

MEMORANDUM OF AGREEMENT (MOA)
BETWEEN THE GODDARD SPACE FLIGHT CENTER
AND
GODDARD ENGINEERS, SCIENTISTS, AND TECHNICIANS ASSOCIATION
(GESTA) IFPTE Local 29

This Memorandum of Agreement (MOA) is entered into, by and between, Goddard Space Flight Center ("Management") and the Goddard Engineers, Scientists and Technicians Association, Local 29, IFPTE, AFL-CIO/CLC, ("GESTA" or "Union") also referred to as the parties. The purpose of this MOA is to document the Non-Competitive Promotion Process (NCP) as understood and agreed to by the parties.

- A. The following Agreements reached at the Interim NCP negotiations, amended as shown, are agreed to by the parties and are hereby included in the NCP.
1. Any document(s) provided by employees to substantiate their promotions in their promotion packages shall not be removed by any supervisor or anyone without prior written agreement by the employee, so as not to lessen their probability of getting promoted in this process by a higher level manager or reviewing official.
 2. If the employee is not promoted, the employee will be provided with the reasons, in writing, within ten (10) workdays of the denial, the exceptions being the number of workdays in providing a written response in accordance with the Reconsideration Under NCP (Appendix F), and the Internal Classification Appeals Process Under NCP (Appendix G) and Classification Appeal for Federal Employee's (Appendix H) documents.
 3. Management agrees to provide GESTA with promotion data to include Race, Gender, Directorate, series, and Level of pay at the end of each six month period from the signing of this Agreement.
 4. Employees shall be informed that they are entitled to GESTA representation during this process.
 5. When an employee who has been promoted through the NCP as an impact promotion leaves the effected position and the position is to be filled with a different employee, the position will revert back to the original GS level prior to another non-competitive promotion. If the work is expected to be permanent and the position is to remain, then the position will be advertised and competed.
 6. Employees shall not be retaliated against for any reason for requesting a position review for a non-competitive promotion or for invoking the "Reconsideration" or "Appeal" or any of the appeals processes.

7. Employees shall have the right to appeal internally, or to NASA HQ, or to OPM without retaliation by anyone for any reason. An employee may file an appeal with OPM in accordance with Title 5, Code of Federal Regulations, Part 511, Subpart F (for GS-employees) and Part 532, Subpart G (for prevailing wage employees); and guidance in the GESTA CBA, Article 23, Section 23.05.
 8. An OHCM desk audit is required to gather and to assess relevant information on which to make an informed classification decision.
 9. The previously used accretion or impact promotion criteria are replaced by OPM position classification standards, which are publicly available and can be found at <http://www.opm.gov/fedclass/>.
 10. The NCPP will be conducted in a fair and equitable manner for all Bargaining Unit Employees (BUEs) without discrimination or personal bias.
- B. The following appendices' represent Agreements reached by the parties and are hereby included in the NCPP:
11. The "NCPP Fact Sheet" is identified as "Appendix A" of this MOA.
 12. The "NCPP Process" is identified as "Appendix B" of this MOA.
 13. The "Position Review Request Form" is identified as "Appendix C" of this MOA.
 14. The NCPP "Q&A" document is identified as "Appendix D" of this MOA.
 15. The "NCPP GS-14/15 Comparisons/Examples" are identified as "Appendix E" in this MOA.
 16. The "Reconsideration Under NCPP" document is identified as "Appendix F" of this MOA.
 17. The "Internal Classification Appeal Process Under NCPP" is identified as "Appendix G" of this MOA.
 18. The process for "Classification Appeals For Federal Employees" is identified as "Appendix H" of this MOA.
 19. The " NCPP Flow Chart" with estimated times in the NCPP process is identified as "Appendix I" of this MoA.
 20. The "Glossary of Terms" is identified as "Appendix J" of this MOA.

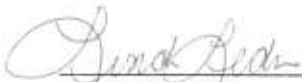
C. The parties agree that the Appendix documents listed above, (A through J) are included in this MOA are part of the NCPP, and will be posted at the web site shown below upon signing of this agreement and made available to all GESTA BUEs without any changes or deletions or additions unless mutually agreed to by both parties in advance:

<http://ohcm.gsfc.nasa.gov/NCPP/NCPP-GESTA.html>


D. The parties agree to this MOA as written above.

FOR AGENCY:

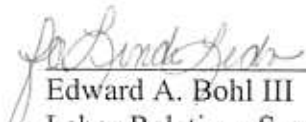
FOR IFPTE LOCAL 29:


Linda Ledman
Labor Relations Officer (Acting)
GSFC

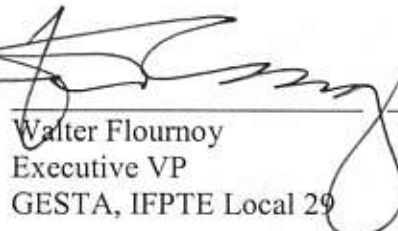
1/29/2014
Date


Anel Flores
President
GESTA, IFPTE Local 29


29 Jan. 2014
Date


Edward A. Bohl III
Labor Relations Specialist
GSFC

1/29/2014
Date


Walter Flourney
Executive VP
GESTA, IFPTE Local 29

1/29/14
Date


Brenda Despanza
Chief, Performance and Work-Life Dynamics
GSFC

1/29/14
Date



Goddard Space Flight Center

FACT SHEET for Non-Competitive Promotion Process (NCPP)

BACKGROUND

Goddard Center Leadership has requested a review of the Accretion Promotion Process (APP), a non-competitive promotion process for Scientists and Engineers that was instituted in 2005. Center teams including the APP Implementation teams, have gathered data, conducted benchmarking of other NASA centers, Federal, and Academic organizations, engaged in discussions with the Agency's Office of Human Capital Management (OHCM), looked broadly at the recommendations of the Center's independent accretion promotion assessment, and developed recommendations. As a result of the findings of this comprehensive review along with completed negotiations with Labor, GSFC will implement changes to the non-competitive promotion process that will use the OPM classification standards for the entire GSFC workforce.

WHAT IS UNCHANGED?

- For accretion promotions, retains the same philosophy of assessing an entire body of work in determining the appropriateness of a non-competitive promotion;
- For GS employees a 1 year time-in grade is required;
- Requires submission of a position review request through management/OHCM;
- Retains requirement to provide feedback to supervisor and employee if Division management for GS 14 and Directorate management for GS-15 does not concur in promotion;
- Requires HR Specialist to evaluate position description (PD) against applicable OPM classification standards;
- OHCM continues to serve as a resource for supervisors and employees.

WHAT IS NEW?

- Establish a fair and equitable process for all employees.
- Changes title of the process to the Non-Competitive Promotion Process;
- Applies to the entire workforce (instead of only Scientists and Engineers) and provides guidelines for all positions and occupations beyond the journeyman level;

- Abolishes the automatic 6-year time in grade trigger;
- Requires up-front communication with OHCM on a position review request in preparation for a desk audit;
- Uses the Position Review Request for a Non-Competitive Promotion form in lieu of the current GS-14/15 forms designed for Scientists and Engineers;
- For a GS-15 the promotion review package is submitted to the Division Chief for review and to the Directorate Head (Director of) for concurrence;
A designated Ombudsperson for the reconsideration process and the internal appeal process for NCPP;
- Establishes a designated Subject Matter Expert (SME) within OHCM;
- Provides an updated and on-going training program for supervisors and employees;
- Enhances tracking and monitoring of non-competitive promotions metrics;
- Increases consistency of NCPP across skill groups;
- Establishes Reconsideration and Internal Classification Appeal Boards; and
- Establishes executive oversight e.g. NCPP Ombudsperson, (currently Deputy Director for Science and Technology), and Champion (currently, Associate Center Director).

WHEN MIGHT A NON-COMPETITIVE PROMOTION BE WARRANTED?

For employees below GS-15 and at their documented Full Performance Level (FPL), a non-competitive promotion may occur when there is evidence that: 1) the employee has significantly impacted the work of the position to a higher grade level; OR 2) assignment of additional duties and responsibilities, job growth or evolution of duties through unforeseen circumstances, which have increased the grade level of the work performed.

WHAT IS THE NON-COMPETITIVE PROMOTION PROCESS?

The Non-Competitive Promotion Process (NCPP) is the means that will be utilized for all employees below a GS-15, regardless of grade or occupation, when being considered for a non-competitive promotion above the established FPL of their position.

Supervisors should work closely with Office of Human Capital Management (OHCM), Talent Acquisition Office prior to beginning the process to determine the appropriateness of pursuing a non-competitive promotion.

Supervisors and employees are encouraged to contact their Human Resources Specialist (HRS) and/or the designated SME to discuss options and answer questions regarding the NCPP. Please visit:

<http://ohcm.gsfc.nasa.gov/NCPP/home.htm>

For a request, a Position Review Request for Non-Competitive Promotion form with supplemental information, including responses to the questions in the form, and a new position description will all be submitted to the appropriate management official. The supplemental information will be dependent on the nature of the position and information required to make a decision. Examples of supplemental information may include work samples, reference letters documenting impact of the work, impact statements describing what was accomplished, incumbent's role, and resulting impact. OHCM will insure all documentation for the request will be in accordance with the NCPP.

OHCM will review the Position Review Request for Non-Competitive Promotion submitted and conduct a desk audit with the supervisor and employee utilizing a position review questionnaire appropriate to the position to aid in determining how the changes have impacted the position's classification. The OHCM Human Resources Specialist will make the final position classification determination and prepare an evaluation statement documenting the position review and final outcome.

NON-COMPETITIVE PROMOTION CRITERIA

Positions will be evaluated in consideration of the additional duties/responsibilities or impact of the employee, against published OPM position classification standard(s) applicable to the position.

WHAT IS THE SUPERVISOR'S & EMPLOYEE'S ROLE?

Supervisors are expected to continuously carry out position management assuring organizations and positions are structured efficiently and effectively, i.e., determining the number, types and grade levels of positions required to fulfill a function/mission. Supervisors will ensure employees are aware of the opportunity (or lack thereof) for career progression in their current position. If the duties and responsibilities assigned, or the impact of the person in the job, has changed the work being performed beyond what is described in the current position description, then a non-competitive promotion may be considered. Supervisors are also expected to conduct periodic career development discussions with employees, e.g., once per year and review and certify position description every 3 years.

If at any time the employee thinks he/she is performing duties that exceed those in the currently described position description, and a discussion has not occurred with the supervisor, the employee should initiate such a conversation. If the employee is dissatisfied with the result, an internal Reconsideration under NCPP process is available which is described below.

It is critical for employees and supervisors to understand that doing an outstanding job does not correlate to receiving a promotion once the employee has reached the full performance level (FPL) of the position. Additionally, it is an organizational reality that some jobs have higher promotion potential than others. Therefore, it is

crucial that employees' expectations are aligned with organizational realities and that career development and career path opportunities outside of the current position are explored. It is as much an employee's responsibility to take charge of one's career, as it is the supervisor's to provide information and guidance.

OPTIONS OF RESOLUTION

A multi-level process will be available for employees dissatisfied with the outcome at any point in the process which includes Reconsideration under NCPP; Internal Classification Appeal Process; and Classification Appeals for federal employees. The first line of review should be the management chain (Division, Directorate). It is the desire that issues be resolved at the lowest possible level; however, there are several other avenues for employees to pursue if dissatisfied with the result of a non-competitive promotion request. The options are as follows:

1. The Reconsideration process provides a variety of options for reconsideration of denied position review requests. This process helps ensure the employee is given fair and due consideration of any request for a review of their position.
2. The Internal Classification Appeal is the GSFC process an employee may use to appeal the initial classification decision by OHCM, per the appeal board decision, and prior to appealing outside of the Center.
3. The classification appeal for federal employee is the formal process to be used to dispute the final grade level decision made by OHCM. Any employee may file a classification appeal. Additionally, there are Federal government position classification appeal processes available which include a review by Agency personnel and/or review by the OPM.

Note: Employee can request a desk audit with OHCM.

An Ombudsperson in the Office of the Center Director has been identified as the Deputy Director for Science and Technology. The Deputy Center Director will serve as the backup Ombudsperson. They will be available to mediate, investigate, and/or ensure appropriate outcomes. The Ombudsperson will not replace the official classification appeals process and will not have position classification authority.

This guidance is intended to summarize and communicate the major changes to the current process. Please refer to the NCPP Website for further details at:

<http://ohcm.gsfc.nasa.gov/NCPP/home.htm>

APPENDIX B. Process for Non-Competitive Promotions

Background

For those employees at their Full Performance Level (FPL), typically there are two ways to move to a higher grade level: (1) by applying and being selected for an advertised job with a higher FPL; this is a competitive promotion, or (2) through a non-competitive promotion either by the employee increasing the scope of the current position based on their impact, or when additional duties have been assigned or have evolved over a period of time that are at a higher grade. In both instances the higher level duties must continue for the duration the employee occupies that position (i.e., the work is expected to be permanent).

It is important to understand that in many instances, the ability to grow the scope or impact of a job to the next level will be limited or may not exist. Also, additional duties and responsibilities do not always warrant a higher grade level. Additional duties and responsibilities could be at or even below the current grade of the employee.

It is expected that employees and their supervisors have routine and on-going career development and planning discussions, at least annually. Employees must take personal responsibility to achieve their career goals and supervisors must be actively involved in this process. Discussions shall include development and training needs of the employee, career counseling, coaching and guiding employees in their professional development planning; and assisting the employee in defining short- and long-term development and training needs.

At least annually, the supervisor shall review each employee's position description to determine if any changes have occurred. If substantive changes have occurred, the supervisor shall document them in a revised position description. At times the work performed may have changed to the point where a higher grade level may be warranted. For employees at their FPL, this would be when a non-competitive promotion could be considered.

Determining whether a non-competitive promotion is warranted involves not only a discussion of duties that may be above the current grade, but also an assessment of whether or not work is expected to remain at the higher level for as long as the employee occupies the position.

Process

1. If the supervisor or employee thinks the work of the employee's position has significantly changed, and/or the impact of the employee has materially changed the position, the supervisor will consult with the OHCM Human Resources (HR) Specialist for advice/guidance in determining the appropriateness of pursuing a

non-competitive promotion. If the supervisor denies the Position Review Request the employee may use the Internal Reconsideration process.

2. If a determination is made that it is appropriate to pursue a non-competitive promotion and the work appears to support a higher level, the supervisor must draft a new position description and complete the Position Review Request for Non-Competitive Promotion. The employee and supervisor will work to develop any supporting documentation/information required in the position review request.
3. The Position Review Request, which includes the draft position description signed by the supervisor, and supporting documents, is forwarded through the management chain for review of package contents. For requests up to the GS-14 level, the reviewing official is at the Division level, and for the GS-15 level is at the Directorate Level. If management does not concur, feedback will be provided to the supervisor and employee with information on options for reconsideration if the employee is dissatisfied. The employee may provide additional information to support the request at any level of the review of the process.

An NCPP Ombudsperson has been identified who will be available to mediate, investigate and/or facilitate the process to ensure a promotion request is being appropriately considered. Also, there are Reconsideration and Internal Classification Appeal Processes available.

4. If management concurrence is obtained, then the package will be forwarded to OHCM, Talent Acquisition Office (Code 113) for review and final position classification.

The OHCM HR Specialist will review the proposed position description, the Position Review Request and accompanying documentation, and will interview the supervisor and employee, if necessary, to gather/clarify information about the work (face-to-face or telephone interviews may be conducted). As necessary, the OHCM HR Specialist will work with technical Subject Matter Experts (SME). A technical SME is an expert in the field of work being evaluated, or peer representative from other organizations that has a deep understanding of the special knowledge, skills and/or work responsibilities being evaluated.

The HR Specialist will evaluate the position using the applicable Office of Personnel Management position classification standards to make the classification determination. Upon completion of the fact-finding process, the HR Specialist will certify the position classification and prepare a written evaluation report which describes the rationale for the grade level determination. This report will be released to the supervisor and the employee normally no later than 60 calendar days.

If the request supports an increase in grade a Federal Personnel/Payroll System (FPPS) action will be processed for a noncompetitive promotion. If an OHCM

position classification finding determines duties performed by the employee to be of a lesser grade than the level of current position description assigned, additional action may be necessary, such as assignment of new duties commensurate with employees' existing grade.

5. If a higher grade level is not supported by the classification findings and the employee is dissatisfied with that outcome, the employee may use the Internal Classification Appeal Process, or file an official classification appeal. Information on the latter can be found in the NCPP document Classification Appeals for Federal Employees.

NOTE: Employees shall not be retaliated against for any reason when requesting a position review for non-competitive promotion or invoking any of the internal and/or external appeal processes.

Goddard Space Flight Center



Position Review Request for Non-Competitive Promotion

Employee Name	Current PD No./Org Code
Current title/series/grade	Proposed title/series/grade
Request is based on (select one): <input type="checkbox"/> Impact of the person in the job. Go to Part 1 & 3. <input type="checkbox"/> Additional duties/responsibilities assigned. Go to Part 2 & 3.	

SUBMITTED BY:

Immediate Supervisor's Printed Name: _____

Immediate Supervisor's Signature: _____ Date: _____

CONCURRENCES:

Division (for GS-14 Promotion and below):

Division Official's Printed Name: _____

Division Official's Signature: _____ Date: _____

Directorate (for GS-15 Promotion):

Directorate Official's Printed Name: _____

Directorate Official's Signature: _____ Date: _____

INSTRUCTIONS

The purpose of this form is to request a noncompetitive promotion based on impact of the person in the job or accretion of duties. In order to recommend and certify an employee for noncompetitive promotion this completed form, along with appropriate supplemental information (if required) and an updated position description certified by the supervisor in ePDS, is to be forwarded through the appropriate management chain to the Office of Human Capital Management (OHCM), Talent Acquisition Office (TAO). Supervisors should be consulting with OHCM early in the process to ensure that a noncompetitive promotion is appropriate.

Supervisors must completely fill out the employee information at the top of this page and certify that the conditions listed in Part 3 have been met for noncompetitive promotion.

The completed package, with a list of attached documents, must be signed by the immediate supervisor and submitted through the Division (for GS-14 promotion and below) or Directorate (for GS-15 promotion) for concurrence.

Position Review Requests not supported by the Division or the Directorate shall be returned to the supervisor and the employee informed of options to pursue to resolve the denial. Position Review Requests that receive Division or Directorate concurrence shall be submitted to OHCM for review and classification.

NOTE: *Submission of this document and supporting materials does not preclude the need for a position audit by OHCM with the supervisor and/or employee, or request for additional information. See Appendix A for sample position audit questions.*

PART 1. Guidance for Impact of the person-in-the-job promotion

This is a non-competitive promotion above a position's established Full Performance -Level (FPL) that is dependent on the unique capabilities, stature, knowledge, and/or contributions an individual brings to a position that has a direct and major impact on the work, i.e., broadens the nature or scope and effect of the work being performed and/or attracts higher-level work.

While it is the position which is classified, the relationship of the employee to the position can be recognized when the work performed by the incumbent broadens the nature or scope and effect of the work. For example, exceptional ability of the employee may lead to the attraction of especially difficult work assignments, unusual freedom from supervision, special authority to speak for and commit the agency, continuing contribution to organizational efficiency and economy, recognition as an "expert" sought out by peers, or similar considerations. Such changes affect the difficulty of work or the responsibility and authority given the employee and can be recognized in the position classification decision. (Excerpt from *Introduction to the Position Classification Standards*). The impact of the person in the job is reflected in the classification when the work of a particular individual *actually makes the job materially different* from what it would be otherwise.

The mere fact that an individual possesses higher qualifications, or stands out from other individuals in comparable positions, is not sufficient reason by itself to classify the position at a higher grade. The employee's special qualifications do not affect the grade unless they are required to perform higher-level duties and management recognizes and endorses the duties and responsibilities acquired by the employee and allow them to continue to be performed.

The resulting classification should clearly indicate the impact of the individual was taken into account so that the position may be distinguished from other positions doing similar work. When a position which has been affected by the impact of an individual is vacated, it should normally revert to its original classification.

NOTE: The Federal classification system recognizes that in certain occupations the very nature of the work is influenced by the unique qualifications, stature, and contributions of the incumbent. This situation recognizes the grade value of nonsupervisory performance which involves a very high degree of technical independence, a high degree of originality, and a high level of professional recognition and contribution. The Research Grade Evaluation Guide (RGEG) and Equipment Development Grade Evaluation Guide (EDGE) are one of the few position classification standards that recognize the impact of the person in the job as one of the position classification factors. Consequently, while impact

PART 1 (continued)

promotions can occur in any occupation it would be an exception; whereas, in positions covered by the RGE and EDGE it would be typical. For additional information, please visit <http://www.opm.gov/fedclass/gresch.pdf>, and <http://www.opm.gov/fedclass/gsequpdv.pdf>.

Questions should be directed to your servicing HR Specialist, OHCM, TAO. Contact information can be found at <http://ohcm.gsfc.nasa.gov/contact/taocontacts.htm>.

The following information will be required for all requests based on *impact of the person in the job*. This information is to be provided in supplemental pages attached to this document.

- Written narrative which describes--in chronological order and some detail--the nature and impact of the work, research, development, special assignment/project, technology transfer, etc., (minimum of 3, maximum of 8 – no more than a page for each example). Describe the employee's specific role and the resulting impact.

The following will also be required for all research scientist and engineers and is to be submitted with the request. For all other types of positions it is not required.

- Minimum of two reference letters addressing the employee's contributions, impact and stature in the field.

Additionally, research scientists must submit:

- Current curriculum vitae (cv) (including publications, special invitations, society office and committee assignments held, participation in scientific meetings, technical conferences, workshops, honors and awards, special assignments, etc.).

PART 2. Guidance for Accretion of Duties Promotion

An accretion of duties promotion is an exception to the normal competitive process. . It occurs when an employee's position is classified at a higher grade because of the assignment of additional duties and responsibilities, job growth or evolution of duties through unforeseen circumstances. In this situation, the original major duties of the position continue to be performed, and the higher-level duties could only logically be assigned to that position and were not assigned with the intent to promote a particular employee. Merit Systems Principles ensure Federal personnel management is carried out in an open and equitable manner, and includes that "selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity."

The employee must have been performing the duties for at least 120 work days and there must be certainty the work will continue.

Whenever possible, managers and HR Specialists will ensure that a reasonable and accurate career ladder is established before a position is filled. Additionally, when new work is anticipated, consideration

PART 2 (continued)

should be given as to whether a new position should be established and competitive procedures used (i.e., advertising through a vacancy announcement). If appropriate, an employee's position may be

upgraded through noncompetitive promotion due to an accretion of duties and, the incumbent may be promoted without competition if all of the conditions on page 5 are met.

Questions should be directed to your servicing Human Resources Specialist, OHCM, and TAO. Contact information can be found at <http://ohcm.gsfc.nasa.gov/contact/taocontacts.htm>.

In order to recommend a noncompetitive promotion for an employee based on additional duties and responsibilities, please describe how the position has changed since the classification of the most current position description. Every submission must fully address the 5 questions listed below (please provide responses on separate pages which shall be attached to the request form).

1. What additional duties and responsibilities have been assigned to the employee that are not a part of the employee's current position description that you believe are at a higher level than the incumbent's current grade?
2. Explain why the additional duties and responsibilities were assigned to, or assumed by, the employee. If the work was previously performed by another employee(s) explain why the work was moved to this position.
3. How long has the employee performed these additional duties?
4. If these additional duties or similar duties are currently being performed by others in the organization, please provide their name, title, series, and grade.
5. What work, if any, has been removed from the employee's current position description?

PART 3. Certification for Non-Competitive Promotion

Please certify the following conditions are met for the noncompetitive promotion:

- 1 year time-in-grade requirement has been met;
- The new position is not a reclassification from nonsupervisory to Team Leader or Supervisory status; and
- The new position is not a reclassification from a one-grade interval to a two-grade interval position, e.g., Engineering Technician to Engineer, Computer Assistant to IT Specialist, or Administrative Support Assistant to Administrative Officer.

In addition, the following are required for promotions under Part 1 OR Part 2:

Part 1 (Impact of the person-in-the-job):

- The employee's position is to be reclassified because of impact of the person in the job where the employee's unique capabilities have changed the responsibilities of the position resulting in higher level duties being performed.

OR

Part 2 (Accretion of Duties):

- The employee's position is to be reclassified because the duties have evolved over time resulting in additional duties/responsibilities;
- The proposed grade level is now at the new Full Performance Level (FPL) and there is no further promotion potential beyond this grade.
- The employee's old position is absorbed into the new position, i.e., the employee continues to perform the same basic functions and the new duties and/or responsibilities represent an enhancement of the previous position;
- The new duties could not reasonably be assigned to any other position within the organization;
- No other positions within the organizational unit-whether encumbered or unencumbered - are adversely affected by the action (e.g., the "new" duties were not moved from one position to another for the purpose of promoting a particular employee, and the grade of any other employee is not impacted as a result).

I certify that all of the above conditions are met.

Supervisor's Signature

Supervisor's Printed Name

Date

I certify the requirements are met for consideration under the non-competitive promotion process and that a list of attached documents is included with this form.

HR Specialist Signature

HR Specialist Printed Name

Date

Appendix A. Sample desk audit questions/comments

The questions/comments below are just a few examples of those which may be asked during a desk audit. Questions will be focused on the specific work of the position and what has changed since the position was last classified.

- Describe the major duties of your position and estimate the approximate percentage of time spent performing each duty over a one-year period, or the amount of time in an average week or other period, which is most appropriate to your job.
- What knowledge, skills, special techniques, etc. are required to accomplish the work?
- What guidelines are available for performing the work (e.g., policies, procedures, handbooks, precedents)? Describe the level of difficulty and judgment in applying the guidelines to the assignment in relation to their ready adaptability to the work and the level of interpretation required.
- What types of decisions or judgments do you have to make in performing your assigned duties/functions?
- Provide examples in which imagination, inventiveness or the ability to create or improvise are carried out in the work.
- How do you receive work assignments and from whom? Describe the level of review your work receives. What challenges/issues/questions are you required to report to your supervisor? What level of involvement does the supervisor require in resolving these matters?
- What are the most difficult/complex aspects of the work? Describe what makes them complex.

APPENDIX D. Non-Competitive Promotion Process (NCPP) Q&A's

What is NCPP?

The NCPP is the means that will be used for all employees, regardless of grade or occupation, when being considered for a non-competitive promotion above the established full performance level (FPL) for their position. This process replaces the Accretion Promotion Process (APP), which previously covered only scientists and engineers (S&E), and supplements current guidance found in Goddard Procedural Requirement (GPR) 3511.1, Promotion Processes at the Goddard Space Flight Center (GSFC). There was previously no formal process, outside of guidance in the GPR, for non S&E employees to request a review of their position for possible promotion above their established full performance level.

What is a full performance level?

Full performance level (FPL) is the highest grade level established for a particular position, sometimes called the target level of a career ladder. The FPL is determined when the position is originally established and is documented on the position description cover sheet.

Why was the name changed from Accretion Promotion Process (APP)?

The previous name was being used interchangeably to cover two distinct types of non-competitive promotions; 1) accretion of duties, and 2) impact of the person. The name change was necessary to correctly define the overall process and to distinguish it from the prior APP.

What is an accretion of duties promotion?

An accretion of duties promotion is a personnel action in which an employee is non-competitively promoted above the position's established FPL based on the assignment of additional duties and responsibilities, job growth or evolution of duties that result in reclassification of the employee's position to a higher grade. In this situation, the duties would be assumed over a period of time, the original major duties continue to be performed, and the higher-level duties could only logically be assigned to that position and were not assigned with the intent to promote a particular employee. The employee must have been performing the higher level duties for at least 120 work days and the intention is that the higher level work will continue to be performed.

What is an impact of the person promotion?

An impact promotion is a personnel action in which an employee is non-competitively promoted above the position's established FPL that results when the unique capabilities, stature, and/or contributions of the employee have a direct and major impact on the nature and scope of work performed and support classification at a higher grade level. Typically, it would take several years for the impact of the person to materialize.

Who can get a non-competitive promotion?

In theory, any employee who is at the FPL of his or her position for at least one year may be considered for a non-competitive promotion, however, most employees will not be promoted in this manner. There are several reasons for this: for some employees, the level of the work they perform does not support classification at a higher grade either by accretion of duties or impact, there is only so much high level work that is assigned to an organization, or the very nature of the work assigned does not change. The quantity of work, temporary higher-level work, and/or quality of performance are not considerations for non-competitive promotions. The quality of performance is reflected in an employee's annual performance appraisal.

No employee should assume that he or she will be promoted above his/her FPL; because there is no inherent right or guarantee of a promotion.

In the event a non-competitive promotion is appropriate to pursue, what is the process and is there a format that is used to document the request?

Either the supervisor or the employee may initiate the request for a non-competitive promotion.

Once initiated and after consultation with the servicing HR Specialist, the supervisor must complete a Position Review Request for Non-Competitive Promotions and develop the new position description. Completion of the Position Review Request, that is the supporting documentation required and input necessary for evaluating the position should be a combined effort of both the supervisor and the employee.

The Center's *Position Review Request for Non-Competitive Promotion* must be completed for any employee, at their FPL, who is being considered for a promotion under NCPP. The forms and information can be found on the OHCM webpage at <http://ohcm/Promotion/home.htm>.

A complete package, which includes a position description signed by the supervisor, the *Position Review Request for Non-Competitive Promotion*, and any supporting documentation, will be forwarded through the management chain for review and concurrence. The package will then be sent to OHCM, Talent & Acquisition Office (Code 113) where a Human Resources (HR) Specialist will review the materials submitted, conduct a position audit, analyze the findings, complete the classification of the position, and prepare an evaluation statement documenting the position review and final decision.

Can a supervisor or lead get a promotion under NCPP?

Yes, however, just as with non-supervisory employees, the promotion must be based on increased complexity/impact of the technical aspects of the work, not any supervisory or lead function. This type of promotion would be a rare occurrence.

In the same manner, a non-supervisory employee would not be able to receive a promotion under NCPP based on assignment of supervisory or lead responsibilities. Such personnel actions would have to be achieved through competitive processes (e.g., vacancy announcement).

How do I, as a supervisor, know if a promotion under NCPP is right for my employee?

If the duties and responsibilities assigned, or the impact of the person in the job, has substantively changed the work being performed to a higher level than what is described in the current position description, then a promotion under NCPP may be considered. Supervisors should partner with OHCM HR Specialists to assist in this decision.

Supervisors and employees shall engage in regular career development discussions (at least once a year) aimed at identifying training, education and other developmental opportunities to aid employees in enhancing their knowledge, skills and competencies, which in turn better position them to compete for higher level positions as they become available inside or outside of the organization. Further information on career development can be found at <http://ohcm/career/home.htm>

Additionally, if new work comes to the organization the supervisor must consider whether that work can be assigned to current employees within their present grade/FPL, or if a new position should be established and advertised competitively via a vacancy announcement. This process is part of position management supervisors are responsible for. Supervisors should consult with OHCM to determine the most appropriate action to take.

What should an employee do if he/she thinks they are performing duties that exceed those in their current position description and the supervisor has not initiated a promotion request?

The employee should initiate a discussion with the supervisor. If dissatisfied with the result, an internal NCPP reconsideration process is available.

What is the internal reconsideration process?

The internal reconsideration process is a multi-level process that allows the employee to pursue review by the next higher level in the management chain (i.e., Division, Directorate) or by an NCPP Ombudsperson in the Office of the Center Director who is available to mediate, investigate and/or help to facilitate the process to ensure requests are receiving proper consideration, or by the alternative process where a Board is convened by the Ombudsperson. This alternative process does not guarantee a promotion will occur.

If the employee is not satisfied with the result of the internal reconsideration, he/she may request a desk audit by OHCM. The desk audit would consist of the HR Specialist meeting with both the supervisor and employee to gather information to understand the employee's work and/or impact of the position in order to evaluate it against the applicable position classification standard(s) to determine the grade level. It is preferable if there is agreement between the supervisor and the employee on the content of the position description (PD) prior to the review since the PD serves as the official document of the work assigned. The HR Specialist will prepare an evaluation statement which documents the rationale for the grade level decision.

Employees have the right to seek reconsideration without fear of reprisal (see 5 United States Code, Section 2302 (b) (9) go to <http://www.opm.gov/omsoc/prohibit/legal.htm>).

How does receiving positive performance reviews and/or awards relate to promotion?

It is critical for employees and supervisors to understand that doing an outstanding job or significantly exceeding one's performance standards does not correlate to getting a non-competitive promotion once you have reached the full performance level of your position. For example, one can do an outstanding job as a GS-13, doing GS-13 level work, and be rewarded with performance and other types of awards for many years and the level of work remains at the GS-13 grade.

What happened to the promotion criteria for scientists and engineers?

The criteria from the 2005 Accretion Promotion Process Implementation (APPI) will no longer be used for S&E employees. Instead, GSFC will use the OPM Classification Standards for positions as detailed in the next section, i.e., "What are the OPM Classification Standards?"

What are the OPM Classification Standards?

The grade level of a position is based on the work assigned, and described in the position description, evaluated against position classification standards published by the OPM. The OPM position classification standards can be found at:

<http://www.opm.gov/fedclass/html/gsseries.asp> and

<http://www.opm.gov/fedclass/html/gsfunctn.asp>, for white collar positions, and

<http://www.opm.gov/fedclass/html/fwseries.asp> and

<http://www.opm.gov/fedclass/html/fwsfunct.asp> for trades, craft, and labor positions.

Selection of the standard used to evaluate a position will be based on the nature of the work of the position and the occupational series assigned. If you have any questions, contact your servicing HR Specialist, Code 113.

Specific standards for occupations at GSFC can be found at the links below for the following occupational headings:

Scientists & engineers: *800, Engineering & Architecture group,*

<http://www.opm.gov/fedclass/gso800P.pdf>; *1300, Physical Sciences Group*

<http://www.opm.gov/fedclass/gso1300P.pdf>; *Research Grade Evaluation Guide,*

<http://www.opm.gov/fedclass/gsoresch.pdf>; *Equipment Development Grade Evaluation Guide,*

<http://www.opm.gov/fedclass/gsoeqpdv.pdf>

Technicians (engineering): *800, Engineering & Architecture group;*

<http://www.opm.gov/fedclass/gso800T.pdf>

Administrative Professional: *200, Human Resources Management Group; 500, Accounting & Budget Group; 1000, Information & Arts Group; 1100 Business & Industry Group; 1600, Equipment, Facilities, & Services Group; 1700, Education Group; 2200, Information Technology Group; Administrative Analysis Grade Evaluation Guide*

Secretarial/Clerical: 300, *General Administrative, Clerical, and Office Services Group; Grade Level Guide for Clerical & Assistance Work; Office Automation Grade Evaluation Guide*

Technicians/assistants (administrative): 200, *Human Resources Management Group; 500, Accounting & Budget Group*

How are situations addressed when multiple classification standards apply to a position?

If multiple classification standards are applicable to a position under review, the standard or appropriately applicable combination of standards, which is/are most advantageous to the employee will be used to provide the grade level basis.

Is there a time limit as to how far back an employee can cite work accomplishments to be considered for a non-competitive promotion?

There is no time limit; however, it is important to note that a non-competitive promotion is only appropriate for instances where the employee is already working and the higher level work is enduring. The employee must have been performing the higher level duties for at least 120 work days and the intention is that the higher level work will continue to be performed.

Can the employee request and/or include letters of commendation or reference?

Yes. For “impact of the person” promotions for research scientists and research engineers a minimum of two letters are required addressing the employees contributions, impact and stature in the field. For “accretion of duties” promotions, letters may be useful in a conversation between the supervisor and employee and can be used to verify that the work is being performed.

Is there still a requirement for the ‘at six years’ time-in-grade (TIG) review for scientists and engineers?

No, the six year time-in-grade review has been abolished. Supervisors should monitor positions and work assigned within their organization on an on-going basis. Additionally, a supervisor or employee may request a position review for non-competitive promotion if they believe the work performed is at a higher grade level. Further, the electronic Position Description System (ePDS) will prompt supervisors to review their employee position descriptions every three years.

During the review process, can the employee provide supplemental information to the reviewing official(s)?

Yes. Any document(s) provided by employees in their Position Review Request shall not be removed by anyone without prior written agreement by the employee so to not lessen the probability of being considered in the NCPP.

Can the supervisor provide, and/or the employee request, a copy of the final Request for a Position Review package?

Yes. The supervisor shall provide a copy of the final package to the employee.

What do I do if I disagree with the final outcome?

Once the final position classification is decided, an employee may pursue an internal appeal or an official position classification appeal. This appeal can include multiple levels of review including a Center Appeal Board, NASA HQ OHCM and the Office of Personnel Management (OPM). Guidance for this process can be found in the NCPP document *Federal Classification Appeals Process* or the OPM website at <http://www.opm.gov/classapp/index.asp>. You can also contact your servicing HR Specialist, Code 113.

Employees have the right to seek appeal without fear of reprisal (see 5 United States Code, Section 2302 (b)(9) <http://www.opm.gov/omsoe/prohibit/legal.htm>

How can I learn more about the NCPP?

OHCM HR Specialists are available to answer questions about the process and position classification in general. Contact information can be found at <http://ohcm.gsfc.nasa.gov/contact/taocontacts.htm>. Additionally, a Subject Matter Expert (SME) has been established in Code 110. The SME, Linda Ledman, Special Assistant for HC Excellence and Policy, will be available to advise employees, managers, and the NCPP Ombudsperson in the area of policy and processes. The SME will not replace the official position classification appeals process and the SME will not have position classification authority. The SME can be reached on ext. 6-6111.

APPENDIX E. NCPP GS-14/15 Comparisons and Examples

Note: The comparisons listed below will serve as a general reference guide and does not solely determine the difference between grade levels. In addition, depending on the position OHCM may use multiple classification standards to determine appropriate classification to the employee's benefit. For additional information, please see the Non-Competitive Process Q&A's.

Engineer, GS-14

Serve as advisor and/or team leader in planning, organizing, and directing extensive development efforts for organizations engaged in broad programs of applied research and development and for which engineering precedents are lacking in areas critical to the overall development effort or program. Serve as expert advisors and provide leadership for broad and complex programs that advance the state of the art. Assess and demonstrate the effectiveness of new concepts and ideas, evaluate technological trends and establish the more promising approaches for achieving highly significant advancements, formulate overall design concepts and criteria which establish the baseline for advancement of the state-of-the-art engineering developments, explore and evaluate advanced proposals, review and assess overall progress in the development effort, and resolve technical difficulties that can be overcome by changes in characteristics, approach, criteria, and requirements. Serve as staff engineer to a laboratory or engineering organization and formulates, plans for, and provides engineering management of programs in a broad and complex field (e.g., guidance control and target detection systems, or flight mechanics). Serve as a team leader who establishes methods and procedures necessary to accomplish advanced studies for launch vehicles, aircraft, instrumentation etc., and has responsibility for planning the approach, establishing the phasing and timing of the various stages, and identifying the objectives. Plan and coordinate efforts of engineers engaged in performing engineering and technical direction for a complex product being developed, advancing technology in one or two principal subsystems extensively affecting the overall development effort.

- Conceive, plan, and conduct work in unexplored areas;
- Develop new, novel and innovative technical solutions, methodologies or approaches; and
- Authoritative source of information at the Center and by other agencies on technical problems, latest development and trends.

Engineer, GS-15

Perform assignments of fundamental significance in establishing overall agency research and development goals and missions. Serve as an authority and consultant in a rapidly evolving field having extensive impact on agency research and development programs; or, provide overall leadership and direction to pioneering development efforts in achieving new equipment with previously unattainable capabilities and characteristics. Conceive, plan, and conduct pioneering work of outstanding scope, difficulty, and complexity in unexplored or heretofore un-promising areas of investigation. Make substantial and continuing contributions to long-range mission plans and to the formulation, modification, and determination of overall objectives. Provide

authoritative advice at the highest levels of management within and outside of the agency on matters of exceptional important or far-reaching consequences to agency primary programs and missions. Provide leadership, coordination and evaluation for a broad subject-matter for untried and extensive development programs. Provide overall technical direction, engineering and coordination for a major, complex development program for which advanced concepts are utilized based on new technological developments in several principal subsystems.

- Responsibility/impact for a major pioneering engineering functional area, project, or system of national or international scope;
- Negotiate problem resolutions and make commitments/decisions on behalf of the Agency;
- Serve as an authority in the field and is sought by high levels of management and other experts for advice and consultation in a rapidly evolving field;
- Serve as a recognized technical authority in representing the Agency on inter-agency and technical committee (national or international level);
- Chief Engineer for a major program;
- Supervisor or manager of people

Research scientist, GS-14

Carry out scientific investigations that have special significance for the success of the organization's programs, has earned a reputation as a well-known contributor to a research field, and is regularly sought out as an expert in the discipline by other researchers and scientists for expert technical advice and counsel based on personal reputation in the scientific field. The researcher has authored a number of publications and/or developed new concepts, techniques, materials or products some of which have had a significant impact on science or technology. Incumbent uses specialized study findings, new analytical developments, and modified processes to resolve novel, obscure or highly controversial problems that affect programs. The scientist is recognized as a significant contributor to a professional field, receives invitations to present work at major professional meetings, represents the agency on technology and working groups, represents projects in dealings with management in various agency components, other government agencies, and/or private industry/academia, and is regularly sought for consultation and/or takes leadership on important committees or projects dealing with technical matters.

- Conceive and develop new and innovative models, theoretical concepts, techniques, instruments or investigations;
- Serve as a well-known contributor to a research field and authoritative source of information on the latest scientific developments and trends
- Develop short and long-range research and development plans and programs for the Center research, development, and test activities;
- Work directly for and serve as overall scientific adviser and consultant to the chief of a research, development, and evaluation organization.

Research scientist, GS-15

Made outstanding and significant contributions by conducting research in either a broad field or a narrow but very specialized field. Work at this level includes many of the following: primary authorship of a number of important papers including seminal or synthesis publications, some of which have had a major impact on advancing the field or are accepted as authoritative in the field; contributes to inventions, designs, techniques, models, or theories regarded as major advances and open the way for further developments or solving problems of great importance to the professional community, the organization, or the public; sought as a consultant by colleagues who are themselves recognized experts in the field and recognition by the scientific community as an authority in the field; invitations to address or to assume a leadership role in national professional organizations and associated committees; and selection to lead research to solve large and complex problems. Perform a variety of advisory activities based on their scientific reputation and standing such as: contributing significantly to professional symposia defining the state of the discipline and new or emerging areas in the field; contributing to strategic research planning and program development; participating in major technology or information transfer activities of great importance to the scientific field, the agency, or the public; or participating in applying the research to important management and policy decisions.

- Responsibility/impact for a major scientific functional area, project, or system at national or international scope;
- Negotiate problem resolutions and make commitments/decisions on behalf of the Agency;
- Serve as an authority in the field and is sought by high levels of management and other experts for advice and consultation in a rapidly evolving field;
- Serves as a recognized technical authority in representing the Agency on inter-agency and technical committee (national or international level);
- Work directly for and serve as overall engineering and scientific advisor to chief of large, highly diverse research, development, and evaluation organization. Program work involves advanced work in number of S&E disciplines.

APPENDIX F. RECONSIDERATION UNDER NCPP

1. The Non-Competitive Promotion Process provides a variety of options for reconsideration of denied position review requests. The reconsideration process helps ensure the employee is given fair and due consideration of any request for a review of their position. However, it is important to recognize that *the reconsideration process does not guarantee a promotion*. It is simply a mechanism whereby an employee is afforded the opportunity to present his/her rationale as to why an NCPP request should be pursued.

It is best if the employee follows the normal supervisory chain of command; however, there is no requirement to do so. An employee may bypass a given supervisory level and go directly to the next higher supervisory level for reconsideration, or to the NCPP Ombudsperson, or directly to OHCM (Code 113) where they may request a desk audit.

Additionally, if at any time in the NCPP process an employee's position review request is denied, the employee can invoke the Alternative Process described in item 4.

2. The reconsideration process following the supervisor hierarchy is as follows:

- If a supervisor denies an employee's request for a position review under NCPP, that supervisor will meet with the employee and provide a written explanation for the denial to the employee within 10 working days of the denial. If a meeting with employee and supervisor does not occur the supervisor will provide a written explanation to the employee within 10 working days of the denial. If the employee is dissatisfied with that result, or does not meet with his/her supervisor within the 10 working days, he/she can:
 - a. Seek reconsideration from the next higher level management official within 15 working days of receiving a denial notification. For example: GS-14 Position Review Requests for employees currently at the Branch/Office/Lab level the next level of reconsideration would be the Division level; for all GS-15 Position Review Requests, reconsideration would be at the Directorate level. If the request is further denied, that manager must provide a written explanation for the denial to the employee within 10 working days of the denial.
 - b. If the employee is dissatisfied with the reconsideration decision in step a above, the employee may proceed to the next higher level management official (if one exists). If the position review request is denied, the manager must provide a written explanation for the denial to the employee within 10 working days of denial.
 - c. If the employee is dissatisfied with the reconsideration decision of management, in step a and/or b above, the employee may seek assistance of the NCPP Ombudsperson.

[NOTE: Employee may choose to bypass the next level of management or could go straight to the NCPP Ombudsperson for assistance. In doing so, the employee

will lose the opportunity to have the next and higher levels of management consider the request.]

- d. If the employee exhausts all levels of reconsideration and is still dissatisfied, the employee may request OHCM (Code 113) to review the position through a formal desk audit. OHCM will begin conducting the audit within 10 working days of receiving the employee's written request and the completed Request for Position Review. If the OHCM audit does not result in an increased grade, then a written evaluation statement will be provided to the employee at the time the audit is completed.

[NOTE: *Any employee may request a desk audit from OHCM at any time*]

Employees shall not be retaliated against for any reason for requesting a position review for a non-competitive promotion or for invoking the "Reconsideration" process.

If a bargaining unit employee's Request for Position Review is denied they are entitled to union representation (e.g. GESTA for BUEs).

3. NCPP OMBUDSPERSON:

The NCPP Ombudsperson will serve as an informal, confidential, and neutral channel to facilitate resolution of issues related to the NCPP process by mediating, investigating and/or facilitating the process to ensure a position review request is being appropriately considered. All information will be kept confidential unless the requestor gives permission to engage others. The NCPP Ombudsperson will not serve as a representative or advocate for the requestor; however, the NCPP Ombudsperson will advocate for fair and equitable NCPP administration and that the employee receives due process outlined in processes a through d above. This will occur through obtaining an understanding of an issue from all perspectives, identifying and clarifying problems to facilitate resolution, and assisting in obtaining information or conducting independent interviews to ensure unbiased perspectives.

The NCPP Ombudsperson will not replace the official position classification appeals process and will not have classification authority (i.e., the NCPP Ombudsperson will not determine whether an employee should or should not be promoted).

The Deputy Director for Science and Technology (DDS&T) will serve as the primary Ombudsperson for NCPP. The Deputy Center Director will serve as the NCPP Ombudsman in the absence of the DDS&T.

4. The Alternative Reconsideration Process is as follows:

- The employee contacts the NCPP Ombudsperson requesting reconsideration of a denied position review request for a non-competitive promotion by line management.

- The NCPP Ombudsperson will chair and convene a board of 3 or 5 members (including the Ombudsperson) for review of the appeal. In addition to the chairperson the board makeup will be comprised of:
 - At least one technical person, but no more than two from outside the employee's branch and inside the division.
 - At least one technical person, but no more than two from outside of the employee's division and inside the directorate.

Note: A GESTA representative may be present as a non-consensus member during board meetings for BUE position reviews. GESTA will be provided with at least two business days advance notice of the board's meeting date and time.

- As needed, the NCPP Ombudsperson may also engage other non-consensus Civil Servant consultants to support the panel who have additional experience and technical expertise necessary to help the Board understand the duties and complexities related to the position under review.
- The NCPP Ombudsperson and board shall reach a consensus decision. If the board's decision is that the package continues through the reconsideration process, the board will forward their decision to the denying official in writing and the employee's package shall move forward to the next step in the process. If the Board's decision is to sustain the promotion denial, then the employee will be provided with a written explanation of the Board's decision within 15 work days of that decision. If additional time is needed, management can request an extension from GESTA.
- The NCPP Ombudsperson may also request a desk audit from OHCM. If the desk audit supports the promotion, the promotion will occur and the reconsideration process will end. If the desk audit does not support the promotion, the employee can initiate the Internal Classification Appeals process or initiate the Classification Appeals process for the federal employees.

APPENDIX G. INTERNAL CLASSIFICATION APPEAL PROCESS UNDER Non-Competitive Promotion Process (NCP)

An Internal Classification Appeal is the GSFC process an employee may use to review a grade level decision made by OHCM prior to appealing outside of the Center. If an employee receives an unfavorable classification decision from OHCM (i.e., denial of a non-competitive promotion), she/he can appeal based on the following process within 30 calendar days:

- The employee contacts the NCP Ombudsperson requesting an appeal of the classification decision by OHCM.

The NCP Ombudsperson will chair and convene a board of 3 or 5 members (including the Ombudsperson) for review of the appeal. In addition to the chairperson the other board members will be comprised of the following:

- At least one technical person, but no more than two from outside the employee's branch and inside the division.
- At least one technical person, but no more than two from outside of the employee's division and inside the directorate.

Note: A GESTA representative may be present as non-consensus member during board meetings for BUE classification appeals. GESTA will be provided with at least two business days advance notice of the board's meeting date and time.

- As needed, the NCP Ombudsperson may also engage other non-consensus Civil Servant consultants to support the panel who have additional experience and technical expertise necessary to help the Board understand the duties and complexities related to the position under review.
- The NCP Ombudsperson and Board members shall reach a consensus decision. The board will either sustain the HR specialist's decision or decide to request the HR Director to conduct a second review of the classification. As part of the second desk audit, the employee will be provided the opportunity to submit any additional supporting or clarifying information for the second classification review.
- A second Classification review will be conducted by another Human Resources (HR) specialist with classification authority who was not involved with the first classification review. The findings of the second classification review will be final.
- A written explanation of the Board's decision and/or the result of the second review will be provided to the employee within 15 work days of that decision. If additional time is needed, management can request an extension from GESTA.

Bargaining unit employees are entitled to GESTA representation during the appeals process.

Should the employee be dissatisfied with the outcome of this process, they may request a formal classification appeal. This appeal process is outlined in the "Classification Appeal for Federal Employees" document.

APPENDIX H. CLASSIFICATION APPEALS FOR FEDERAL EMPLOYEES

A classification appeal is the formal process to be used to dispute the final grade level decision made by OHCM. Any employee may file a classification appeal. Employees are encouraged, but not required, to file all appeals through each lower level in order to ensure the maximum opportunity for independent review and corrective action, if warranted. The various levels of appeal are to: the Center HR Director, NASA Headquarters (HQ), or the Office of Personnel Management (OPM).

For GS employees:

A GS employee may appeal the classification of their position at any time. GS employees may select any or all of the following options which must be pursued separately and in the sequence indicated, i.e., if you appeal directly to OPM you cannot then go back to the agency.

The following options are available:

1. File an appeal with the Center Human Resources Director; or the Director, Workforce Management and Development Division, NASA HQ. A classification may be appealed to the Director, Workforce Management and Development Division, NASA HQ, or to the appropriate OPM Oversight Office, or both sequentially. Also, a classification decision made by the Director, Workforce Management and Development Division, NASA HQ, may be appealed to the appropriate OPM Office. For further information review NPR 3511.1 at:

<http://nodis3.gsfc.nasa.gov/displayDir.cfm?t=NPR&c=3511&s=1>

The Agency offices have the option of forwarding the appeal to OPM without issuing a final decision. In this case the appeal must be forwarded to OPM within 30-calendar days of receipt and the employee must be notified in writing of this intention and his or her concurrence obtained. If the employee does not concur, the appeal will be cancelled (if an employee is unavailable to respond within the 30 day limit, additional time will be given in order to obtain a response).

2. File an appeal to OPM *through* the Director, Workforce Management and Development Division, NASA HQ. The Agency has to act on the appeal within 60-calendar days from the date of initial receipt, or forward to OPM.
3. File an appeal directly to OPM. OPM is the final authority for all classification appeals. Appeals to OPM must be in writing and directed to the appropriate OPM Oversight Office. There are no time limits on when you can submit an appeal. For further information go to <http://www.opm.gov/classapp/index.asp>

NOTE for OPM appeal decision only: If an OPM appeal decision results in a finding that the employee's position should be upgraded; the employee will be promoted based on the OPM recommendation. If an OPM appeal decision results in a finding that the employee's position should be downgraded; the position will be downgraded.

Employees' shall not be retaliated against for any reason for applying for a non-competitive promotion or invoking the any of the "Appeals" processes.

Information required when filling a classification appeal within the Agency:

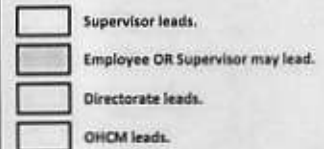
The appeal must be in writing and signed by the employee. The letter must include the following items:

- 1) Employees name, mailing address and office telephone number.
- 2) Position description number, title, pay plan, series and grade of the position and copy of the position description.
- 3) The name and location of the organizational unit of the position.
- 4) The title, pay plan, series, and grade of the classification being sought.
- 5) Factual presentation of the reasons why the employee believes the position is not properly classified.
- 6) If applicable, the name, address and telephone number of the employee's representative (e.g., union representative, attorney, etc.) if one has been designated.

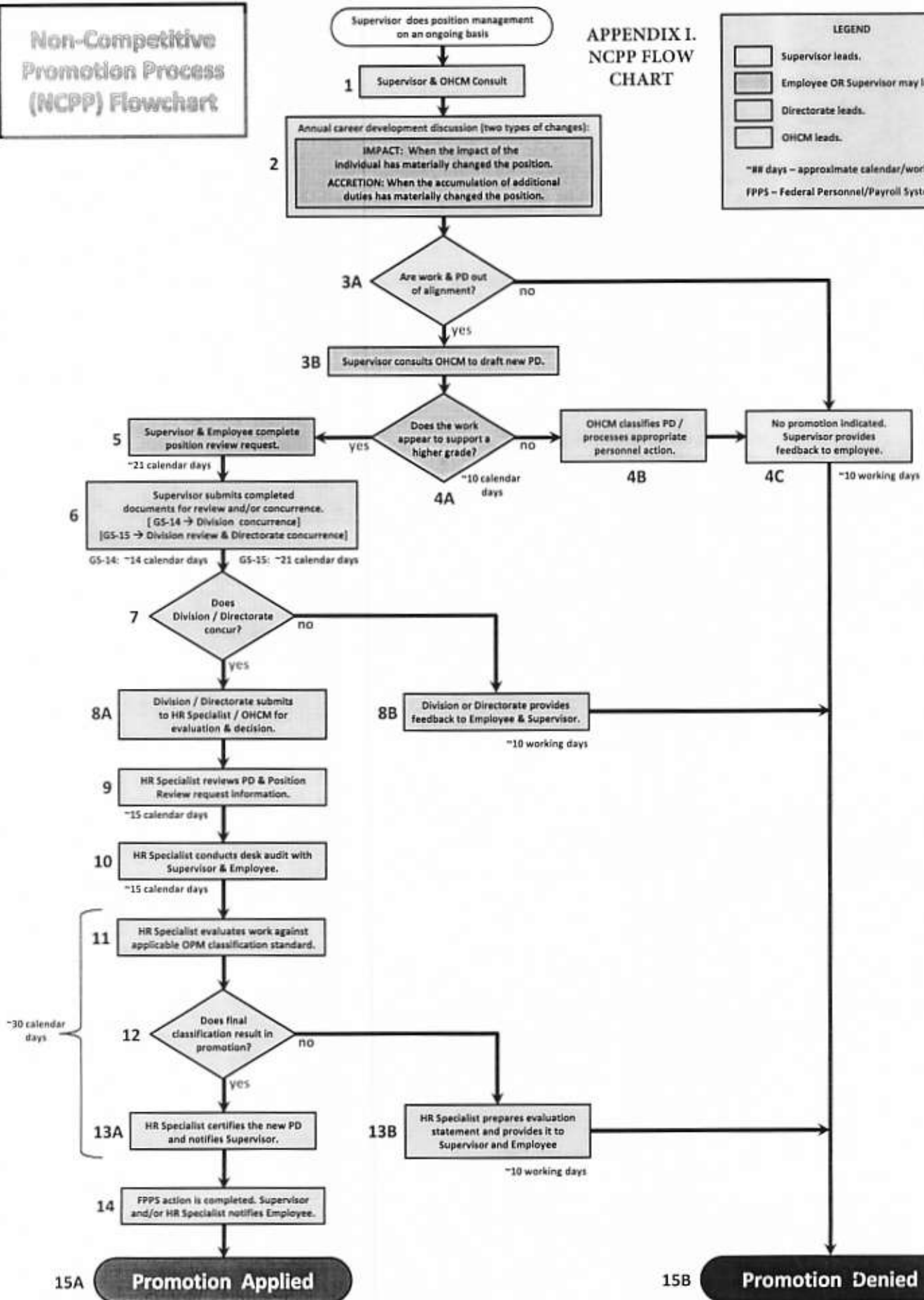
Non-Competitive Promotion Process (NCPP) Flowchart

APPENDIX I. NCPP FLOW CHART

LEGEND



~# days – approximate calendar/working days
FPPS – Federal Personnel/Payroll System



Specific Guidance for Non-Competitive Promotion Process (NCP) Flowchart

(numbers align with flowchart item numbers)

Successful Non-Competitive Promotion Process:

1. As good position management dictates, when new work comes in, the default should be to compete the work unless only one candidate is truly qualified. OHCM should be consulted to determine appropriate course of action.
2. The Supervisor and Employee shall incorporate career development discussions at least annually, at a minimum. Discussions can occur at any time as appropriate, e.g., where the magnitude of work has changed dramatically (the Position Description (PD) no longer reflects the work scope/level). The Supervisor and Employee are responsible for discussing career opportunities within the current position and external to the current position.
3. A) Is the Employee's current work out of alignment with the Employee's PD? If yes, continue to step 3B. If no, continue to step 4C.
B) Supervisor drafts a new PD, Employee may participate.
4. A) In consultation w/OHCM, does the work appear to be at a higher level? If yes, continue to step 5. If no, continue to step 4B (*estimated time of completion – 10 calendar days*).
B) OHCM classifies PD and processes personnel action as appropriate, e.g., re-description of duties, reassignment. Continue to step 4C.
5. Supervisor/Employee completes a Position Review Request for Non-Competitive Promotion. These elements comprise the "promotion package" (*estimated time of completion – 21 calendar days*).
6. For promotion to GS-14, the Supervisor submits promotion package to the Division Chief for concurrence (*estimated time of completion – 14 calendar days*). For promotion to GS-15, the Supervisor submits promotion package to the Division Chief for review and to the Directorate Head for concurrence (*estimated time of completion – 21 calendar days*).
7. If Division/Directorate concurs (as appropriate), continue to step 8A. If not, continue to step 8B.
8. A) Submit promotion package to HR Specialist/OHCM for evaluation and decision.
9. The HR Specialist reviews promotion package (*estimated time of completion – 15 calendar days*).
10. HR Specialist conducts a desk audit (*estimated time of completion – 15 calendar days*).
11. The HR Specialist evaluates work against applicable OPM classification standard(s) based on all information gathered.
12. If the review supports an increase in grade, continue to step 13A. If not, continue to step 13B.
13. A) The HR Specialist certifies the new PD and notifies the supervisor (*estimated to complete steps 11,12 & 13A – 30 calendar days*).
14. A Federal Personnel/Payroll System (FPPS) action is prepared to effect the promotion. The Supervisor and/or OHCM notifies the Employee. The process time is in accordance with NSSC practices.
15. A) The Employee is promoted.

Unsuccessful Non-Competitive Promotion Process*:

If the answer is no to decisions at steps 3, 4, 7 or 12, no promotion is indicated and the following actions occur depending on which step resulted in that result.

4. C) Supervisor provide feedback to Employee (*estimated time of completion – 10 working days*).
8. B) Directorate provides feedback to Employee and Supervisor (*estimated time of completion – 10 working days*).
13. B) The HR Specialist prepares an evaluation statement documenting the position review and why the higher grade was not supported. The HR Specialist provides the evaluation statement to the Supervisor and Employee along with options for appeal. Employees dissatisfied with this outcome may file a classification appeal (*estimated time of completion – 10 working days*).
15. B) The employee is not promoted.

* Employee may refer to the Reconsideration Under NCPP Document if not satisfied with the outcome.

APPENDIX J. Glossary of Terms

Accretion promotion: An accretion of duties promotion is an exception to the normal competitive process. It occurs when an employee's position is classified at a higher grade because of the assignment of additional duties and responsibilities, job growth or evolution of duties through unforeseen circumstances. In this situation, the original major duties of the position continue to be performed, and the higher-level duties could only logically be assigned to that position and were not assigned with the intent to promote a particular employee.

Aerospace technologist (AST): AST is a NASA specific designation in the NASA Supplement Classification System (NSCS). It covers professional scientist, engineering, or other technical positions engaged in research, development, operations and related work pertaining to the basic NASA mission. For more information go to:
http://nscs.nasa.gov/AST_info/default.htm

Career ladder: Is a collection of interrelated position descriptions that follow the career progression of a set of duties with the highest grade identified as the full performance level (FPL). Candidates may be selected for any grade within the ladder for which they qualify.

Career ladder promotion: Is a noncompetitive promotion of an employee to the next grade level within their career ladder.

Internal Classification Appeals Board (ICAB): As part of the Internal Classification Appeals Process under NCPP, the CAB is a board that is comprised of 3 to 5 members who will review employee requested appeals of a classification decision by OHCM. The CAB is chaired by the Ombudsperson. The Board's processes are outlined in the Internal Classification Appeals Process under NCPP document. A union representative may be present as an observer during a board meeting for BUEs.

Competitive promotion: Is an appointment to a higher grade position based on selection from a list of candidates who applied and were evaluated under a specific job vacancy announcement.

Desk audit: Is carried out by a Human Resources Specialist, this is part of a position review which involves asking a set of questions about the work to gain an thorough understanding of the position in order to make a position classification decision. This audit is held with the supervisor and/or employee as needed, and could take place in person, over the phone, or through written communication.

Dual career track: Is a career path for scientist, engineering, and technical personnel that provides for career advancement either through a management/supervisory path or as a technical expert.

Electronic Position Description System (ePDS)- Is a NASA web-based application to be used by supervisors, position description developers, and classifiers for position description creation, classification, maintenance and storage.

Encumbered position: Is a position that is occupied by an employee, i.e., position is not vacant.

Equipment Development Grade Evaluation Guide (EDGE): Is an OPM grade-evaluation guide which applies to professional engineering and physical science positions concerned with development, i.e., the systematic application of scientific knowledge to create new or substantially improved equipment, systems, materials, processes, techniques and procedures that will perform a useful function or be suitable for a particular duty. The guide is broken down into: Part 1. Product Development; Part 2. Project Management; Part 3. Experimental Development. The EDGE is used by an HR Specialist to evaluate the work of a position and to make a classification determination. To review the guide, go to:
<http://www.opm.gov/fedclass/gsequpdv.pdf>

Evaluation Statement: Is prepared by Human Resources Specialist to document the findings of a position review and evaluation of the work of a position against the applicable Office of Personnel Management (OPM) position classification standard(s). The evaluation statement describes the rationale for the classification determination (i.e., title, series and grade).

Full performance level (FPL): Is the highest grade level established for a particular position, also referred to as the target level of a career ladder. A position's FPL is documented in the position description.

Grade: The numerical designation, e.g., GS/WG-1 through GS/WG-15, which identifies the range of difficulty and responsibility, and level of qualification requirements of positions.

Higher graded functions: Are duties and responsibilities, which when evaluated against OPM position classification standards, result in a higher grade than the current position.

Impact of the person on the job promotion: Often referred to as an "impact promotion," this is a non-competitive promotion above a position's FPL that is dependent on the unique capabilities, stature, knowledge, and/or contributions an individual brings to a position that has a direct and major impact on the work (i.e., broadens the nature of scope and effect of the work being performed and/or attracts higher level work).

NASA Class Code (NCC): NASA specific codes developed in the early 1960's which outlines NASA's own identification of work groups and specializations within the work groups that provide meaningful recognition of the distinctive aspects of NASA's work, particularly aerospace work (e.g., Aerospace Technologist (AST)).

Non-competitive promotion: Is a promotion above a position's full performance level (FPL) such that the employee does not have to compete for the higher grade with other applicants through a vacancy announcement.

One-grade interval position: One-grade interval series have a grade level pattern which increases by one grade increments; i.e., GS-1, 2, 3, 4, 5, 6, etc. The typical grade range for one-grade interval occupations is GS-2 through GS-8, although jobs in some occupations may be at higher grades. These occupations include technicians, assistants, and support positions, e.g., Secretary, Purchasing Agent, Administrative Assistant, Engineering Technician, Program Support Assistant.

Pay Plan: The pay system or pay schedule under which the employee's rate of basic pay is determined, e.g., General Schedule (GS), Wage Grade (WG), Executive Schedule (ES).

Position Classification: The process for establishing and documenting the proper pay plan, title, series, and grade, for positions utilizing OPM position classification standards and guidelines.

Position classification standard: Issued by OPM, position classification standards describe work in various occupations or job families and serve as a common reference for use across the federal government. They are used to evaluate the work of a position and are the basis for assigning each position the appropriate title, series, and grade.

Position management: Is a continuous and systematic process carried out by management/supervisors to ensure organizations and positions are structured efficiently and effectively, i.e., in determining the number, types and grade levels of positions required to fulfill a certain function/mission.

Position review: In terms of position classification, this is the process of gathering/reviewing/evaluating information about a position in order to make a classification determination, including but not limited to, review of the position description, organization mission statement and other positions in the organization; conducting a desk audit to gather information of the position with the supervisor and/or employee, reviewing work samples.

Reconsideration review Board (RRB): As part of the Alternative Reconsideration Process, the RRB is a board comprised of 3 to 5 members who will review employee requested appeals of the employee's denied position review by line management. The RRB is chaired by the Ombudsperson. The Boards processes are outlined in the "Reconsideration Under NCPP" document. A union representative may be present as an observer during a board meeting for BUEs.

Research Grade Evaluation Guide (RGEG): OPM grade evaluation guide which applies to work in professional scientific and engineering positions where responsibilities are to personally perform research, or directly and personally lead and participate in the activities of a research group or organization unit when research competence rather than capability in supervising/ managing an organization are the basis for selection; AND the work involves systematic, critical, intensive investigation directed toward discovering, disseminating, and applying new or expanded knowledge in a professional discipline. The RGEG is used by the HR Specialist to evaluate the work of a position and to make a classification determination. To review the guide go to: <http://www.opm.gov/fedclass/gsresch.pdf>

Series: A subdivision of an occupational group consisting of positions similar as to specialized line of work and qualification requirements. Series are designated by a title and number such as Aerospace Engineer, 0861; Secretary, 0318; Contract Specialist, 1102; and 1330 Space Scientist.

Time-in-grade requirement: Is a regulatory requirement designed to prevent excessively rapid promotions in the General Schedule and protect competitive principles, found in Title 5 Code of Federal Regulations, Part 300, Subpart F; this is the minimum time an employee must remain in their current grade before being promoted.

Title: The position title prescribed in OPM position classification standards. Assignment of specific official titles is required for the majority of occupations, with limited flexibility to construct descriptive titles in rare instances.

Two-grade interval position: A two grade interval series follow a two-grade interval pattern up to GS-11; i.e., GS-5, 7, 9, 11. From GS-11 through GS-15, such series follow a one-grade pattern. Grade GS-9 normally represents the first full performance level for two-grade interval work, although, this may vary with some occupations. These occupations include professional and administrative positions, e.g., Contract Specialist, Administrative Officer, Electrical Engineer, IT Specialist, Resources Analyst, and Physical Scientist.