

# **3 FAH-1 H-2250 FOREIGN SERVICE SPECIALIST CAREER CANDIDATE PROGRAM**

*(TL:POH-63; 01-31-2001)*

## **3 FAH-1 H-2251 ASSIGNMENT PROCEDURES FOR SPECIALIST CANDIDATES**

### **3 FAH-1 H-2251.1 Policy**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. Assignments for specialist candidates will be made by the Office of Career Development and Assignment (HR/CDA).

b. Assignments are identified by counseling and assignments officers during initial candidate training at the National Foreign Affairs Training Center, and they are removed from the open assignments vacancy list.

c. Specialist candidates will be assigned exclusively to positions in their occupational category during their initial limited appointment. These positions may be within the United States or abroad, as required by the needs of the Foreign Service.

d. No assignments in other occupational categories will be authorized for members in specialist candidate status.

### **3 FAH-1 H-2251.2 Details and Leave Without Pay**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. As the goal of the Specialist Career Candidate Program is to provide clear evidence of career Foreign Service potential within the time period of the candidate's limited appointment, details to other agencies will generally be avoided.

b. Posts may authorize specialist candidates up to 90 days leave without pay (LWOP) under certain conditions as provided in 3 FAM 3510. Except for medical reasons, all LWOP requests exceeding 90 days must be referred to HR/CDA. Since specialist career candidates are on a four-year limited appointment, LWOP is not recommended prior to tenure.

### **3 FAH 1 H-2251.3 Supervision**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. The immediate rating and reviewing officers of specialist candidates will be responsible for their supervision and for the development of work-related skills that can be learned through experience on the job.

b. Rating and reviewing officers are also responsible for conscientious evaluation of specialist candidates' performance—including establishing work requirements, periodically counseling on performance, and annually completing formal evaluations—to support their professional growth and to provide the Tenuring Board with the information needed to decide whether a candidate should be offered career status.

c. Administrative officers at posts abroad will be responsible for overseeing the effective supervision and evaluation of specialist candidates abroad.

d. Bureau executive officers will be responsible for overseeing effective supervision and performance appraisal of specialist candidates assigned to the Department.

### **3 FAH-1 H-2252 FUNCTIONAL IDENTIFICATION**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. Specialist candidates will be given primary skill codes in their occupational categories when they receive their initial limited appointments.

b. Only after tenuring may a specialist candidate's skill code be changed in accordance with the rules and procedures published in 3 FAM 2620, 3 FAH-1 H-2620, and 3 FAH-1 H-2650.

# **3 FAH-1 H-2253 PERFORMANCE EVALUATION PROCESS**

## **3 FAH-1 H-2253.1 Purpose**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

The purposes of the performance evaluation process for specialist candidates are to:

(1) Furnish assessments on which the Specialist Tenuring Board can base its decision to offer tenure and career status in the Service to specialist candidates;

(2) Provide specialist candidates with periodic assessments of their performance so that they can plan their careers realistically and better prepare for them; and

(3) Provide information to the Director General of the Foreign Service of cases of unsatisfactory performance of assigned duties so that an informed judgment can be made for possible early termination of a specialist candidate for unsatisfactory performance (see 3 FAM 2256).

## **3 FAH-1 H-2253.2 Counseling of Specialist Candidates**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. Supervisors of specialist candidates should counsel them at least twice during each annual rating cycle regarding their performance to date and their needs for growth, self-development, and/or improvement.

b. Administrative officers abroad and bureau executive officers will assure that such counseling sessions are scheduled and take place during the rating cycle.

### **3 FAH-1 H-2253.3 Review and Actions Within HR/PE**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. Upon receipt in HR/PE all specialist candidate evaluation material will be reviewed to assure compliance with prescribed procedures. Only after that review has been completed will the evaluation material be placed in the candidate's official performance file.

b. HR/PE will monitor the development of each specialist candidate's file to assure that information being assembled regarding the candidate is adequate to permit the Board to make a sound tenuring judgment at the appropriate time.

c. Should HR/PE judge any evaluation material to be inadequate for that purpose, it may request the originator to clarify or amplify any portion. Copies of all such requests and responses thereto will be supplied to the candidate who may submit any desired comment or response for the file.

### **3 FAH-1 H-2254 PROMOTIONS**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

The following procedures apply to the promotion of specialist candidates.

#### **3 FAH-1 H-2254.1 Administrative Promotions**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

See 3 FAM 2329.3.

## **3 FAH-1 H-2254.2 Specialist Candidates Not Promoted Administratively**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. Specialist candidates at grade levels above those subject to administrative promotions will compete for available promotional opportunities in their occupational category along with other eligible specialists in their class and competition group in regular Selection Board competition, in accordance with Selection Board Precepts (see 3 FAH-1 H-2320).

b. All specialist candidates, regardless of promotional procedures, are subject to Tenuring Board review for tenuring and career status described in 3 FAM 2250 and 3 FAH-1 H-2255.

## **3 FAH-1 H-2255 THE SPECIALIST TENURING BOARD**

### **3 FAH 1 H-2255.1 Composition**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. The Specialist Tenuring Board will be composed of members appointed to a register. Appointments to the register are for a two-year term, subject to early termination by the Director General to meet the needs of the Service (e.g., transfer or retirement). Terms may be extended to three years, circumstances permitting, at the discretion of the Director General.

b. Board membership will comprise:

- Specialist career members of the Foreign Service of class FP-4 and above, except Office Management Specialist, who may serve at FP-5;
- Foreign Service Officers of class FO-4 and above;
- Members of the Senior Foreign Service; and
- Employees of agencies other than the Department of State at equivalent grades, including non-Foreign Service representatives of those agencies.

c. Each Board will include one or more members of minority groups and women.

d. To the maximum extent possible, each board will include representatives of the specialist categories in which candidates are to be considered or members knowledgeable about the responsibilities of the specialist categories. Depending on the specialist categories to be reviewed, Board membership may range from four to six persons.

e. The ranking career member will serve as chairperson.

### **3 FAH-1 H-2255.2 Appointment**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. The Director General will appoint members of the Board who have the same qualification requirements of Selection Board members as specified in 3 FAM 2320 and 3 FAH-1 H-2320.

b. Prior to any appointments, a list of the members under consideration for appointment will be submitted to the exclusive bargaining representative, who will have a period of ten working days in which to offer comment. Such comments will be considered (but will not be binding) in making the final appointments.

### **3 FAH-1 H-2255.3 Responsibilities and Duties**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. At least once each quarter during the calendar year, the Office of Performance Evaluation (HR/PE) will prepare lists of specialist candidates in each occupational category who meet eligibility requirements for review for career status (see 3 FAM 2254.2). The Director, HR/PE, will certify these lists for the consideration of the Board.

b. The Board will review the official performance files of the specialist candidates certified for consideration following established precepts published as 3 FAH-1 H-2250 Exhibit H-2255.3. The Board:

(1) Will review and make recommendations for granting tenure to all specialist candidates as soon as practical after they become eligible for review and again one year after initial Board review;

(2) May recommend, where it judges that additional evaluated experience may lead to a favorable tenuring decision, a one-year extension of the four-year limited appointment for specialist candidates to permit a third review by the Board. The third review will take place, to the extent practicable, approximately (but not less than) 60 days prior to the end of the period of extension; and

(3) Will monitor all evaluation material prepared on specialist candidates to determine whether the material is adequate to provide the basis for the career judgment, which the Board must make within the prescribed time. At the direction of the chairperson, any evaluation material deemed inadequate for the Board's purpose may be returned to the preparer for amplification and/or clarification. The Board is authorized to instruct responsible rating officials, through HR/PE, to redo and resubmit the report while the Board is in session.

(4) For those candidates not recommended for tenure who will be considered at a subsequent session of the Specialist Tenuring Board (SPTB), the Board will write notification statements, as guidance to the candidates and, at its discretion, may identify areas for improvement.

### **3 FAH-1 H-2255.4 Board Action**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

a. The concurrence of the majority of the members is required for any action taken by the Board. No action unfavorable to a candidate under review may be taken without consideration of the file by all members of the Board.

b. The Board will provide the Director General with the following:

(1) An alphabetical list by occupational category of the names of those specialist candidates recommended for tenure;

(2) An alphabetical list of the names of those specialist candidates reviewed for a second or third time whom the Board does not recommend for tenure.

(3) Any recommendations for extension of a specialist candidate's appointment for a third review by the Board with a detailed statement as to why the extension is recommended; and,

(4) The Board's observations on the operation of the Specialist Candidate Program, the Employee Evaluation Report (EER), and the Board's own precepts and procedures with such recommendations as it may desire to make. A copy of the Board's observations will be made available to the exclusive bargaining representative unless the Board requests that portions of its statement not be disseminated, explaining its reasons for this request. In this instance, those portions so identified will be deleted and the reasons for the deletions explained to the exclusive representative.

c. Specialist candidates not recommended for tenure or a third Board review will be separated from the Service at the end of their limited appointment, or earlier if the Board's recommendation for earlier separation is approved by the Director General.

### **3 FAH-1 H-2256 TEMPORARY OR PERMANENT REMOVAL OF NAMES FROM TENURING LISTS**

*(TL:POH-63; 01-31-2001)*

*(State Only)*

*(Applies to Foreign Service Only)*

The following procedures apply to specialist candidates recommended for tenure by the Tenuring Board (see 3 FAM 2255):

(1) The Director General will inform the specialist candidate concerned in writing of the action taken and will initiate, pursue, or monitor such inquiry, investigation, or proceeding as is appropriate to the issue giving rise to the removal. The candidate will be given an opportunity to submit whatever information or documents the candidate believes are pertinent to the case. Upon disposition or resolution of the issue, the Director General will either:

- Request that the necessary administrative action be initiated to confer tenure on the specialist candidate;
- Request the Board, which earlier recommended tenure, to determine whether or not the specialist candidate is, on the basis of the complete performance file, qualified to be granted tenure; or
- In case of disciplinary action against the candidate, if disciplinary action taken effectively precludes tenuring, the Director General will document that action in the performance file and make permanent the prior exclusion of the name from the tenure list. In this event, the candidate's file will not be reviewed again by the Board.

(2) Upon re-review of the specialist candidate's file, the Board will receive no information regarding the candidate not previously supplied to it, other than material added as a result of an inquiry, investigation, or proceeding referred to in 3 FAH-1 H-2256 (1). Prior to Board re-review, the specialist candidate will be supplied copies of all material added to the file and will be accorded the opportunity to submit a response or rebuttal for placement in the file.

(3) The subsequent finding of the Board regarding the specialist candidate in question will be final and binding to the same extent as if made at the initial session. If the Board concludes that the candidate is qualified, on the current record, to receive tenure, the Director General will initiate action to confer tenure. If the Board concludes that the candidate is not presently qualified, on the current record, for tenuring, the Director General will make permanent the prior exclusion of the name from the tenure list.

### **3 FAH-1 H-2257 THROUGH H-2259 UNASSIGNED**

# **3 FAH-1 H-2255 Exhibit H-2255.3 PRECEPTS FOR THE FOREIGN SERVICE SPECIALIST TENURING BOARD**

*(TL:POH-63; 01-31-2001)*

## **A. Authority of the Board**

The decision to offer a specialist candidate a career appointment will be based on the recommendation made by a Tenuring Board, which reviews specialist candidates. The Board will be organized and will carry out its responsibilities in accordance with the provisions of 3 FAM 2250 and 3 FAH-1 H-2250, *Foreign Service Specialist Career Candidate Program*, as supplemented by these Precepts. Within the scope of these regulations and Precepts, the Board will establish such internal operating procedures as necessary to fulfill its responsibilities.

## **B. Criteria For Tenuring**

(1) The sole criterion for a positive tenuring decision will be the candidate's demonstrated ability to perform satisfactorily in the occupational category in which the candidate is serving and the potential, assuming normal growth and career development, to serve effectively in the Foreign Service at higher levels with greater responsibilities in the candidate's occupational category.

(2) In determining whether a candidate meets this criteria the Board should consider the six areas of skills that have been identified as important for successful performance in the Foreign Service. No candidate shall be expected to display all of these qualities; thus the Board should avoid negative assumptions regarding qualities that the candidate has had no practical opportunity to display. However, the Board should heed documented evidence that the candidate lacks or is seriously deficient in these qualities that development of satisfactory competence in any one of the six broad skill areas appears doubtful.

On the other hand, the Board should take into account evidence that early weakness in these qualities or skills has been or are being overcome. In making tenure judgments, the Board should take into account the candidate's specific career field and the nature and level of responsibilities normally carried out by career employees in the field, and assess the candidate's demonstrated competencies, or lack thereof, in light of their particular relevance in that field.

(3) The six areas of skills and the related qualities that should help guide the Board's judgments are published in 3 FAH-1 H-2321 Exhibit H-2321 item B.

## **Continuation—3 FAH-1 H-2255 Exhibit H-2255.3**

### **C. Additional Factors**

There are additional factors which ordinarily should affect adversely the Board's determination as to whether or not a candidate is qualified for career status. They are:

- (1) Reluctance to accept responsibility *or a lack* of initiative or resourcefulness in carrying out assigned duties;
- (2) Failure to carry out properly assigned tasks within a reasonable time;
- (3) Low productivity or work poorly done;
- (4) Failure to adapt to the office environment or a foreign culture;
- (5) Refusal to accept or carry out legitimate directives from properly authorized officials;
- (6) Inability to work fairly and cooperatively with supervisors, colleagues, teammates, or subordinates, including Foreign Service Nationals and other locally engaged employees;
- (7) Lack of EEO sensitivity;
- (8) Indifference or failure to carry out supervisory responsibilities;
- (9) Lack of courage and reliability under conditions of hardship and danger;
- (10) Frequent poor judgment;
- (11) Poor writing or drafting skills;
- (12) An inability to communicate clearly and effectively;
- (13) A lack of concern and effort in training assignments;
- (14) A pattern of failure to properly safeguard classified material.

### **D. Assignments**

Different assignment patterns inevitably present candidates with varying opportunities to demonstrate the qualities important to the Board's judgments. All candidates, regardless of specialization, area of assignment, or diversity of experience, should receive equal consideration.

## **Continuation—3 FAH-1 H-2255 Exhibit H-2255.3**

### **E. Equality of Consideration**

The Board will consider all candidates solely on merit with absolute fairness and justice. In particular, the Board will not disadvantage any candidate directly or indirectly, for reasons of race, color, religion, gender, age, national origin, or sexual orientation, marital status or plans, or method of entry into the Foreign Service.

The responsibility of the Board is to weigh performance data equitably. The performance rating process must be insulated from irrelevant or improper influences. Stereotypes, group assumptions, and sexist or ethnic comments must not affect evaluations.

If the Board discerns an indication of unfairness in a performance file for any reason, it will discount the statement or implications and refer the matter to the Director, Office of Performance Evaluation (HR/PE), for correction of the file, as appropriate.

### **F. Information to be Considered**

(1) Members of the HR/PE will guide the Board in technical procedures to be followed. The Board will address all queries regarding its work to the staff of that office.

(2) Each Board member will be provided with a briefing book that will contain the following items:

A set of the Precepts;

The instructions for preparation of the Evaluation Report Form (DS-1829); and

A list of all specialist candidates to be considered by the Board.

(3) The Board will base its decisions only on material properly part of the candidate's performance file.

(4) The Board will ignore any information in the file that is currently inadmissible (see 3 FAM 2815). Such information should be brought to the attention of HR/PE and should not be the subject of discussion or a basis for the Board's decisions.

(5) Medical problems and personal and physical characteristics should not be considered unless they affect performance or potential.

(6) Board members should neither seek nor receive any information on candidates other than that properly included in the performance file.

## **Continuation—3 FAH-1 H-2255 Exhibit H-2255.3**

(7) A Board member may not bring to the Board's attention any personal knowledge of a candidate except for information relative to the candidate's performance or potential and then only by means of a signed memorandum. A copy of the memorandum shall be forwarded promptly, by cable if necessary, to permit the candidate to comment on it before the Board completes its review; but such completion will not be delayed more than ten days pending the receipt of comment.

(8) It is imperative that Board members heed their oath of office and adhere to the instructions contained in the Precepts. Failure to observe these requirements may result in disciplinary action or the penalties of the Privacy Act. In addition, Board members should report to the Director, Office of Performance Evaluation, any attempt to provide them with information other than that authorized by these Precepts.

### **G. Submission of Findings and Recommendations**

Following each Board session, the Board will prepare a report to the Director General under cover of a transmittal letter. The Director General may accept the Board's findings or return them for review if there are any questions regarding procedures or conformity with the Precepts.

The report will include the information called for in 3 FAH-1 H-2255.4; and:

(1) A list of rating and reviewing officers who merit commendation or criticism for evaluation reports they prepared in the most recent rating period. In each case where an officer is criticized, the Board must prepare a written statement citing deficiencies. Such statements will be placed in the officer's Official Performance Folder, where it will remain for two years, and a copy sent to the officer. A list of rating and reviewing officers commended will be published by HR/PE.

(2) Recommendations on the training, assignment, or counseling of any candidate under review.

### **H. Oath of Office**

"I, \_\_\_\_\_ do solemnly swear (or affirm) that I will perform the duties of a member of this Board faithfully and to the best of my ability; that I will adhere to the Precepts; that I will apply the Precepts and criteria without prejudice or partiality; and that I will not reveal to unauthorized persons any information concerning the personnel records used or the deliberations and recommendations of the Board (so help me God)."