



Director of Administration and Management  
**ADMINISTRATIVE  
INSTRUCTION**

**NUMBER 33**  
December 24, 2008

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WHS/HRD

SUBJECT: Merit Promotion

- References:
- (a) DoD Directive 5110.4, "Washington Headquarters Services (WHS)," October 19, 2001
  - (b) Administrative Instruction 33, subject as above, July 30, 1997 (hereby canceled)
  - (c) Parts 330, 334, and 335 of title 5, Code of Federal Regulations
  - (d) Administrative Instruction 37, "Employee Grievances," October 27, 2006

1. PURPOSE. Under the authority in Reference (a), this Administrative Instruction (AI) reissues Reference (b) to disseminate policies and update responsibilities and procedures for selection of employees covered by merit promotion.

2. APPLICABILITY. See Enclosure 1.

3. POLICY. It is OSD policy that:

a. Merit promotions and/or selections will be made without regard to political, religious, or labor-organization affiliation or nonaffiliation, marital status, race, color, sex, national origin, nondisqualifying disability, or age.

b. All aspects of the Office of Personnel Management (OPM) and DoD priority placement requirements shall be followed (including the OPM Interagency Career Transition Assistance Plan for Displaced Employees), where appropriate, as required by part 330 of Reference (c).

c. Interviews are encouraged. The selecting official may use discretion in determining which, and how many, applicants are interviewed using job-related questions. Selecting officials may interview all, some, or none of the applicants. They are responsible for defending their judgments and will document reasons for selection on the referral list.

d. Evaluation of applicants shall be based solely on job-related criteria that relate to successful performance in the position to be filled. Due weight shall be given to performance appraisals and incentive awards.

e. Employees within the area of consideration who are absent for legitimate reason, e.g., on detail, on leave, at training courses, in the military service, serving in public international organizations, or on Intergovernmental Personnel Act assignments, will receive appropriate consideration.

f. Supervisors and managers have the right to select or not select from among a group of best qualified applicants. They may also select from other appropriate sources as listed in Reference (c). Included in their rights is the right to select or not to select from a referral certificate.

(1) Selection rules for Veterans Preference-eligible or Military Spouse Preference-eligible must be observed.

(2) Referral lists may be reissued for identical vacancies up to 180 days from the initial issuance.

g. Normally, a supervisor will release an employee within 2 weeks after official notification that the employee has been selected for promotion.

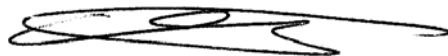
h. Adequate records shall be maintained, sufficient to allow reconstruction of each selection, in order to provide necessary information as required by part 335 of Reference (c).

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. Grievances related to the subject vacancy procedures used to identify and rank applicants must be submitted either in accordance with AI 37 (Reference (d)) or in accordance with negotiated grievance procedures.

6. RELEASABILITY. UNLIMITED. This AI is approved for public release and is available on the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs.directives>.

7. EFFECTIVE DATE. This Instruction is effective immediately.



Albert C. Ellett  
Acting Director  
Washington Headquarters Services

Enclosures

1. Applicability
2. Responsibilities

ENCLOSURE 1

APPLICABILITY

1. This AI applies to:

a. The Office of the Secretary of Defense, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, and all other activities deriving administrative support from Washington Headquarters Services (WHS).

b. All positions at GS/GM-15 and below and wage grade positions that require a competitive selection as defined in Reference (c). It may be used, as necessary, to fill excepted service positions. Bargaining unit positions may be subject to provisions of a negotiated agreement. Applicable guidelines for filling all positions in the competitive service are listed in this enclosure.

2. This AI is applicable for filling all positions in the competitive service by:

a. Competitive promotion.

b. Temporary promotion for more than 120 days.

c. Transfer to a higher grade or one with more promotion potential than a position previously held on a permanent basis in the competitive service.

d. Reinstatement to a grade higher than previously permanently held in the competitive service.

e. Detail for more than 120 days to a higher grade.

f. Reassignment, transfer, or demotion to a position with more promotion potential than a position previously permanently held.

g. Selection for training programs that are required before an employee may be considered for promotion.

3. This AI does NOT apply to the following:

a. Organizations operating under separate agency merit promotion plans, negotiated agreements, regulations implementing the National Security Personnel System or employees under the Defense Civilian Intelligence Personnel System.

- b. Promotions resulting from an upgrade in the position without significant change in duties and responsibilities as a result of a classification decision.
- c. A position change permitted by reduction-in-force procedures.
- d. Promotion to full performance level when the promotion potential was made known in the original vacancy announcement.
- e. Promotion resulting from upgrading of a position due to added duties and responsibilities, when no other employees in the immediate organization are assigned to the same type of position.
- f. Promotion or detail to a higher grade position for 120 days or less.
- g. Re-promotion to a grade previously permanently held, or movement to a position with promotion potential no greater than that was previously permanently held.
- h. Consideration of applicants eligible for priority consideration because they were not previously considered due to an administrative error.

ENCLOSURE 2

RESPONSIBILITIES

1. DIRECTOR, WHS. The Director, WHS, under the authority, direction, and control of the Director of Administration and Management, OSD, shall develop policy for merit promotion within the organizations assigned for administrative support.
  
2. DIRECTOR, HUMAN RESOURCES DIRECTORATE (HRD). The Director, HRD, under the authority, direction, and control of the Director, WHS, shall establish operating policies and procedures for merit promotion.
  
3. ASSISTANT DIRECTOR, PERSONNEL SERVICES, HRD. The Assistant Director, Personnel Services, HRD, under the authority, direction, and control of the Director, WHS, shall:
  - a. Plan, administer, and provide advisory services regarding the merit promotion program.
  - b. Ensure that the area of consideration can be extended as necessary to produce a sufficient number of high-quality applicants.
  - c. Implement the merit promotion program.
  - d. Ensure recordkeeping to provide for appropriate reconstruction of records.
  - e. Ensure notification of the OPM when recruitment includes candidates outside the WHS.
  - f. Assist serviced organizations and customers in meeting their responsibilities for compliance under the merit promotion program.
  - g. Ensure legal requirements are met before making final job offers.
  
4. SELECTING OFFICIAL. The selecting official shall:
  - a. Support the merit promotion program by adhering to the policies and procedures in this AI.
  - b. Develop an evaluation and/or search plan based on job-related criteria.
  - c. Ensure appropriate consideration of employees absent for legitimate reason (e.g., on detail, on leave, at military courses, in the Military Service, or serving in public international organizations or on Intergovernmental Personnel Act assignments as required by Reference (c)).

- d. Ensure that provisions of affirmative action plans are considered in making selections.

5. JOB APPLICANTS. Job applicants shall:

- a. Apply in accordance with the vacancy announcement.
- b. Inform their current supervisors of interest in promotional opportunities in the event of future extended absences.