

**Resolution
Between
AFGE Local 2923 and NIEHS**

NIEHS Reassignment Process (JUNCTION Webpage)

The Parties understand that this resolution fully covers the matter of a proposal for a Reassignment Program and resolves the FLRA settlement of [Case No. AT-CA-15-0621](#). Both parties successfully negotiated this issue from a proposed MOA to an NIEHS Employment Opportunities informational page to be posted on the Agency internal website (The Junction for NIEHS Staff). The page, Reassignment Opportunities, describes the process by which NIEHS staff may request reassignment. The NIEHS Reassignment Process will be accessible from and maintained on the Junction for NIEHS Staff. This resolution shall comply with the appropriate agreed upon sections of the Details, Reassignments, and Voluntary Changes of the Collective Bargaining Agreement (CBA), dated 12/2/14 unless otherwise stated.

1. The location of the page will be as follows:
Divisions >> Administrative Offices >> Hiring and Recruitment >>NIEHS Employment Opportunities - Reassignment (see Attachment 1).
2. The Junction page shall include the text of the document, Reassignment Opportunities – Junction Page Text – March 3, 2017 (see Attachment 2). Any changes to the location or text must be agreed upon by both parties of this resolution. The exceptions are changes in capitalization or punctuation that are grammatically correct per standard English grammar rules. Correcting web links or URL's are acceptable. Formatting changes that do not alter the meaning or intent of the language, clause, or provision are also acceptable. Minor changes regarding technical details to make the document 508 compliant are also acceptable. Writing out acronyms is permissible.
3. Both parties will review the draft page before the page is published. Additionally, both parties must agree to the “look” and “flow” of the page before it is published, based on established web guidelines.
4. In the event that the parties establish a new collective bargaining agreement, this resolution will expire.

Nothing in this resolution waives either party's rights.

For AFGE 2923:

Edith M. Lee -A

Digitally signed by Edith M. Lee -A
DN: c=US, o=U.S. Government, ou=HHS,
ou=NIH, ou=People, cn=Edith M. Lee -A,
0.9.2342.19200300.100.1.1=0011066386
Date: 2017.03.28 14:20:24 -0400

/s/Edith M. Lee
President

Date

For the Agency:

Matthew S.

Digitally signed by Matthew S. Burr -S
DN: c=US, o=U.S. Government,
ou=HHS, ou=NIH, ou=People,
0.9.2342.19200300.100.1.1=0010103
09, cn=Matthew S. Burr -S
Date: 2017.03.28 09:58:48 -0400

Burr -S
/s/Matthew Burr
Chief of Staff, OM

Date

/s/David Coward
David T.
HR Specialist (E-1/R) WRD
Coward Sr -S

Digitally signed by David T. Coward Sr -S
DN: c=US, o=U.S. Government, ou=HHS,
ou=NIH, ou=People,
0.9.2342.19200300.100.1.1=00103839,
cn=David T. Coward Sr -S
Date: 2017.03.28 14:12:53 -0400

Date

ATTACHMENT 1

Hiring and Recruitment

Secure | <https://junction.niehs.nih.gov/divisions/admin/hr/index.htm>

National Institutes of Health | U.S. Department of Health and Human Services

Durham, NC
Partly Cloudy
58°F

The Junction for NIEHS Staff

Go to NIEHS Public Site

Search

For Lab Staff | For Office Staff | For Managers | Working Here | Computer Support | Library | News | Policies & Ethics | Purchasing | Safety & Security | Training | Divisions

Divisions » Administrative Offices »

Hiring and Recruitment

Administrative Offices

- Acronyms & Abbreviations
- Administrative Forms
- Efficient Spending
- Hiring and Recruitment**
- Benefits and Pay
- Intergovernmental Personnel Act (IPA) Mobility Program
- Staff Departure
- Staff Onboarding
- ID Badging
- Other Services
- Procurement
- Travel Policies and Procedures

- [Benefits and Pay](#)
- [Electronic Official Personnel Folders \(eOPF\)](#)
- [Guest Researcher - US Citizen/Permanent Resident](#)
- [Miscellaneous Personnel / HR Forms](#)
- [MyPay Information](#)
- [New Employee Information](#) (5MB)
- [NIH Office of Human Resources](#)
- [NIH Training Center/Training Courses](#)
- [Performance Management](#)
- [Recruitment and Staffing Information for Managers, Selecting Officials, and Administrative Officers](#)
- [Sample Performance Appraisal Plans](#)

GS Recruiting Options

Attached below is a chart that shows a variety of options for managers to consider when recruiting for Title 5 (GS) vacancies. While not exhaustive, the list gives details on eligibility and process requirements.

- [GS Recruiting Options](#) (20KB)

Related Links

- [Office of Human Resources](#)
- [Title 42](#)
- [Visiting Program](#)

Insert box here

NIEHS Employment Opportunities - Reassignment

ATTACHMENT 2

Reassignment Opportunities

Reassignment includes: 1) movement to a position in a new occupational series, or to another position in the same series; 2) assignment to a position that has been re-described due to the introduction of a new or revised classification or job grading standard; 3) assignment to a position that has been re-described as a result of position review; and 4) movement to a different position at the same grade but with a change in salary that is the result of different local prevailing wage rates or a different locality payment. See also, NIH Policy Manual 2300-335-1 (NIH Merit Promotion Plan, <https://oma1.od.nih.gov/manualchapters/person/2300-335-1/>);

OPM Guide to Processing Personnel Actions, Chapter 14: Promotions, Changes to Lower Grade, Reassignments, Position Changes and Details (<https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/processing-personnel-actions/gppa14.pdf>); [Code of Federal Regulations 5 CFR 317.901](#).

Reassignments may be either management-directed (e.g., to avoid reduction-in-force actions; when an employees' skills can be better utilized in another equivalent position) or voluntary (employee-initiated).

Employee Requested Reassignment

At times employees will volunteer for reassignments or apply for new opportunities advertised through agency merit promotion programs. Requests for voluntary reassignments shall be given prompt and fair consideration. The Agency will make a reasonable effort to reassign Employees in the best interests of the Agency and its workforce.

When appropriate, the Agency will consider factors such as Employee's perceptions of reprisal, discrimination, or other difficult work conditions precipitating the request for reassignment. If a work situation is determined to be unpleasant and likely affecting morale and/or productivity of an Employee or group, then a reasonable effort will be made to reassign that Employee to another area where their skills can be used in a more positive fashion.

The Agency's vacancy announcement program allows interested applicants to upload their resume and make it available for other hiring managers to see. In addition, the program also provides interested applicants with the ability to receive emails when vacancies are posted in USAJobs. This provides notice to employees that a position is open for which they may wish to request reassignment.

Employees may request reassignment by contacting the hiring official. This request may be through a memo or through an email message (or other such electronic means). The request will contain the group/branch/office for which reassignment is requested and a current resume/CV. The employee will also indicate if the reassignment is for a noncompetitive vacancy or for an open announcement. If the selecting official is interested in reassigning the employee, he/she will consult with Client Services Division regarding documentation to make the

reassignment effective. Client Services Division will review the request to determine compliance with Merit Systems principles, classification, and reassignment policies.

If a qualified reassignment eligible applies through merit promotion for a lateral opportunity that is at a full performance grade level s/he has previously held, s/he is handled as a non-competitive candidate who may be considered separately from the merit promotion candidates. A voluntary reassignment action initiated by an employee is not considered an adverse action.

The agency's right to reassign an employee is based, in part, on the agency's determination that the employee is qualified for the position to which he/she will be reassigned. The agency may determine that an individual can successfully perform the work of a position even though that person may not meet all the requirements of the OPM qualification standard.

The Agency is authorized to waive or modify the OPM qualifications standards for in-service placement of federal employees through reassignment to a grade not higher than previously held when the employee's background includes experience that provides the necessary knowledge, skills, and abilities (KSAs) necessary for successful job performance in the new position. This authority is not to be used for placement of an employee to a higher grade except where the employee previously held a position at that grade or a higher-grade level. The authority can be used to place an employee into a position with higher promotion potential than the position currently or previously held. However, if the agency's merit promotion plan requires employees to compete for the position, the agency must specify in the vacancy announcement the qualification requirement to be met.

Salary changes may occur during a reassignment if the action involves a new pay scale, e.g., special salary rates, new pay locality area.