

Article VII - Merit Employment

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Section 1.

The purpose of this Article is to ensure that merit principles are applied in an equitable manner to all applicants for employment and all Library employees; to select those candidates best qualified; and to provide an incentive for all employees and outside applicants to pursue a career in the Library based on the excellence of their performance and development of their knowledge, skills, and abilities through an orderly and fair consideration for vacancies in bargaining unit positions.

Both Parties agree that CRS shall follow the procedures and practices stipulated in the Library of Congress Merit Selection Plan and all applicable Directives and Guidance issued by the Library's Office Human Resource Services, except as modified by this Article. Before implementing changes to agreed upon procedures or practices in the Merit Selection plan and/or applicable HR Directives and Guidance, the Library will send CREA a management proposal and a notice to bargain in accordance with the provisions of Article IV, Section 3, of the Collective Bargaining Agreement.

Section 2.

Details as described in Article XVII, and temporary appointments as described in Article XV are exempt from the provisions of this article.

Section 3.

Vacancy announcements shall include the items listed in the Library of Congress Merit Selection Plan

Section 4.

All CRS vacancy announcements will remain open for applications for a minimum of ten (10) work days. Announcements shall be posted to the Library and CRS employment opportunities websites. Simultaneously, announcements shall be placed on bulletin boards under the jurisdiction of the Office of Human Resources Services. Failure to post announcements on bulletin boards is non-grievable.

Section 5.

For all positions within the bargaining unit, applicants will be evaluated for eligibility according to the procedures described in the Library of Congress Merit Selection Plan.

Job analysis and interview panels shall be established by CRS for the filling of all positions, consistent with the requirements of the Library of Congress Merit Selection Plan. Panel members shall be familiar with the duties and qualifications of the type of position being posted. A representative of the Office of Human Resources Services or authorized CRS staff shall

facilitate job analysis panels. To promote diversity and inclusiveness, efforts will be made to include women and minority panel members.

The Office of Human Resources Services shall be responsible for generating referral lists in accordance with the Library of Congress Merit Selection Plan.

1. Initial referral lists
2. Supplemental referral lists, if applicable
3. Interview referral list
4. Final referral list

Section 7.

All applicants referred to the selecting official shall be subjected to a narrative review of applications and/or an interview process, according to the requirements of the Library of Congress Merit Selection Plan.

The recommending official will submit recommendations for filling vacancies to the Director of CRS for review and approval.

Section 9.

When a selecting official decides that none of the candidates referred is adequate, CRS will provide the Office of Human Resources Services with a justification for reposting or canceling the vacancy announcement.

Section 10.

If a recommendation by the recommending official for filling a vacancy has not reached the Office of Human Resources Services within 90 calendar days from the announcement date, the announcement expires, unless a request for an extension of the vacancy has been approved by the Office of Human Resources Services.

Section 11.

The Library shall be able to notify the recommended candidate that he or she has been recommended, subject to final Library approval and any necessary pre-employment security clearances, as soon as the selection decision is made. The Library shall also be responsible for notifying all eligible candidates not selected.

Section 12.

1. Unit employee or Association grievances arising over the interpretation or application of the provisions and requirements of this Article shall be processed in accordance with the negotiated grievance procedure.

2. When a grievance is filed, the employee or the Association representative, or in the case of an Association grievance, the Steward and/or the Vice President, will be permitted to review all relevant records pertaining to the procedures employed in the selection process. Information on other individuals will be altered to the extent necessary to prevent their identities from being known.

Section 13.

This article covers the filling of all vacancies within the bargaining unit with the following exceptions:

1. Positions for which, because of their unusual or special character, the Library may determine that the posting of notice of vacancy is impractical or undesirable. The Librarian shall contemporaneously report to CREA all appointments made under this exception. Disagreement with the determination may be the subject of a grievance.
2. Initial appointments for persons recruited under an approved recruitment, training, or exchange program.
3. Reassignments, transfers, and/or changes to positions at lower grade levels caused by reduction in force, and all other transfers or reassignments without change in grade or salary to resolve work related problems.
4. Promotions governed by an approved promotion plan.
5. Positions paid from gift funds entrusted to the Library for the employment of particular persons or persons of particular categories. (This exception shall not apply to routine positions with usual requirements unless the terms of the gift so require.)
6. Positions paid from funds transferred from other agencies when conditions imposed by such agencies preclude posting.
7. Placements made pursuant to Article XXXI, Negotiated Grievance Procedure whether it be an employee or non-employee, to resolve or dispose of any law suit, or pending grievance or appeal brought under an appropriate statutory appeals procedure.