

To maintain public trust and confidence in the reliability and integrity of its employees, the USPS must evaluate the overall suitability of an applicant for postal employment including consideration of the applicant's: (a) education and work experience and (b) ability to meet prescribed medical requirements. Appointing officers must also ensure that the suitability determinations and appointments are made without discrimination for any nonmerit factor such as race, color, religion, sex, age, handicap, or national origin. See Handbook EL-311, Chapter 3.

330 Examinations

331 Description of Examinations

331.1 Purpose of Examinations

Employment and promotion examinations are administered to assist in the identification of the best qualified eligible candidates for filling vacant positions. Detailed provisions are contained in Handbook EL-311, Chapter 4.

331.2 Forms of Examination

331.21 Written

Written examinations are generally those in which the examinee responds to written questions on paper.

331.22 Rated Application

Competitors submit completed applications or other required documents, providing information for evaluation against an established rating standard. Based upon the information, a final rating is established for each competitor.

331.23 Performance Test

A *performance test* is a procedure in which the applicant is directed to carry out some certain work activity related to the position under consideration. The applicant's performance while engaging in the activity and the work produced are observed and evaluated according to predetermined standards.

331.3 Types of Examinations

331.31 Entrance Examinations

Entrance examinations are administered to U.S. citizens and noncitizens who have been granted permanent resident alien status for the purpose of establishing eligibility for employment.

331.32 Inservice Examinations

331.321 Purpose

Inservice examinations are administered only to substitute rural carriers and career postal employees to provide eligibility for advancement and reassignment, or as qualification for enrollment in certain postal training courses.

331.322 Competitive

A competitive inservice examination is administered to provide a register of eligibles. The register is established in descending order of scores attained by the competitors. Rank order of position on the register is a factor in the selection requirements for the position concerned.

331.323 **Noncompetitive**

A noncompetitive inservice examination is administered to determine whether an employee who is being considered for a noncompetitive action meets the test requirements for the position.

331.33 **Noncompetitive (Other)**

The installation head may request the administration of a noncompetitive examination for former career postal employees and career federal employees in order to establish eligibility for transfer or reinstatement. The examinee must also meet all other requirements for the position.

332 **Conducting Examinations**

332.1 **General**

Conducting examinations plays a vital role in the employment and placement function within the U.S. Postal Service. Detailed provisions and instructions are contained in Handbook EL-311, Chapter 4.

332.2 **Entrance Examinations**

Entrance examinations are conducted only by authorized postal employees who have been certified by the National Test Administration Center (NTAC).

332.3 **Inservice Examinations**

Installations which have regularly assigned examiners at test points must use these trained personnel in administering inservice examinations provided they are not and will not become eligible to take the examination. See Handbook EL-311, 431.

332.4 **Examination Locations and Administration**

The USPS obtains qualified employees and assists applicants seeking postal employment by providing a network of examining points at which persons may obtain information, make application, and take any required examinations for Postal Service employment. See Handbook EL-311, Chapters 1 and 4.

333 **Veteran Preference**

Veteran preference is granted to eligible applicants for employment in the USPS. The claimed preference is added to the ratings on examinations by the NTAC as provided for in Handbook EL-311, Chapter 2, and Veterans' Preference Act of 1944, as amended. The appointing official is generally responsible for adjudicating the claimed preference. See Handbook EL-311, 241.

340 Registers

341 Establishing Registers

341.1 Definition

A *register* consists of a file of eligibles' names arranged in order of relative standing for appointment consideration. Detailed provisions are contained in Handbook EL-311, 250. An Area Eligibility Register (AER) serves two or more installations within commuting distance.

341.2 Required Actions

341.21 Appointing Officer

The appointing officer establishes and maintains registers for positions to be filled in the installation. There must be a separate register for each position or type of position. For installations covered by an AER, these registers are maintained at the MSC or Division as appropriate.

341.22 Installation

Registers for vacancies at installations are maintained at the MSC or Division to which that installation directly reports.

341.3 Maintaining Adequate Registers

341.31 Responsibility

The appointing officer is responsible for maintaining registers of a size adequate to meet the predictable needs of the installation. The GM/PM or MSC manager is responsible for ensuring that registers are adequate to meet the needs of installations for which the registers are maintained at the Division or MSC level.

341.32 When Register Is Inadequate

When a register is exhausted or deemed inadequate to serve the needs of the installation, the installation head must take all necessary action to open the appropriate examination for his or her installations. See Handbook EL-311, 253 and 271. Necessary announcement materials for the examination are obtained from the NTAC. The appropriate examination is administered according to provisions in Handbooks EL-311, 271 and P-30, *Conducting Postal Employment and Placement Examinations*.

341.33 Publicizing Job Opportunities

Installation heads ensure that job opportunities are given widespread publicity within the area from which they would logically expect to recruit employees. The recruitment area must reflect postal policy related to the employment of minorities, including women and special emphasis groups. See Handbook EL-311, 222.

341.4 **Confidentiality**

- 341.41 Registers are confidential records. Care must be taken to protect them from inspection by unauthorized persons. Registers may not be inspected by eligibles. However, eligibles or their authorized representatives may be given the following information, in response to a written inquiry: (1) The approximate number of eligibles ahead of them on the hiring register; (2) The number of eligibles expected to be employed during a specific time frame (i.e., within the next 3–6 months).
- 341.42 The information can be provided based on the past and/or current hiring needs of the installation and the number of anticipated vacancies to be filled in the near future. If the examination is open or scheduled for opening when the inquiries are made, the eligibles should be notified when applications will be accepted and of the opportunity to recompete in order to improve a passing score. Eligibles should also be advised that although their names may be reached on the register for employment consideration, this is not a guarantee they will be selected for appointment.

342 **Use of Registers**

342.1 **Hiring Worksheets**

342.11 **When to Prepare Worksheets**

When it is necessary to hire from outside the Postal Service, the installation head or the appointing officer issues a hiring worksheet, Form 5900. Names are obtained from the top of the installation's register of eligibles and listed on the form in descending numerical, final rating order.

342.12 **Responsibility of the Appointing Officer**

The appointing officer is responsible for making selections for appointment. Selections are to be made on the basis of merit. Discrimination may not be made for any nonmerit factor; e.g., race, color, religion, sex, age, handicap, or national origin.

342.13 **Rule of Three**

Selection is made from among the three highest rated available eligibles from the appropriate register for the type of appointment being offered.

342.14 **Nonselection of a Veteran**

A veteran preference eligible may not be passed over to select a nonpreference eligible, unless the installation head objects to the veteran and the objection is sustained as a passover. See Handbook EL-311, Chapter 2, for requirements in nonselection of a veteran.

342.2 **Auditing Hiring Work Sheets**

After all appointments are made and each action properly documented, the hiring work sheet is kept on file for a period of 5 years. Hiring actions and procedures are periodically audited according to provisions contained in Handbook EL-311.

350 Assignment, Reassignment, and Promotion

351 Introduction

351.1 Purpose and Scope

351.11 Employee Utilization

Postal officials in charge of installations have overall responsibility for effective utilization of human resources. Supervisory employees at all levels have specific responsibilities for the improvement of utilization of human resources. Postal officials in charge of installation and supervisors must carefully plan and analyze the anticipated workload to ensure the use of the minimum force consistent with effective operations.

351.12 Filling Postal Positions

Most postal positions, except entrance-level positions, are filled by the assignment, reassignment, or promotion of postal employees.

351.13 Eligibility for Promotion

An employee serving under a *career appointment* is eligible for reassignment or promotion. An employee serving under a *temporary* or *casual appointment* is eligible for reassignment, but not for promotion.

351.2 Positions Not to Be Filled on a Permanent Basis

Any position (a) to which a career employee has been granted reemployment rights or (b) from which the regular incumbent is temporarily absent may be filled only on a temporary basis. Examples of such situations and the conditions for filling the position temporarily are given in Handbook EL-311, *Personnel Operations*, parts 513 and 514.4. See also 363.31 and 366.234. Employees temporarily promoted pending the return of employees having reemployment rights are considered for reassignment to permanent positions when such positions become vacant in the same installation and level. This leaves the position to which an employee is entitled to reemployment rights available for the return of the absent employee or for again filling by temporary promotion.

351.3 Qualification, Eligibility, and Physical Requirements

351.31 Qualification

Employees selected for a position must meet the minimum qualification requirements and any essential selective placement factors established for the position. See Handbook EL-311, 511.4 and 511.5, for explanation, and Handbook EL-302 and 303 for specific qualification standards.

351.32 Eligibility

351.321 Eligibility for consideration for some positions is limited to employees in specific grades, occupations, geographic areas, or organizations. These

limitations are described in subsequent parts of the subchapter and in Handbook EL-311.

- 351.322 Employees with restoration rights by reason of military duty are considered for promotion and conversion to full-time status if otherwise eligible. Employees on extended leave including LWOP are also considered provided they are otherwise eligible and have submitted an application. The personnel action is effected upon return to duty. The action is dated as of the date the change would have occurred had the employee not been absent. Upon selection and while the personnel action is pending, notation of the selection is made in the employee's personnel folder and on Form 7, Service Record Card, if that form is maintained.

351.33 **Physical Requirements**

Normally, employees must meet the physical standards for the positions to which assigned. See Handbook EL-311, Chapter 3, for explanation, including situations in which physical standards are waived.

351.4 **Equal Opportunity**

Equal opportunity for assignment and promotion must be based on merit and the relevant experience, training, knowledge, skills, and ability required for the positions being filled. Effective utilization of employees requires that selections be made without discrimination because of race, color, sex, religion, age, national origin, political affiliation, marital status, or physical impairment (if the position may be efficiently performed by a person with the physical impairment).

351.5 **General Promotion Policies**

351.51 **Merit Promotion Program**

The promotion program for positions in the Postal Service is based on merit principles. It is designed to provide the means for making selections for promotions according to the relative qualifications of the employees eligible for consideration. Officials engaged in the selection process must administer the program systematically, uniformly, and equitably. Promotions to craft positions must be made in accordance with any applicable collective-bargaining agreement.

351.52 **Objectives of the Program**

The objectives of the merit program are to obtain maximum effectiveness and efficiency in postal operations by:

- a. Bringing highly qualified candidates to the attention of management on a timely basis.
- b. Assuring best placement of employees according to their capabilities and potential.
- c. Maximizing use of the special skills and abilities of employees.
- d. Providing employees an incentive to improve their performance and develop their skills, knowledge, and abilities.

- e. Providing all employees the maximum possible opportunity for advancement, and ensuring that qualified employees who are eligible and available are given fair and appropriate consideration when filling higher grade vacancies.

351.53 **Policies**

The following promotion policies apply:

- a. First consideration is given to qualified employees within the USPS. The area of employee consideration is broad enough to provide a supply of well-qualified candidates for promotion. The selecting official is provided an adequate number of well-qualified candidates from which to choose, but should not be burdened with a lengthy list of candidates to consider.
- b. Consideration is given to postal employees outside the initial area of consideration when it is appropriate and necessary to ensure an adequate number of qualified candidates, and to ensure selection from among the best qualified.
- c. Required files are maintained; adequate procedures are developed for periodic review of promotion actions; and appropriate corrective action is taken if program, procedural, or regulatory violations and/or deficiencies are found.
- d. Employees selected for promotion are released from their current positions without undue delay. This is normally not later than 2 to 4 weeks after selection or in conformance with the provisions of any applicable labor agreement.
- e. Information is made available to employees, upon request, about requirements and procedures of the promotion program and the promotion plan affecting them; about opportunities for promotion available to them; about their eligibility in specific promotion actions; and about the identity of the person selected.
- f. Restrictions on the promotion (or recommendation for promotion) of immediate relatives are explained in Handbook P-11, part 312.3. (The P-11 identifier is being changed to EL-311.)

351.54 **Applicability to Other Personnel Actions**

Competitive promotion procedures apply to certain other personnel actions.

- a. Filling a higher grade position by selection from among postal employees on any entrance register.
- b. Selecting an employee for training where the training is required for promotion (i.e., applies to cases whereby only an employee who has completed the training is eligible for promotion).

351.55 **Exceptions to Competitive Promotion Procedures**

Promotions excepted from competitive procedures are listed in Handbook EL-311, 514.37.

351.56 **Temporary Promotions**

The conditions when temporary promotions are applicable, including their termination, are described in Handbook EL-311, 514.4.

351.6 **Mutual Exchanges**

351.61 **General Policy**

Career employees may exchange positions (subject, when necessary, to the provisions of the appropriate collective-bargaining agreement) if the exchange of positions is approved by the officials in charge at the installations involved. Mutual exchanges must be made between employees in positions at the same grade levels. The following employees are *not* permitted to exchange positions:

- a. Part-time flexible with full-time employees.
- b. Bargaining unit employees with nonbargaining unit employees.
- c. Nonsupervisory employees with supervisory employees.

351.62 **Rural Letter Carrier Employees**

The mutual exchange of two rural letter carrier employees of different post offices is permitted in accordance with the applicable provisions of the USPS-NRLCA National Agreement. The following mutual exchanges *are not* permitted:

- a. Between two rural letter carrier employees in the same post office.
- b. Between rural letter carrier employees and members of other crafts.

352 **Selection for Positions Within the Bargaining Unit**

352.1 **Procedures and Requirements**

Procedures and requirements for filling craft positions are found in the following publications:

- a. The appropriate collective-bargaining agreement contains governing policies and procedures affecting bidding, assignments, reassignments, higher grade assignments, and promotions.
- b. Handbook P-1 contains position descriptions and craft assignments for all craft positions.
- c. Handbook EL-311, 510 and 520, contain detailed procedures and administrative requirements.
- d. Handbook EL-303 contains qualification standards for bargaining unit craft positions.

352.2 **New and Changed Requirements**

New requirements and changes in existing requirements are normally published as revisions to the publications listed in 352.1. Sometimes, however, they are first published in *Postal Bulletins* or *Management Instructions* for subsequent incorporation in the appropriate publication.

353 **Selection for Nonbargaining Unit Positions**

353.1 **Promotion**

353.11 **Definition**

A *promotion* is the permanent assignment, with or without relocation, of an employee (a) to an established position having a higher grade than the position to which the employee was previously assigned in the same schedule or (b) to a position with a higher than equivalent grade in another schedule. (See 411.4 for exceptions.)

353.12 **Procedures**

In addition to the general promotion policies in 351.5, specific policies and procedures govern promotion to various nonbargaining unit positions. Selection procedures for Postal Career Executive Service employees are described in 380; and for other nonbargaining unit positions, in Chapter 5 of Handbook EL-311.

353.2 **Reassignment**

353.21 **Definition**

A *reassignment* is the permanent assignment, with or without relocation, of an employee (a) to another established position with the same grade in the same schedule or (b) to a position with an equivalent grade in another schedule.

353.22 **Management Option**

Authorized management officials may reassign nonbargaining unit employees without following regular competitive procedures.

353.23 **Employee Self-Nomination**

Employees who desire reassignment may nominate themselves in the same manner provided for employees who desire promotion consideration.

353.24 **Unassigned Employees**

Unassigned employees (i.e., employees whose positions have been abolished) are reassigned in accordance with 354.

353.3 **Temporary Assignment**

353.31 **Definition**

A *temporary assignment* is the placement of an employee in another established position for a limited period of time to perform duties and responsibilities other than those specifically set forth in the position description when a formal reassignment and/or promotion personnel action is not required.

353.32 **General Policies**

- 353.321 Temporary assignments to nonbargaining unit positions are made only for the shortest practicable time limits, and may be authorized to meet emergencies caused by abnormal workload, change in mission or organization, or unanticipated absences. In the case of absence of a nonbargaining unit employee (except a postmaster or MSC manager), the appointing official attempts to have the duties of the absentee's position absorbed by the other employees of the same or higher grade. If this is not feasible, a qualified employee may be temporarily assigned to the position under the policies and procedures described in the following sections. Such assignments must be carefully monitored by management to confirm their continued necessity.
- 353.322 Any qualified employee who best meets service needs may be temporarily assigned by the appointing officer or designee. Normally, priority consideration is given to unassigned employees (i.e., employees whose positions have been abolished). Policies and procedures governing the temporary assignment of unassigned employees are in 354.
- 353.323 Employees recuperating from a serious injury or illness who are unable to perform their regularly assigned duties may (if administratively feasible) be temporarily assigned to such duties as they can perform for a short period of time pending their recovery. Generally, these employees should be required to present acceptable medical evidence.
- 353.324 A temporary assignment may be terminated at any time by management, either at its own discretion or at the request of the employee.

353.33 **Time Limits**

- 353.331 Temporary assignment of an employee to a position at the same grade or at a lower grade may not exceed 90 calendar days, which may be extended by the next higher level of management above the appointing official. See 353.34 for time limits on temporary assignment to a higher grade position.
- 353.332 Use Form 1723, Assignment Order, to document temporary assignments.

353.34 **Higher Grade Temporary Assignment**

- 353.341 All managerial and supervisory personnel ensure that no one is temporarily assigned into a higher grade nonbargaining unit position unless such an assignment is absolutely essential to the effective operations of the Postal Service, and the person selected assumes the full core responsibilities of the higher grade position.
- 353.342 MSC managers and BMC managers are required to approve in advance any higher grade temporary assignment of 30 or more calendar days in an organization under their respective jurisdictions.
- 353.343 Temporary assignment to a higher grade position, during the absence of the incumbent, is limited to a maximum period of 90 calendar days, which may be extended with the prior approval of the Regional Postmaster General.
- 353.344 Temporary assignment to a higher grade vacant position, pending selection of a person for permanent assignment, is limited to a total of not more than 60 calendar days. If the employee on temporary assignment is a candidate

for the vacant position, the higher grade assignment must be terminated before day 61. If that employee is not a candidate, the next-higher level of management above the appointing official may approve an extension of that employee's temporary assignment beyond 60 days, until a selection is made and approved and the new incumbent assumes the position. (The preceding policy does not apply to temporary higher grade assignments to postmaster, MSC manager, or initial-level supervisor positions.)

353.345 Rules governing higher level pay for temporary assignment to higher grade nonbargaining unit positions are in 416.

353.346 The use of higher grade temporary assignments and temporary promotions in USPS Headquarters is described in 416.43 and in appropriate Headquarters circulars.

353.4 **Realignment or Reevaluation**

In a realignment or reevaluation involving nonbargaining unit positions, the Office of Organizational Requirements determines the effect on individual positions. Based on those determinations, the following general rules apply in assigning incumbents and filling affected positions:

- a. The incumbent is automatically assigned to the position if there is no significant change in duties or responsibilities and no change in grade.
- b. The incumbent is promoted noncompetitively if the position is upgraded with no significant change in duties or responsibilities.
- c. The incumbent has no assignment or promotion *right* to the new position if there is a significant change in duties and responsibilities which results in the authorization of a new position at the same or a higher grade and in the abolishment of the present position. The new position is filled in accordance with regular procedures, and the incumbent of the abolished position is assigned in accordance with 354.
- d. The incumbent is treated in accordance with 354.241 in any situation where a position is evaluated at a lower grade.

354 **Assignment of Unassigned Employees**

354.1 **Policy**

354.11 **Bargaining Unit Employees**

Assignment of excess bargaining unit employees must be in accordance with the applicable provisions of the National Agreement.

354.12 **Nonbargaining Unit Employees**

354.121 Assignment of unassigned career nonbargaining unit employees must be in accordance with the procedures described in 354.2, 354.3, 354.4, as appropriate.

354.122 Postal policy provides equal opportunities for all employees without discrimination because of race, color, religion, sex, national origin, handicap,

or age. Especially in exercising the various managerial options described in these procedures, managers are responsible for ensuring and documenting, where appropriate, that no discriminatory impact results from discussions or personnel actions implementing these procedures.

354.2 **Assignment of Nonbargaining Unit Employees**

354.21 **Coverage**

354.211 The following procedures govern the assignment of career nonbargaining-unit employees (a) whose positions have been abolished, or (b) when there is a reduction in the number of positions with the same occupational code, or (c) whose positions are downgraded as a result of realignment or change in duties and responsibilities.

354.212 These procedures apply to nonbargaining unit employees of field divisions, MSCs, associate offices, BMCs, and other mail processing installations.

354.213 These procedures do not apply to the following nonbargaining unit employees:

- a. Employees involved in the discontinuance or consolidation of a post office. (See 354.3)
- b. PCES employees.
- c. Employees of Headquarters or Related Units. (See 354.4.)

354.214 Employees placed in permanent assignments (not as post office supervisors or sectional center supervisors) under previous restructurings who hereafter are affected by any of the situations listed in 354.211 are covered by these procedures, except that saved grade continues to apply and any retreat right previously granted may still be exercised.

354.215 Except as specified in 354.214, none of the foregoing special rights are applied to the employees covered by these procedures.

354.22 **General Provisions**

354.221 **Discussions With Employees**

Prior to initiating an assignment under these procedures, management is responsible for talking with each affected employee. The discussion should center around a determination of the employee's own skills, qualifications, and preferences. Follow-up discussions are held regularly in order to advise the employee of the progress being made in finding a suitable assignment.

354.222 **Reduction in Number of Identical Positions**

The following procedure applies when two or more employees occupy positions with the same 8-digit occupation code, and there is a reduction in the number of these positions authorized in an installation:

- a. All present incumbents are considered for the remaining positions, and the most appropriate selection is made, taking into consideration employees' qualifications, status, and expressed preferences. At management's option, an advisory panel or review committee may be designated to recommend the most appropriate selection. The reasons

for selection and nonselection are documented by the appointing official.

- b. Those employees not selected are assigned in accordance with the procedures below.

354.223 **Utilization of Employees**

Management ensures that employees affected under these procedures are provided with productive work assignments until they are placed in authorized positions.

354.23 **Placement of Employee Into an Authorized Position**

354.231 **Objective**

To place employees who have become unassigned as a result of actions described in 354.211 in positions at or as near as practicable to the grades of their former positions. Such employees continue to receive their former salaries pending assignment; however, their salaries subsequent to assignment are determined as indicated below for the various placement actions.

354.232 **Reassignment at Same Grade**

- a. Employees affected by these procedures are considered for reassignment to suitable vacant positions evaluated at the same or equivalent grade, before consideration may be given to employees not covered by these procedures. Management attempts to reassign the affected employee to a vacancy in the employee's present installation. If this effort is unsuccessful, management then attempts to reassign the employee to a vacant position in another installation within the commuting area.
- b. If necessary, management expands the area of placement consideration *in the following order* until a suitable vacancy is identified in an installation for reassigning the employee. (As feasible, the employee's reassignment preference is given appropriate consideration.)
 - (1) Installations in the MSC area;
 - (2) Installations in contiguous MSC areas within the field division;
 - (3) Installations anywhere within the field division.
- c. In order to effect placement, the Regional Director, Human Resources (RD/HR) is authorized to further expand the area of placement consideration to installations in contiguous field divisions or regionwide.
- d. It is preferred that an employee be offered and accept reassignment voluntarily. The RD/HR may authorize the involuntary lateral reassignment of an employee where required and provides guidance to field management. An employee who declines a directed reassignment may be subject to involuntary separation from the Postal Service. The RD/HR may authorize such an action based on the individual circumstances.
- e. An individual who has a previously granted retreat right receives priority consideration over all other employees in exercising that right.

Otherwise, in considering two or more employees (including those who occupy abolished positions), the most appropriate selection is made. At management's option, an advisory panel or review committee may be designated to recommend the most appropriate selection.

354.233 Assignment to Lower Grade

- a. *Management Initiated Voluntary.* If an employee cannot be laterally reassigned as above, management may offer and the employee may voluntarily accept, in writing, assignment to a lower grade vacant position. Sample acceptance format is as follows:

On [__date__], I [__was/have been__] offered, and I hereby accept, the position of [__title__], [__grade__], [__salary__], effective [__date__]. Rate retention is granted as described in ELM [__415.111/421.51 (as applicable)__]. This offer has been accepted voluntarily, without coercion or intimidation.

[__employee's signature and date__]

- b. *Employee Initiated.* If an unassigned employee requests assignment to a position at a lower grade than is made available through the above procedures, and management approves the request, the employee is assigned to the lower grade position without salary retention. Sample request format is as follows:

On [__date__], I requested and was granted the position of [__title__], [__grade__], and [__salary__], effective [__date__]. I understand my current salary will be adjusted downward and as provided in [__415.2/422.26 (as applicable)__] for employee initiated changes to lower level. My request for this lower level was made voluntarily, without coercion or intimidation.

[__employee's signature and date__]

- c. *Saved Grade Not Authorized.* Saved grade is not authorized to preserve an employee's grade in lieu of an actual change to a lower grade, except as provided in 354.21.

354.234 Assignment to Higher Grade

Except as provided in 354.25, an employee who is pending assignment under these procedures must compete with other qualified employees for promotional opportunities under the normal selection procedures.

354.235 Final Action

If an employee cannot be placed under the foregoing provisions within a reasonable time (normally no more than 6 months), the Field Division General Manager/Postmaster (GM/PM) notifies the RD/HR, who then

consults with the APMG/ER about the next appropriate action. Such action may culminate in the implementation of procedures for involuntary personnel actions other than lateral reassignments.

354.236 **Relocation Expenses**

Expenses involved in an employee's relocation outside the commuting area for reassignment or assignment under these procedures (except as provided in 354.233b) are paid by the gaining installation in accordance with Handbooks F-10, *Travel*, and F-10A, *Relocation Guidelines*.

354.237 **Qualification and Eligibility Requirements**

- a. An employee must meet the prescribed minimum qualification requirements for the position to which assigned under this procedure. The RD/HR may waive the minimum requirements in individual cases where there is evidence that the employee can be expected to satisfactorily perform the duties of the position within 90 days after assignment. A written record is maintained which states the specific reasons for granting any such waiver.
- b. Normal competitive selection procedures, including advisory panels or review committees, may be waived in assigning an employee covered by these procedures, unless a promotion is involved.

354.24 **Special Provision for Incumbent of Downgraded Position**

354.241 When a position is downgraded as a result of realignment or change in the duties and responsibilities of the position, management first offers the incumbent the opportunity to accept assignment to the downgraded position, with pay set under applicable rate retention rules (saved grade is not authorized). In so doing, management is required to notify the employee in writing that, if he or she declines this offer, attempts will be made to reassign the employee laterally as described in 354.231. An employee's acceptance of the downgraded position must be voluntary and in writing. (See 354.232a for sample acceptance format.)

354.242 An employee who declines the foregoing offer, is assigned in accordance with 354.23.

354.25 **Normal Selection Procedure**

Normally, promotion or reassignment of other employees is not authorized if an employee covered by these procedures is qualified and available for the vacant position through reassignment or voluntary acceptance of lower grade.

354.26 **Temporary Assignments**

354.261 Whenever possible, a temporary need for a replacement in a nonbargaining-unit position is met by assigning the additional duties to another qualified nonbargaining unit employee, without resort to higher grade assignments. Otherwise, a qualified employee covered by these procedures who is available within the commuting area and is pending permanent assignment is normally utilized on temporary assignment in these situations.

354.262 Where the GM/PM determines it is cost effective and operationally sound, a qualified employee covered by these procedures may be temporarily assigned to a different installation within the MSC area or, if needed, within the field division. If the temporary assignment is outside the employee's commuting area, the gaining installation pays the employee's travel and per diem expenses, and for assignments of more than one full pay period, the gaining installation is charged with the payroll costs, utilizing the loaned hours procedure.

354.263 In an emergency situation when the preceding procedures for temporary assignment are not feasible, and a higher grade temporary assignment is authorized, a qualified available employee covered by these procedures receives first consideration before any other qualified employee.

354.27 **Subsequent Personnel Actions**

354.271 Employees assigned under these procedures do not acquire a right to return to their former positions or installations. At management's option, employees who are assigned with rate retention to lower grade positions under these procedures may subsequently be assigned (under the following exception to normal procedures) to higher grade positions that do not exceed the grades from which they were downgraded.

354.272 The normal promotion and reassignment procedures may be waived in effecting the actions described in 354.271. However, employees must meet the prescribed minimum qualifications requirements for the positions to which they are assigned.

354.3 **Actions for Nonbargaining Employees in Connection with the Discontinuance and Consolidation of Post Offices**

354.31 **Background**

Statutory and regulatory requirements mandate consideration of the effect of closing or consolidating a post office on USPS employees in that office, and making a public record and analysis concerning the effect on these employees.

354.32 **Definition of Terms**

354.321 Management Sectional Center (MSC) manager refers to the MSC manager or Field Division General Manager/Postmaster (GM/PM) who is proposing the discontinuance of a post office within that MSC area under *Domestic Mail Manual* (DMM) 113.

354.322 Discontinuance of a post office includes the consolidation of the post office with another post office and replacing it with either a community post office, or a classified or contract station or branch, as well as the discontinuance of a post office without establishing another facility to replace it.

354.33 **Planning Considerations**

The dual objectives of minimizing the impact on individual employees, and maximizing the economies to be affected by consolidating or discontinuing post offices, can best be achieved through careful planning and judicious

placement of impacted employees. Management (a) keeps employees informed at each step of the process and (b) identifies positions appropriate for reassignment and for which employees are willing to accept reassignment voluntarily.

354.34 **Postmaster and Supervisors**

354.341 **Postmasters**

When the MSC manager proposes to recommend the discontinuance of a post office for which there is an incumbent postmaster, each of the following alternatives, as applicable and appropriate, are discussed with the incumbent postmaster, and the MSC manager prepares a memorandum stating which alternative is recommended. The following alternatives are available:

- a. *Reassignment to Another Postmaster Vacancy.* The MSC manager may recommend that the established procedures for the selection of postmasters be waived and that the postmaster be reassigned to an existing postmaster vacancy located within the same or a contiguous MSC or another MSC within the division. The MSC manager includes in the memorandum a statement that the postmaster meets the requirements and qualifications of the vacant postmaster position to which reassignment is recommended and can satisfactorily perform the duties of that position. A signed statement from the postmaster that the reassignment recommended by the MSC manager, if approved, will be accepted, must also be obtained for the record.
- b. *Unavailable Postmaster Vacancy.* In the event there is no postmaster vacancy to which an affected postmaster may be reassigned, the MSC manager notifies the postmaster and the Field Division General Manager/Postmaster in writing. If such affected postmaster accepts a nonpostmaster assignment, that postmaster retains the right, for 104 weeks from the date of reassignment, to be offered a vacant postmaster position located within the same or a contiguous MSC, or another MSC within the division at his or her former level, when one develops. Declination of an offer in writing, voluntary acceptance of a lower level postmaster position, or promotion to a higher level postmaster position terminates the right to be offered a postmaster vacancy at the postmaster's former level.
- c. *Reassignment to a Supervisory Vacancy.* If there are no postmaster vacancies available for possible reassignment, or if it is determined and documented that the postmaster does not meet the requirements and qualifications of the vacant postmaster positions available and cannot satisfactorily perform the duties, the MSC manager may recommend that the postmaster be reassigned to an existing supervisory vacancy within the same or another MSC within the division, including that of station or branch manager of the classified station or branch established as a result of a consolidation. The MSC manager documents that the postmaster meets the requirements and qualifications of the vacant supervisory position to which reassignment is recommended and can satisfactorily perform the duties of that position, and includes a signed statement from the postmaster that the

reassignment as recommended by the MSC manager will, if approved, be accepted.

- d. *Reassignment to Another Position in the Postal Service.* If there are no postmaster or supervisory vacancies within the division to which the postmaster can be reassigned, because either the vacancies do not exist or it is determined and documented that the postmaster does not meet the requirements and qualifications of the positions that are available for possible reassignment and cannot satisfactorily perform the duties of those positions, the MSC manager recommends that the postmaster be reassigned to another position in the Postal Service. As appropriate, postmasters at noncity delivery offices may be offered available full- or part-time clerk or carrier positions or other available craft positions for which qualified. In all such cases, the individual's seniority is established in strict accordance with the applicable provisions of the National Agreement. In recommending reassignment to another position in the Postal Service, every effort is made to recommend a position for which the annual pay that the postmaster can expect to receive is as nearly equal as possible to the pay received during the last year as a postmaster. A signed statement from the postmaster that the reassignment to another position in the Postal Service as recommended by the MSC manager, if approved, must be obtained for the record.
- e. *Voluntary Retirement.* Eligibility for voluntary retirement is established if, by the anticipated date of discontinuance of the post office, the postmaster has been employed under the Civil Service retirement system for at least 1 year within the 2-year period preceding the discontinuance, and:
 - (1) Has at least 30 years of creditable service and is at least 55 years of age; or
 - (2) Has at least 20 years of creditable service and is at least 60 years of age; or
 - (3) Has at least 5 years of creditable service and is at least 62 years of age. If the postmaster is under the Federal Employees' Retirement System one of the following conditions must be met:
 - (a) Has at least 30 years of creditable service and is at least the minimum retirement age (583.14); or
 - (b) Has at least 20 years of creditable service and is at least 60 years of age; or
 - (c) Has at least 5 years of creditable service and is at least 62 years of age.

The MSC manager advises the postmaster of the eligibility for voluntary retirement. Under no circumstances may the MSC manager attempt to coerce the postmaster into taking voluntary retirement in lieu of reassignment to a postmaster, supervisory, or any other position in the Postal Service. The decision to take voluntary retirement in lieu of reassignment must be made by the postmaster, and this alternative

may not be recommended by the MSC manager unless it has been chosen by the postmaster.

- f. *Discontinued Service Annuity.* Eligibility for a discontinued service annuity is established if, by the recommended date of discontinuance of the post office, the supervisor has been employed under the Civil Service retirement system for at least 1 year within the 2-year period preceding the discontinuance (see 563.21), and:
 - (1) Has at least 25 years of creditable service regardless of age; or
 - (2) Has at least 20 years of creditable service and is at least 50 years of age. The MSC manager advises the postmaster of the eligibility for a discontinued service annuity and that under present law this type of an annuity requires a reduction of 1/6 of 1 percent for each month the employee is under 55 years of age at the time of retirement. If the postmaster is under the Federal Employees' Retirement System, the same age and service requirements must be met, but there is no reduction for under age 55 (see 583.21). Under no circumstances may the MSC manager attempt to coerce the postmaster to accept a discontinued service annuity in lieu of assignment to a postmaster, supervisory, or any other position in the Postal Service. The decision to accept a discontinued service annuity in lieu of reassignment must be made by the postmaster and this alternative may not be recommended by the MSC manager unless it has been chosen by the postmaster.
- g. *Immediate Reduced Annuity.* A postmaster under the Federal Employees' Retirement System may be eligible for a reduced annuity if he has at least 10 years of creditable service and is at least the minimum retirement age (see 583.15).

354.342 Supervisors

When the MSC manager proposes to recommend the discontinuance of a post office at which a supervisor is stationed and whose position would be abolished, each of the following alternatives, as applicable and appropriate, is discussed with the affected supervisor, and the MSC manager prepares a memorandum for the record stating which alternative is recommended. The following alternatives are available:

- a. *Reassignment to a Postmaster Vacancy.* The MSC manager may recommend that the established procedures for the selection of postmasters be waived, and that the supervisor be reassigned to an existing postmaster vacancy. The MSC manager includes a statement that the supervisor meets the requirements and qualifications of the vacant postmaster position to which reassignment is recommended and can satisfactorily perform the duties of that position, and a signed statement from the supervisor that the reassignment as recommended by the MSC manager will, if approved, be accepted.
- b. *Reassignment to a Supervisory Vacancy.* The MSC manager may recommend that the supervisor be reassigned to an existing supervisory vacancy, including that of a station or branch established

as a result of a consolidation. The MSC manager includes a statement that the supervisor meets the requirements and qualifications of the vacant supervisory position to which reassignment is recommended and can satisfactorily perform the duties of that position, and endorses a signed statement from the supervisor that the reassignment as recommended by the MSC manager will, if approved, be accepted.

- c. *Reassignment to Another Position in the Postal Service.* If there are no postmaster or supervisory vacancies to which the supervisor can be reassigned, either because the vacancies do not exist or it is determined and documented that the supervisor does not meet the requirements and qualifications of the positions which are available and cannot satisfactorily perform those duties, the MSC manager recommends that the supervisor be reassigned to another position in the Postal Service. Supervisors may be offered available full- or part-time positions as clerk or carrier or other craft positions for which qualified. In all such cases, the individual's seniority is established in strict accordance with the applicable provisions of the National Agreement. A signed statement from the supervisor that the reassignment to another position in the Postal Service as recommended by the MSC manager will, if approved, be accepted, must be obtained for the record.
- d. *Voluntary Retirement.* Eligibility for voluntary retirement is established if, by the expected date of discontinuance of the post office, the supervisor has been employed under the Civil Service retirement system for at least 1 year within the 2-year period preceding the discontinuance, and:
 - (1) Has at least 30 years of creditable service and is at least 55 years of age; or
 - (2) Has at least 20 years of creditable service and is at least 60 years of age; or
 - (3) Has at least 5 years of creditable service and is at least 62 years of age. If the supervisor is under the Federal Employees' Retirement System, one of the following conditions must be met:
 - (a) Has at least 30 years of creditable service and is at least the minimum retirement age (see 583.14); or
 - (b) Has at least 20 years of creditable service and is at least 60 years of age; or
 - (c) Has at least 5 years of creditable service and is at least 62 years of age. The MSC manager advises the supervisor of the eligibility for voluntary retirement. Under no circumstances may the MSC manager attempt to coerce the supervisor into taking voluntary retirement in lieu of reassignment to a postmaster, supervisory, or any other position in the Postal Service. The decision to take voluntary retirement in lieu of reassignment must be made by the supervisor, and this alternative may not be recommended by the MSC manager unless it has been chosen by the supervisor.

- e. *Discontinued Service Annuity.* Eligibility for a discontinued service annuity is established if, by the recommended date of discontinuance of the post office, the supervisor has been employed under the Civil Service retirement system for at least 1 year within the 2-year period preceding the discontinuance (see 563.21), and
 - (1) Has at least 25 years of creditable service regardless of age; or
 - (2) Has at least 20 years of creditable service and is at least 50 years of age. The MSC manager advises the supervisor of the eligibility for a discontinued service annuity and that under present law this type of an annuity requires a reduction of 1/6 of 1 percent for each month the employee is under 55 years of age at the time of retirement. If the supervisor is under the Federal Employees' Retirement System, the same age and service requirements must be met, but there is no reduction for under age 55 (see 583.21). Under no circumstances may the MSC manager attempt to coerce the supervisor into accepting a discontinued service annuity in lieu of reassignment to a postmaster, supervisory, or any other position in the Postal Service. The decision to accept a discontinued service annuity in lieu of reassignment must be made by the supervisor, and this alternative may not be recommended by the MSC manager unless it has been chosen by the supervisor.
- f. *Immediate Reduced Annuity.* A supervisor under the Federal Employees' Retirement System may be eligible for a reduced annuity if he or she has at least 10 years of creditable service and is at least the minimum retirement age (see 583.15).

354.343 **Reassignment to Higher Grade Position**

In situations where the proposed reassignment would be to a higher grade position and a promotion procedure is prescribed by regulation, that promotion procedure must be followed.

354.344 **Salary Protection**

See 415.112 on salary protection.

354.345 **Relocation Expenses**

Any postmaster or supervisor reassigned as a result of the discontinuance of the post office where employed is entitled to reimbursement of approved relocation expenses consistent with the rules and regulations set forth in Handbooks F-10, *Travel*, and F-10A, *Relocation Guidelines*.

354.346 **Discussions With Postmasters and Supervisors**

Whenever possible, it is the personal responsibility of the MSC manager to discuss with the affected postmasters and supervisors the alternatives available to them incident to the discontinuance of their post office of employment. In those isolated instances where it may not be possible for the MSC manager personally to discuss this with the affected postmasters and supervisors, it is performed by one of the MSC directors as designated by the MSC manager.

354.347 **Subsequent Personnel Actions**

Employees who voluntarily accept lower grade positions may subsequently be assigned to positions that do not exceed the grade from which they were downgraded. The normal promotion procedures may be waived. However, employees must meet the prescribed minimum qualification requirements for the positions to which they are assigned. Eligibility for special placement in postmaster positions described in 354.341 is limited to 104 weeks.

354.348 **Refusal of Reassignment Offer**

If a postmaster or supervisor is offered reassignment to a postmaster, supervisory, or any other position in the Postal Service and refuses to accept any of these alternatives, reduction-in-force procedures are instituted. It is the responsibility of the postmasters or supervisors to apply for any retirement benefits for which they are eligible. If the postmaster or supervisor is separated from the Postal Service and is not eligible for either voluntary retirement or a discontinued service annuity, severance pay is paid if provided for in the relevant Postal Service rules and regulations.

354.4 **Assignment of Employees in Regional Headquarters and Related Offices**

354.41 **Coverage**

354.411 The following procedures govern the assignment of career nonbargaining unit employees of the organizations listed below:

- a. Whose positions have been abolished, or
- b. When there is a reduction in the number of positions with the same occupational code, or
- c. Whose positions are downgraded as a result of realignment or change in duties and responsibilities.

354.412 These procedures apply only to nonbargaining unit employees of regional headquarters and regional headquarters' field offices.

354.42 **General Provisions**

354.421 **Discussions With Employees**

Prior to initiating an assignment under these procedures, management is responsible for talking with each affected employee. The discussion should center around a determination of the employee's own skills, qualifications, and preferences. Follow-up discussions should be held regularly in order to advise the employee of the progress being made in finding a suitable assignment.

354.422 **Reduction in Number of Identical Positions**

The following procedure applies when two or more employees occupy positions with the same 8-digit occupation code, and there is a reduction in the number of these positions within an organization.

- a. All present incumbents are considered for the remaining positions, and the most appropriate selection is made taking into consideration the employees' qualifications, status and expressed preferences. At

management's option, a review committee may be designated to recommend the most appropriate selection. The reasons for selection and nonselection are documented by the selecting official.

- b. Those employees not selected are assigned in accordance with the procedures in 354.43.

354.423 **Utilization of Employees**

Management is responsible for ensuring that employees who are affected by the situations in 354.411 are provided with productive work assignments until they are placed in another position. Employees are carried on the rolls in their regular positions until placed.

354.43 **Assignment of Employees in Abolished or Changed Positions**

354.431 **Assignment at Same Grade**

- a. If a position is abolished or is substantially changed, the incumbent is entitled to be considered for any suitable vacant positions at the same grade within that regional headquarters, that regional headquarters field office, or that district office. This consideration occurs before any nonaffected employees may be considered for the position.
- b. Regional Postmasters General have the discretionary authority to reassign employees to vacancies at the same grade level in any office or installation under their jurisdiction. Also, in coordination with the appropriate SAPMG or office reporting directly to the Postmaster General, employees may be assigned to vacancies at the same grade level in USPS Headquarters or any of its administrative supporting facilities.
- c. It is preferred that an employee be offered and accept reassignment voluntarily. The Regional Director, Human Resources, may authorize the involuntary lateral reassignment of an employee where required and provide appropriate guidance to management. An employee who declines a directed reassignment may be subject to involuntary separation from the Postal Service. The Regional Director, Human Resources, may authorize such an action based on the individual circumstances.
- d. In effecting an assignment under these procedures, the regular competitive selection procedures do not apply, unless a promotion is involved. In considering two or more affected employees for the same vacancy, the most appropriate selection is made. At management's option, a review committee may be designated to recommend the most appropriate selection.

354.432 **Assignment to Lower Grade**

- a. Management may offer, and an employee may voluntarily accept, in writing, assignment to a lower grade vacant position. Sample acceptance format is as follows:

On [__date__] I [__was/have been__] offered, and I hereby accept the position of [__title__], [__grade__], [__salary__], effective [__date__]. Rate retention is granted as described in the ELM [__415.11/421.51 (as applicable)__]. This offer has been accepted voluntarily without coercion or intimidation.

[__employee's signature and date__]

- b. Saved grade is not authorized to preserve an employee's grade in lieu of an actual change to a lower grade.

Exception: Employees who were authorized saved grade under any previous restructuring continue in their saved grade in the event they are subsequently affected by any of the situations listed in 354.411.

354.433 Assignment to Higher Grade

An employee who is pending assignment under these procedures must compete with other qualified employees for promotional opportunities under the normal selection procedures.

354.434 Headquarters Assistance

If an employee cannot be assigned by these procedures within a reasonable time (normally no more than 6 months), the Regional Director, Human Resources, consults with the APMG, Employee Relations Department, about placement opportunities outside the region or other appropriate action. Such action may culminate in the implementation of procedures for involuntary personnel actions other than lateral reassignments.

354.435 Qualification Requirements

An employee must meet the prescribed minimum qualification requirements for the position to which assigned under these procedures. The Regional Director, Human Resources, may waive the minimum requirements in individual cases where there is evidence that the employee can be expected to satisfactorily perform the duties of the position within 90 days after assignment. A written record is maintained which states the specific reasons for granting any such waiver.

354.44 Subsequent Personnel Actions

Employees assigned under these procedures do not acquire a right to return to their former positions or organizations. At its option, management may elect to return an employee when a vacancy subsequently occurs in the same kind of position or in the same organization in which the employee served before assignment. Employees who voluntarily accept a lower grade position under these procedures may subsequently be assigned to positions that do not exceed the grade from which they were downgraded. The regular competitive procedures, including use of a review committee, may be waived in effecting these actions. However, employees must meet the prescribed minimum qualification requirements for the positions to which they are assigned.

355 **Light Duty Assignments**

355.1 **Voluntary Requests**

- 355.11 Any full-time regular or part-time flexible employee recuperating from a serious illness or injury and temporarily unable to perform the assigned duties may voluntarily submit a written request to the installation head for temporary assignment to a light duty assignment.
- 355.12 Any ill or injured full-time regular or part-time flexible employee having a minimum of 5 years of postal service, or any full-time regular or part-time flexible employee who sustained injury on duty while performing the assigned duties, regardless of years of service, can submit a voluntary request to the installation head for permanent reassignment to a light duty assignment.
- 355.13 Voluntary requests are made in accordance with the applicable collective-bargaining agreement.
- 355.14 The light duty provisions of the various collective bargaining agreements between the Postal Service and the postal unions require that installation heads show the greatest consideration for full-time regular or part-time flexible employees requiring light duty or other assignments, giving each request careful attention, and reassign such employees to the extent possible in the employee's office.

355.2 **No Guarantee**

The light duty provisions of the various collective-bargaining agreements between the U.S. Postal Service and the postal unions do not guarantee any employee who is on a light duty assignment any number of hours of work per day or per week.

360 Other Personnel Actions

361 General Considerations

All personnel actions within the Postal Service are effected, without discrimination because of race, color, religion, sex, age, national origin, political affiliation, marital status, or physical impairment (provided that the duties of the position involved may be efficiently performed by the person with the physical impairment). Equal opportunity for position changes and advancement is based on merit, applicable experience, skills, and physical requirements of the duties for the vacancy being filled. Postal officials concentrate on the effective and efficient utilization of employee skills and potentials available to the Postal Service.

362 Change to Lower Grade

362.1 Purpose and Authority

Changes are initiated on the application of the employee or at the request of the installation head. Postal officials who are not authorized to take final action provide recommendations to higher authority.

362.2 When Change to Lower Grade May Be Made

362.21 At Request of Employee

Employees may be changed to a position of lower grade at their own request, without regard for adverse action procedures, when their written request establishes that the change is made solely for personal reasons and in their own interest. Employees' written requests are made a permanent part of their official personnel folders. The request must contain the following facts and circumstances:

- a. That the employee and not the postal official initiated the request for the reduction;
- b. That the postal official, or any superior, has not exercised any pressure; and
- c. That employees fully understand the transaction and consider the reduction to be in their own self-interest and benefit.

Note: A separate written request is not necessary when a change to lower grade is made as a result of bidding procedures, e.g., T6 to Lv5 city carrier.

362.22 Because of Performance

When an employee's performance in current position is unsatisfactory due to the employee's own fault or inability to do the work, a change to another position in a lower grade may be made to place the employee in a position where she or he can reasonably be expected to adequately perform. The change is preceded by a written notice prepared in compliance with the adverse action procedure.

362.23 Relegation of a Post Office

A change to a lower grade resulting from relegation of a post office must be in accordance with the adverse action procedures. See 650 for nonbargaining unit employees. See the appropriate collective-bargaining agreement for bargaining unit employees.

362.24 Realignments

In organizational realignments, management may offer a lower grade position. Although the offer is management-initiated, the change, if voluntarily accepted by the employee, may not be processed as an adverse action.

362.3 Restrictions on Change to Lower Grade

To fill a position by change to lower grade, the following requirements must be met:

- a. The employee must meet the physical standards for the new position. See 313.3, for more complete information, including waivers for physically impaired employees.
- b. If employees have not completed probation, they must complete the probation in their new position.
- c. The employee must meet any experience and training standards for the position and any performance test set for entry into the position; e.g., the motor vehicle operator's examination unless waived under 354.236.

363 Conversions

363.1 Definition

Conversion refers to the process of reaching an employee, on a register of eligibles, who is serving under a casual, temporary, or excepted appointment and changing the employee to a career appointment.

363.2 Conversion to Career Appointment

If the conversion is based on proper selection of an employee whose name is currently within reach on a Postal Service eligibility list, the certificate from which selection is made constitutes authority for the conversion.

363.3 Restrictions on Conversion to Career Appointment

363.31 Vacancies

There must be a permanent vacancy to which an employee may be assigned in order to be converted to a career appointment. Conversion cannot be effected if the employee is serving in a temporary vacancy incident to another employee's absence on military furlough or incident to a transfer to defense activity with reemployment rights.

363.32 **Members of Family Requirement**

Restrictions regarding members of family which are applicable to appointments are equally applicable to conversion. See Handbook EL-311, *Personnel Operations*, section 312.3, Restrictions on Employment of Relatives. (This handbook replaces Chapters 1–5 of the former P-11.)

363.33 **Positions Reserved for Veterans**

An employee who is not entitled to veteran's preference may be converted to career status in a position reserved for veterans only in special circumstances. See EL-311, section 262.1.

363.34 **Medical Evidence**

Satisfactory medical evidence is required for all career appointments.

363.35 **Disqualifications**

Any law, executive order, or postal regulation which disqualifies an employee for original appointment also disqualifies the employee for conversion.

363.36 **Temporaries or Casuals Qualified for Reinstatement**

A temporary or casual who meets the requirements for reinstatement may be considered and recommended for conversion to career status provided there is a vacancy to which the employee may be assigned.

363.4 **Retirement Coverage**

363.41 **Social Security**

Employees serving in temporary or casual positions are covered by Social Security — Old Age and Survivors' Insurance (see 530).

363.42 **Federal Employees Retirement System**

Persons receiving career appointments are automatically covered by the Federal Employees Retirement System (FERS) unless they qualify for and elect, based on prior federal or Postal Service, to remain covered by the Civil Service Retirement Act (see 520).

364 **Other Changes**

364.1 **Name Changes**

364.11 **Name on Records**

The name by which an employee is known must be the one used on the application for employment or that which appears on a subsequent Form 50, *Notification of Personnel Action*, on which the employee's name is officially changed in the records of the Postal Service.

364.12 **Requests for Name Changes**

In all cases where an employee requests to be known by a name other than the one appearing on Postal Service Records, including female employees

reverting to a maiden name, the request is approved provided that it is supported by:

- a. A written statement that the employee intends to use the requested name in all matters concerning the Postal Service and;
- b. Appropriate evidence that the use of the requested name will not be for fraudulent purposes. Such evidence is normally a copy of a judicial order granting a name change, or a notarized affidavit that the use of the requested name will not be for an illegal, improper, or fraudulent purpose.

364.13 **Processing**

In all cases involving a name change, nature of action code 780 and the associated procedures are used in processing the personnel action. All documents supporting the requested change are filed as permanent records in the official personnel folder immediately below the Form 50 which effects the name change.

364.2 **Address Change**

An address change is a change in the mailing address of an employee. Form 1216, *Employee's Current Mailing Address*, is required to change the official mailing address.

364.3 **Change in Title**

A change in title is a change in the title of the position resulting from an administrative action, not involving a change to a higher level, a change to lower level, or a change of duties. If the position is occupied, personnel action (Form 50) is necessary.

364.4 **Changes in Duty Status**

364.41 **Definition**

Changes in duty status are changes which place employees in a nonpay status or return them to active duty and pay status. These changes are shown in 364.42 to 364.47.

364.42 **Leave Without Pay (LWOP)**

A temporary nonpay status and absence from duty granted, when appropriate, as a result of an employee's request (does not include time spent in military service).

364.43 **Suspension**

A temporary nonpay status and absence from duty for disciplinary or other reasons. If the suspension is for a specific period, the personnel action forms specify the exact number of days and dates of suspension.

364.44 **Separation — Military**

(See 366.23.)

364.45 **Absence Without Leave (AWOL)**

A temporary nonpay status and absence from duty without appropriate authorization.

364.46 **Return to Duty**

A return to active duty and pay status from LWOP in excess of 30 days or suspension for security reasons.

364.47 **Remarks**

On the personnel action forms under remarks, indicate the authority for effecting the change action. The personnel action form should also show the reason for the action taken.

364.5 **Changes Affecting Compensation**

364.51 **Inclusions**

Changes affecting compensation are those which change an employee's base pay with no change of position or title (see Chapter 4).

364.52 **Processing Personnel Action Forms**

See Handbook EL-301, *Processing Personnel Actions*. (This handbook, which will be published in the near future, is Chapter 6 of former Handbook P-11.)

365 **Separation**

365.1 **Administrative Considerations**

365.11 **Definition**

Separations are personnel actions that result in employees' being removed from the rolls of the Postal Service.

365.12 **Effective Date of Separation**

The effective date of separation is the last day the employee is carried on the rolls. It is not changed by the fact that an employee is given a lump-sum payment for leave.

365.13 **Standard Terminology**

A separation from the service must be identified by the prescribed term. Care must be taken to use the term appropriate to the case, i.e., *death*, *removal*, *resignation*, etc. Standard procedures and terminology must be used in preparing personnel action forms.

365.14 **Veterans Rights**

The Veterans' Preference Act provides certain procedures and rights to veterans that must be observed in processing involuntary separations of preference eligibles.

365.15 **Notice to Federal Employee About Unemployment Insurance**

An employee separated for any reason must be furnished SF 8, *Notice to Federal Employee About Unemployment Insurance*, and information regarding application for unemployment compensation. (See subchapter 550.)

365.16 **Exit Interview**

All employees voluntarily separated are interviewed. The exit interview gives management the opportunity to:

- a. Determine the true reasons why employees wish to leave the Postal Service.
- b. Retain the services of competent employees when a satisfactory solution of their grievances or problems can be found.
- c. Correct controllable causes of employee turnover.

365.17 **Accountable Property Clearance**

365.171 **Applicability**

These procedures apply to all postal employees (except Inspection Service employees and postmasters for whom additional procedures are prescribed) and are in addition to prescribed exit interview procedures.

365.172 **When to Take Action**

When an employee separates from the service, the losing installation systematically collects all accountable items from the employee. The PDC director inaugurates clearance for overdrawn leave, travel advances, and other U.S. indebtedness for which the employee is accountable.

365.173 **Form to Be Used**

Form 337, *Clearance Record for Separated Employee*, is used to certify that necessary clearance action was taken in the employing installation.

365.174 **Preparation and Routing**

As soon as employees submit notices of separation, Forms 337 are originated by the personnel officer and routed to the property officer who arranges for return of the accountable items. Property officers should use the telephone for clearance unless circumstances make written signatures desirable. Clearance should be completed before the close of day the employee is last in a duty status. When all accountable items are returned and in a condition satisfactory to the property officer, Form 337 is certified and filed in the employee's personnel folder.

365.2 **Separations — Voluntary**

365.21 **Resignation**

365.211 **Definition of Resignation (RESIG)**

Resignation is a separation at the employee's request. Employees may resign at their discretion; this includes application for optional retirement. Resignations must be accepted and are binding once submitted. However, employees may be permitted to withdraw their resignation request provided

the request to withdraw is made before the effective date of the resignation. Denial of an employee's request must be based on a valid reason and such reason should be explained to the employee before the effective date of the resignation. Administrative disruption or the hiring of a replacement before a request for withdrawal is made are appropriate reasons for such denial. A desire to avoid taking adverse action is not an appropriate reason for denying an employee's request.

365.212 To Avoid Separation "For Cause"

If employees submit a resignation after having been notified, either orally or in writing, that adverse action is being initiated proposing their removal, change to lower grade, or suspension for reasons furnished them, the resignation must be accepted. Resignation must also be accepted if employees received a written notice of decision to separate them for reasons given in a notice of decision. The reason (if any) given by the employee for resigning is shown under remarks on the personnel action form, with one of the following statements which best describes the circumstances:

- a. Resigned after being orally informed on (*date*) that action is being initiated proposing to (*separate, demote, or suspend*) him or her for (*reason*).
- b. Resigned after receiving written notice proposing to (*separate, demote, or suspend*) him or her for (*reason*).
- c. Resigned after receiving written notice of decision to (*separate, demote, or suspend*) him or her for (*reason*).

365.213 Because of Illness

The following policies apply in cases of resignation caused by illness:

- a. *5 Years or More of Service.* Employees covered by the Civil Service Retirement System with 5 or more years of civilian service who resign because of illness must be advised of their eligibility to apply for a disability retirement.
- b. *Less than 5 Years of Service.* Civil Service Retirement System employees with less than 5 years of service who resign because of illness must furnish medical evidence supporting their claim to the installation head at the time of separation if their seniority on reinstatement is to be restored. The existence of such evidence should be annotated on the separation Form 50. The evidence itself is forwarded to the appropriate USPS medical officer for retention.
- c. *18 months or more of service.* Employees covered by the Federal Employees' Retirement System with 18 months or more of creditable civilian service must be advised of their eligibility to apply for a disability retirement.
- d. *Less than 18 months of service.* Employees covered by the Federal Employees Retirement System who have less than 18 months of creditable civilian service must be processed in accordance with b.

365.214 **Notice and Acceptance**

The following policies apply regarding notice and acceptance of resignations:

- a. *Written Resignation.* Resignations should be submitted in writing. The employee specifies the reason and effective date. Whenever possible, written notice of resignation is given at least 2 weeks before the anticipated last day of work. Resignations are delivered by employees directly to their immediate supervisors for transmission to the appointing official. Any action to compel employees to remain beyond the date specified by them is without authority.
- b. *Oral Resignation.* If employees decline to submit written resignations, their oral resignations must be accepted, preferably in the presence of witnesses. The supervisor or other official who receives an oral resignation records the date received, the reason given, the effective date, and the names of any witnesses. This record, signed by the supervisor, is placed in the employee's official personnel folder as a permanent record. A copy of this record is sent to the affected employee with the employee copy of the resignation Form 50.
- c. *Reason for Resignation.* The reason for a resignation should be clearly stated in either a written or oral resignation. If the employee fails to give a reason for resignation, the supervisor enters the reason she or he believes the employee resigned.
- d. *Effective Date.* When the employee sets an effective date of resignation to include a period of unapproved leave, the unauthorized absence may be charged to either earned annual leave or LWOP at the discretion of the appointing officer. The employee is informed of the decision and given the opportunity to change the effective date. If the employee is resigning in lieu of an involuntary separation, he or she may not set an effective date for resignation that will occur after the effective date for the involuntary separation.

365.22 **Separation-Transfer (S-Trans)**

365.221 **Definition**

Separation-transfer is an action by which career employees are taken off the rolls of a postal installation to permit their appointments to positions in another federal agency without a break in service. This term is not applicable to the movement of an employee from one postal installation to another. Resignation by the person transferring is not necessary and no resignation is requested.

365.222 **Effective Date**

Employees who notify the appointing officers of their pending transfer may be carried in an annual leave (or nonpay, if no annual leave is due) status between the last workday in the postal installation and the entrance on duty in the other agency. No action is taken until notice of their employment has been received from the gaining agency. The personnel action form is then prepared effective as of the close of business the day before their entrance on duty date at the new activity.

365.223 **Replying to Requests for Suitability Information**

When another government agency requests information on the suitability of an employee transferring from the Postal Service, relevant information contained in USPS records is furnished in such a manner as to safeguard its confidential nature and to protect confidential sources.

365.232 **Separation-Military (S-Mil)**

365.231 **Definition**

Separation-Military is a separation required when an employee goes on full-time active duty in the military service or when any member of a reserve component of the U.S. Armed Forces goes on an initial period of active, full-time duty for training of not less than 3 consecutive months, pursuant to official orders.

365.232 **Effective Date**

Use the first date the employee is in a nonpay status.

365.233 **Postal Official Action at Time Employee Leaves**

- a. Specifically identify the position the employee is leaving and the type of appointment from which the employee is being separated.
- b. Ascertain whether the employee desires to receive payment for accrued annual leave.
- c. Notify employees of their retirement refund rights, if any. Advise them that if they obtain their retirement refund, they will have no coverage under the retirement system, including death benefits, while they are on active military duty.
- d. Notify employees of their insurance rights, if any.
- e. Do not separate an employee who is, by induction or otherwise, considering going on active duty in the military service, or going on an initial period of active duty for training of 3 months or more in accordance with the Reserve Forces Act of 1955, until it is definitely determined by the military authorities whether the employee is accepted or rejected for active duty. During the interim, if employees must take their physical examination for entry into the armed forces at a time when scheduled for duty, excuse them with pay and without charge to annual leave for the time necessary to take the examination.
- f. Explain to employees their restoration rights on discharge from the military service.

365.234 **Restoration After Military Service**

- a. *Employee Inducted.* Employees inducted for training and service are entitled to restoration when they:
 - (1) Satisfactorily complete the training and service and receive a certificate to that effect; and
 - (2) Apply for restoration within 90 days of release either from military training and service or discharge from hospitalization which continued for no more than 1 year immediately following release from training or service.

- b. *Employee Enlisted.* Employees who enlist after entering the employment to which they claim restoration (other than in a reserve component) are entitled to restoration when they:
 - (1) Serve no more than 5 years, provided that service in excess of 4 years is at the request and for the convenience of the federal government (plus additional service imposed pursuant to law);
 - (2) Are released from service under honorable conditions; and
 - (3) Apply for restoration within 90 days of release from service or discharge from hospitalization which continued for no more than 1 year immediately following release from service.
- c. *Employee Ordered to Active Duty.* Employees who are ordered to active duty in the armed forces or the Public Health Service (except for determination of physical fitness or for training), voluntarily or not, after entering the employment to which they claim restoration, are entitled to restoration when they:
 - (1) Serve no more than 4 years plus (a) additional service in which they were unable to obtain orders relieving them from active duty and (b) additional service under the conditions in section 9(g)(2)(B) of the Military Selective Service Act of 1967, as amended, which provides as follows:

Any member of a Reserve component of the Armed Forces of the United States who voluntarily or involuntarily enters upon active duty (other than for the purpose of determining his or her physical fitness and other than for training) or whose active duty is voluntarily or involuntarily extended during a period when the President is authorized to order units of the Ready Reserve or members of a Reserve component to active duty has the service limitations governing eligibility for reemployment rights under paragraph (2)(A) of this subsection extended by the individual's period of such active duty, but not to exceed that period of active duty to which the President is authorized to order units of the Ready Reserve or members of a Reserve component: Provided, that with respect to a member who voluntarily enters upon active duty or whose active duty is voluntarily extended the provisions of this paragraph apply only when such additional active duty is at the request and for the convenience of the federal government.

- (2) Apply for restoration within 90 days of release from active duty under honorable conditions or discharge from hospitalization which has continued for no more than 1 year immediately following release from active duty.

- d. *Employee Ordered to Initial Period of Active Duty for Training.*
Employees who are members of a reserve component and are ordered to an initial period of active duty for training of not less than 12 consecutive weeks (release in less than 12 weeks for reasons beyond the employees' control does not affect their restoration right) are entitled to restoration when they:

- (1) Are released from that active duty after satisfactory service; and
- (2) Apply for restoration within 31 days after that release or within the earlier of (a) 31 days after discharge from hospitalization incident to that active duty or (b) 1 year of their scheduled release from that duty.

Note: This includes members of the National Guard whose period of initial active duty for training is full-time training or other full-time duty performed under sections 316, 502, 503, 504, or 505 of Title 32, United States Code.

365.24 **Separation, Retirement**

See 520.

365.25 **Separation, Abandonment of Position**

Separation for abandonment of position is no longer used. Employees, who formerly would have been separated for this reason, are removed for AWOL. See 365.31.

365.3 **Separations — Involuntary**

365.31 **Removal (REM)**

365.311 **Definition**

Removal is an action involuntarily separating an employee, other than an employee serving under a temporary or casual appointment, or a career employee who has not completed the applicable probationary period, for cause.

365.312 **Procedure**

- a. Bargaining unit employees follow the discipline procedures specified in the appropriate collective-bargaining agreement.
- b. Nonbargaining unit employees follow the discipline procedures specified in 650.
- c. Employees currently serving a probationary period (see 365.32).
- d. Temporary and casual employees (see 365.33).

365.313 **Effective Date**

The effective date is the date designated by the official making the decision but is not before the expiration of the required time limit for the notice period.

365.32 **Separation-Disqualification (S-Disqual)**

365.321 **Applicability**

This type of separation applies only to employees who have not completed their probationary period, except where the separation is caused by a finding that employees who have completed the probationary period have failed to meet certain conditions attached to their appointment.

365.322 **Reasons for Action**

Separation by disqualification results from the failure to meet conditions specified at the time of appointment (such as failure to qualify in investigation or failure to qualify by conduct or capacity during the probationary period) or it may result from information which, if known at the time of appointment, would have disqualified the employee for the appointment.

365.323 **Probationary Period**

Separation-disqualification must be effected during the probationary period except as provided in 365.321. Action is initiated at any time in the probationary period when it becomes apparent that the employee is lacking in fitness and capacity for efficient service. Any separation based on disqualification not effected during the probationary period, as provided in 365.321, even though the action is based on unsatisfactory performance during the probationary period, must be effected as a removal.

365.324 **Physical or Mental Disability During Probationary Period**

Even though employees were approved for appointment as far as physical condition is concerned, they may be separated for failure to qualify during the probationary period if their physical or mental condition renders them incapable of performing duties efficiently and without hazard to self and others. If practicable, employees are assigned to other positions where the physical defects would not impair efficiency or be hazardous to self or others. If such assignment cannot be made, action is taken to separate the employee by disqualification. Before making a final decision, the appointing official obtains medical advice, if possible.

365.325 **Who Initiates Action**

Supervisors may recommend separation-disqualification, but such recommendations must be referred for decision to the official having authority to take the action.

365.326 **Procedure in Separating**

If an appointing official decides to terminate an employee who is serving a probationary period due to conditions arising prior to appointment, or because work performance or conduct during this period fails to demonstrate fitness or qualification for continued postal employment, the employee's services are terminated by notifying the employee in writing why she or he is being terminated and the effective date of the action. The information in the notice regarding the termination must, at a minimum, consist of the appointing official's conclusions as to the inadequacies of performance or conduct.

365.327 **Effective Date**

The effective date of separation by disqualification must be before the end of the probationary period but may not be retroactively effective. The notice of separation must be given to the employee before the end of the probationary or trial period.

365.33 **Termination or Separation of Temporary or Casual Employees**

An employee serving under a temporary or casual appointment may be separated at any time on notice in writing. In determining the proper action for a particular case, the following criteria are used:

- a. *Separation* is the term used to discontinue the services of a temporary or casual employee because of inefficiency, poor deportment, or other deficiencies personal to the employee that warrant removal from the Postal Service.
- b. *Termination* is the term used to separate an employee serving under a temporary or casual appointment whose services are no longer required, or to separate a temporary or casual employee for any reason not specifically covered by another type of personnel action.

365.34 **Separation-Disability (S-Disab)**

365.341 **Definition**

Separation for disability is the separation of an employee other than a temporary, casual, or a probationary employee whose mental or physical condition renders the employee incapable of performing the duties of the position and who is ineligible for disability retirement.

365.342 **Applicability**

- a. Employees not eligible for disability retirement may be separated for disability if they are considered a hazard to self or to others or if they can no longer perform the duties of the position.
- b. Placement of employees with partial disability is attempted through reassignment to positions in which they can perform satisfactorily without being a hazard to themselves or others.
- c. At the expiration of 1 year's continuous absence without pay, an employee who has been absent because of illness may be separated for disability. This action is not mandatory, however, and if there is reason to believe the employee will recover within a reasonable length of time beyond the 1 year period, the employee may be granted additional leave in 30-day periods, not to exceed 90 days. If the employee's condition indicates that LWOP beyond that period is necessary incident to full recovery, the postal official must submit a comprehensive report to the Regional Director, Human Resources, with appropriate recommendation and retain the employee on the rolls pending a decision.
- d. If an employee on the rolls of the Office of Workers' Compensation Programs (OWCP) is unable to return to work at the end of the initial 1-year period of LWOP, the LWOP may be extended for successive additional periods of up to 6 months each. Extensions are granted only

if it appears likely that the employee will be able to return to work within the period of the extension. If it does not appear likely that the employee will be able to return to work during the period, the employee, upon approval of the regional General Manager, Employee Relations, is separated subject to reemployment rights.

- e. Before any employee on the rolls of the OWCP can be separated, the requesting postal official must submit a comprehensive report through channels to the regional General Manager, Employee Relations, with appropriate recommendations. The employee must be retained on the rolls of the Postal Service pending a decision.
- f. If the request is approved by the region, and if the employee has sufficient service for entitlement to retirement, the employee is not separated until given an opportunity to retire. For involuntary separation, the notice and appeal procedures outlined in subchapter 650 or the applicable collective-bargaining agreement, whichever is appropriate, is followed.
- g. An employee who is eligible for disability retirement but chooses not to apply is not separated for physical disability until a complete medical report has been received and the employee has received retirement counseling.
- h. An employee who is eligible for disability retirement is not separated for mental disability. Rather, the appointing officer files an application for disability retirement on the employee's behalf provided the requirements are met (see 568 and 588).

365.343 Notice to Employee

No employees who have completed their trial or probationary period are separated for disability until given a notice in writing of the proposed action and an opportunity to reply in accordance with the appropriate adverse action procedure. A letter to a sick employee should be as diplomatic as possible. Employees eligible for disability retirement are so advised and notified that, unless they file application for disability retirement within 1 year of separation, their rights will lapse.

365.344 Effective Date

Separation-disability is effective on the date determined by the appointing official or on the date authoritative notice is received in the case of legal incompetence. If unused sick leave remains to the employee's credit, the effective date may be extended to permit payment for the unused sick leave. If an annuity is involved, an employee may wish to evaluate an earlier annuity payment against the unused sick leave. Separations for disability may not be effected retroactively or before the date of expiration of the time specified in the notice.

365.35 Separation, Reduction in Force (RIF)

The Postal Service procedure for effecting reductions in force parallels the OPM procedure. The Postal Service attempts to make personnel adjustments by various administrative actions other than reduction in force. If these actions are not adequate, however, and reduction in force appears to

be appropriate, prior approval for such action must be obtained, through channels, from the SAPMG, Human Resources.

365.36 **Death**

365.361 **Proof of Death**

No action is taken to process the separation until credible evidence of death is received. Evidence of death is filed in the deceased employee's official personnel folder. The time and date of a postmaster's death should be reported immediately to the Regional Postmaster General and the SAPMG, Human Resources.

365.362 **Effective Date**

The effective date of separation is the date of the employee's death. Personnel action forms also show the last day the employee was in a pay status.

365.363 **Letter of Condolence**

The appropriate postal official prepares a brief letter of condolence with a simple expression of sympathy, a brief reference to any appropriate qualities of the deceased, and an offer of assistance in filing claims for any funds to the deceased employee's credit.

366 **Appeals from Involuntary Personnel Actions**

366.1 **Bargaining Unit Employees**

Employees subject to the provisions of a collective-bargaining agreement may grieve involuntary personnel actions which they believe to be improper through the grievance procedure of the appropriate agreement.

366.2 **Nonbargaining Unit Employees**

Employees who are not subject to the provisions of a collective-bargaining agreement and who are otherwise eligible may appeal involuntary personnel actions which they believe to be improper under the provisions of, and to the extent provided by, subchapter 650.

366.3 **Veteran Preference Eligible Employees**

Bargaining unit and nonbargaining unit employees who are entitled to veteran preference, as that term is defined in part 241 of Handbook EL-311, may appeal involuntary removals, suspensions of more than 14 days, and reductions in grade or pay to the Merit Systems Protection Board.

370 Performance Evaluation

371 Introduction

Employees of the Postal Service are expected to conduct themselves in a manner which reflects favorably upon the federal government and to perform their duties in the most efficient manner. The supervisor and employee have a mutual responsibility in achieving these goals. Performance evaluation, if used properly, strengthens the day-to-day supervisor-employee relationship in working toward this end.

372 Purpose of Performance Evaluation

372.1 Standards of Performance

Standards of performance are helpful in defining the level of performance expected of a satisfactory employee. These need not be formal or written, but each supervisor determines and communicates to employees being supervised what is expected by way of: (a) quality of work; (b) quantity of work; and (c) manner of performance, such as relationship with co-workers, contacts with public, work methods and habits, extent to which the employee should make decisions.

372.2 Sound Supervision

Sound supervision requires that evaluation of performance be done on a day-to-day basis. It also requires counseling and instruction of the employee as necessary, giving attention to evidences of good performances as well as defects.

373 Established Performance Standards and Evaluation Systems

373.1 Standards

An employee's performance is evaluated on the basis of the following:

- a. Amount of work.
- b. Accuracy.
- c. Reliability.
- d. Neatness.
- e. Thoroughness.
- f. Application to duty.
- g. Promptness.
- h. Conduct.
- i. Ability to get along with others.
- j. Cooperativeness.

- k. Where appropriate, performance is evaluated on the basis of other factors such as initiative, judgment, ability to direct the work of others, ability to establish and attain management objectives, etc.

373.2 Performance Evaluation Systems

373.21 Formal

USPS Headquarters prescribes formal evaluation systems for a variety of purposes. A formal evaluation consists of a set of defined standards of performance, instructions for establishing a measure of where the employee fits within the standards, and a form on which the information is recorded. In the absence of a Headquarters prescribed system, other appropriate authority may prescribe an evaluation system designed to meet specific requirements within its area of responsibility. When a system not prescribed by Headquarters is developed, no attempt is made to make distinctions finer than *outstanding*, *satisfactory*, and *unsatisfactory*. Outstanding and unsatisfactory performances are defined in 375. All performance which does not fall within those two categories is considered *satisfactory*.

373.22 Informal

Informal evaluation is based on the day-to-day observations of the supervisor and is characterized by the absence of prescribed forms and written instructions. It is part of the supervisor's daily obligation to make effective use of available human resources and to give individual encouragement and/or correction. The supervisor's obligation must be a continuous process undertaken whether or not formal evaluation systems are prescribed.

374 Discussing Performance with Employees

The supervisor is responsible for discussing performance with each employee. If the employee's performance is unsatisfactory, the supervisor discusses constructive measures which employees should follow to improve their performance to a satisfactory level.

375 Outstanding and Unsatisfactory Performance

375.1 Outstanding Performance

Outstanding performance is a level of performance which far exceeds that which is normally expected of an individual in a particular position and is far above the performance and achievement of most satisfactory employees in terms of productive effort, proficiency, and significant contributions to the Postal Service. If a supervisor determines that an employee's performance is outstanding, the supervisor considers recommending the employee for a superior accomplishment award or quality step increase. Such performance is recognized in the annual merit review of EAS employees. See 634 for procedures on achievement awards.

375.2 **Unsatisfactory Performance**

Unsatisfactory performance is a level of performance which is repeatedly or consistently below the minimum requirements expected of an employee in the position based on an evaluation of such job-related factors as reliability, willingness to work with fellow employees, quantity or quality of work production, and attendance. If a supervisor determines that an employee's performance is unsatisfactory and reasonable efforts toward improving performance to a satisfactory level have not been successful, effort is made to reassign the employee to a job which the employee can be expected to perform satisfactorily. If there is no such job available and if disciplinary action must be taken, the appropriate adverse action procedure is followed. See 416.24 for procedure to withhold step increase when service is less than satisfactory at any time during the waiting period.

376 **Performance Evaluation During Probation**

376.1 **Significance of Probationary Period**

Probationary periods are provided as essentially the final step in the examination process. Written and other tests can assist in selecting those most likely to be valuable employees, but only an actual trial on the job can be conclusive. Proper use of the probationary period is in the best interest of both the new employee and the Postal Service. During this period the new employee is given orientation and whatever additional training is needed. Attentive treatment during the period, both in training sessions and on the job, often ensures the satisfaction and efficient service of an employee who might otherwise resign or be separated.

376.2 **Informal Evaluation During Probationary Period**

The supervisor is responsible for maintaining close observation of a new employee throughout the probationary period. The supervisor must analyze the new employee's performance to determine both proficiencies and deficiencies. The supervisor consistently attempts by guidance, counsel, and training to assist the new employee to correct any deficiencies in either conduct or performance.

376.3 **Formal Evaluations During Probationary Period**

See 378 for bargaining unit employees. See 379 for nonbargaining unit employees.

377 **Probationary Periods**

377.1 **Length of Time Required**

Some appointments are subject to the completion of a probationary period. Others may be subject to completion of a probationary period begun under a

previous appointment. (Details on counting probationary service are in 377.2.) The following probationary or trial periods are required:

- a. *Career Appointment to Bargaining Unit Position.* An eligible selected for career appointment from a Postal Service register serves a probationary period of 90 days. This applies not only to the first such appointment but to any subsequent career appointment by selection from a register or any other method of rehiring whether or not the appointee had previously completed a probationary period.
- b. *Career Appointment to Nonbargaining Position.* An eligible selected for career appointment from a Postal Service register or other hiring process must serve a probationary period of 6 months of continuous service in the U.S. Postal Service, or 12 months of combined service (federal and postal) without a break of a workday in positions in the same line of work, unless any part of such service was pursuant to a temporary appointment in the competitive service with a definite time limit.
- c. *Position Change.* A career employee who is promoted, demoted, reassigned from one position to another, or transferred before completion of probation must complete the probationary period in the new position.
- d. *Temporary or Casual Appointment.* Casual and temporary employees do not serve a probationary period. However, their performance should be reviewed periodically. Unsatisfactory casual or temporary employees should be separated as soon as it becomes evident the employee is unable to meet the requirements of the position.
- e. *Reinstatement.* Former federal and postal employees who are reinstated must serve a new probationary period.

377.2 **How to Count Probationary Service**

377.21 **Periods of Absence**

Periods of absence during which an employee is carried on the rolls are counted toward completion of the probationary period.

377.22 **Periods of Military Service**

Military service is counted toward completion of a probationary period if the employees leave a position in which they were serving a probationary period to enter military service. If the military service is not sufficient to complete the probationary period, the employee is required to complete the period upon restoration or reemployment.

377.23 **Postal Service Prior to Personnel Action Involving New Probationary Period**

Postal Service in a casual or temporary status does not count toward completion of the probationary period even though it may have immediately preceded the career appointment.

377.24 Effect of Personnel Actions During Probationary Period

Service following transfer during an employee's probationary period is counted toward completion of the probationary period.

377.25 Effect of Position Changes Within the Postal Service

377.251 A change from part-time flexible schedule or part-time regular employment to full-time regular (annual rate) employment does not interrupt or otherwise change the running of time counted toward completion of the probationary period.

377.252 When promoted, demoted, or reassigned to another position within the Postal Service at the same postal installation, or reassigned from one installation to another within the Postal Service, the employee is not subject to serving a new probationary period, but is subject to the completion of any uncompleted probationary period.

378 Bargaining Unit Employees

378.1 Evaluation During Probationary Period

378.11 At Initial Session, Thirty, and Sixty Days

An initial session must be held during the employee's first week at the work site. The purpose of this session is to clearly outline performance expectations for the first 30 days utilizing Form 1750, *Employee Probationary Period Evaluation Report*. At the end of the first 30 days and again at the end of the first 60 days of the probationary period, the supervisor prepares and submits Form 1750 to the postmaster or designee. In the specific sections provided, the supervisor marks the appropriate ratings and provides the necessary supporting comments. The supervisor discusses the evaluation with the employee, and at the conclusion of each session, the supervisor and the employee must sign the form to indicate that the discussion has taken place. The supervisor and the employee each retain a copy of the evaluation. After each evaluation, new expectations are set for the following evaluation period.

378.12 At Eighty Days

At the end of the first 80 days of the probationary period, a final evaluation is prepared and submitted by the supervisor on Form 1750. This evaluation contains a definite recommendation regarding whether the employee should be retained or be separated.

378.13 At Other Intervals

Most deficiencies can be corrected with discussion, training, and counseling. Additional formal evaluations are made only when informal evaluation has not been successful. If any additional formal evaluation is made, it is only after employees understand their deficiencies and have had reasonable opportunities to correct them. Form 1750 is used for any additional evaluations of probationary employees.

378.2 **Evaluation After the Probationary Period**

Regular evaluation of performance is encouraged after the employee has completed the probationary period. Evaluations after the probationary period are used for promotion recommendations and for step increase recommendations and for the early identification and correction of problems.

380 Postal Career Executive Service (PCES)

381 Purpose

The PCES was established in 1979 to develop and maintain a highly motivated, competent group of individuals capable of filling the key management positions and providing the leadership needed for the continued success of the Postal Service.

382 Equal Opportunity

The principles of equal opportunity are applied to all aspects of the PCES, including executive reassignment, training and development, evaluation, compensation, and awards. Individuals seeking entry into the PCES will be considered without regard to race, color, sex, religion, age, national origin, political affiliation, marital status, physical impairment, or any other nonmeritorious factor or consideration.

383 Positions in the PCES

383.1 Officer Positions

Officer positions are in PCES II. They are:

- a. Postmaster General (PMG).
- b. Associate Postmasters General.
- c. Deputy Postmaster General (DPMG).
- d. Senior Assistant Postmasters General (SAPMG).
- e. Regional Postmasters General (RPMG).
- f. Assistant Postmasters General (APMG).
- g. General Counsel.
- h. Deputy General Counsel.
- i. Chief Postal Inspector.
- j. Treasurer.
- k. Consumer Advocate.
- l. Executive Assistant to the Postmaster General.
- m. Judicial Officer.

383.2 Other Executive Positions

Executive positions below the officer level are in PCES I. Examples are:

- a. Regional Director.
- b. Office Director.
- c. Associate General Counsel.
- d. Assistant General Counsel.
- e. Management Sectional Center Manager/ Postmaster.

- f. Regional Chief Postal Inspector.
- g. Assistant Chief Postal Inspector.
- h. Senior Government Relations Representative.
- i. Field Division General Manager/Postmaster.

384 **Filling PCES Vacancies**

384.1 **PCES Level II Vacancies**

Vacancies in PCES level II positions (except for the positions of Postmaster General, Associate Postmaster General, and Deputy Postmaster General, which are filled pursuant to 39 U.S.C. 202) are filled through appointment by the Postmaster General.

384.2 **PCES Level I Vacancies**

Vacancies in PCES level I positions are filled in the following ways:

- a. Reassignment of PCES executives;
- b. Selection of individuals from the PCES candidate list;
- c. Selection of other postal employees; and
- d. Selection of individuals from outside the Postal Service.