

3 FAM 2260 THE SENIOR FOREIGN SERVICE OFFICER CAREER CANDIDATE PROGRAM

3 FAM 2261 AUTHORITY

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

Sections 211, 301, 302, 303, 305, 306, 308, 309, 310, 402, 404, 405, 502, 601, 602, 603, 605, 607, 608, 610, 2103, and 2106 of the Foreign Service Act of 1980, as amended.

3 FAM 2262 PURPOSE

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. The purpose of the Senior Foreign Service (SFS) Career Candidate Program is to permit on-the-job evaluation of a candidate's fitness and aptitude to fill the most demanding and sensitive position involved in the formulation, organization, direction, coordination, and implementation of U.S. foreign policy. Applicants will be expected to demonstrate career capability in their particular occupation category or functional field. They must demonstrate the necessary substantive knowledge, leadership, managerial, and interpersonal skills and abilities to direct from senior positions the effective promotion of U.S. interests in the given functional or specialist area.

b. Guidelines and procedures to implement these regulations are published in 3 FAH-1 H-2260.

3 FAM 2263 APPLICABILITY

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

These regulations apply to all senior candidates appointed under the authority of 3 FAM 2216. Such appointments may not exceed five years.

3 FAM 2264 ASSIGNMENTS

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. Assignments for senior candidates are made by the Office of Career Development and Assignments (PER/CDA).

b. Senior candidates are assigned exclusively to SFS positions in the occupational or functional category for which the Board of Examiners certified their qualifications for career status.

c. SFS positions may be in the United States or overseas as required by the needs of the Service. However, each senior candidate must serve at least two years abroad before review for career tenure.

d. No assignments in other occupational or functional categories will be authorized for senior candidates.

e. Changes in career functional skill codes can be made only following commissioning in accordance with applicable regulations and procedures.

3 FAM 2265 EVALUATION OF SENIOR CANDIDATES

3 FAM 2265.1 Purpose

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

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

- Provide performance information to permit rank-ordering by Selection Boards for promotion purposes;
- Furnish the assessments on which Selection and Performance Pay Boards base their recommendations for the award of performance pay;
- Furnish the assessments on which the Senior Commissioning Board will base its decision on whether a senior candidate should be offered career status in the SFS; and
- Provide senior candidates with information to assist in improving work performance.

3 FAM 2265.2 Promotion and Performance Pay

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

Senior candidates are eligible to compete for promotion and performance pay under the same conditions as career members of the SFS.

3 FAM 2265.3 Rating Cycle and Procedures

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. Senior candidates are evaluated on Form DS-1829, Employee Evaluation Report, following the instructions applicable to career candidates.

b. Except as provided in this subchapter, the rating cycle, procedures, and regulations applicable to career members of the Service (see 3 FAM 2810) apply to senior candidates.

c. During senior candidacy, the reviewing officer normally shall be at least of DCM or Deputy Assistance Secretary rank.

d. If the Office of Performance Evaluation (PER/PE) considers that the personnel files of a senior candidate being reviewed by a Senior Commissioning Board is not sufficiently documented, it may request an interim performance appraisal for a period in excess of 60 days.

e. Other evaluation material prepared on senior candidates may include commendations and Inspectors' evaluation reports.

f. The same rules of inclusion and admissibility apply to all evaluation material on senior candidates as apply to evaluation material prepared on other members of the Foreign Service.

3 FAM 2266 ATTAINMENT OF CAREER STATUS

3 FAM 2266.1 Policy

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. The decision to offer a senior candidate a career appointment in the SFS will be based on the recommendation of the Senior Commissioning Board which reviews all senior candidates.

b. The criteria for a positive commissioning recommendation is the senior candidate's demonstrated ability to perform at or above the standard of performance of other members of the class in the functional or occupational category. These criteria are amplified or more fully expressed in Precepts which have been negotiated with the exclusive bargaining representative and provided for the Senior commissioning Board's guidance. (See 3 FAH-1 H-2260 Exhibit 2261, Precepts of the Senior Commissioning Board.)

c. Since senior candidate appointments are subject to a certification of need at the time of appointments as provided in 3 FAM 2216.2, no numerical limit is placed on the number of positive commissioning decisions of the Senior Commissioning Board.

d. Senior candidates' records are reviewed on their merits, not in competition or comparison with one another.

e. Senior candidates not recommended for commissioning will be separated from the Service at the expiration of their limited appointment or at an earlier date if so recommended by the Senior Commissioning Board.

3 FAM 2266.2 Eligibility for Board Review

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. Senior candidates are not eligible for review for career status by a Senior Commissioning Board until:

—A period of 4 years has expired since the date of limited appointment; and

—Until they have served 2 years abroad.

In addition, before career tenure review, a candidate who was appointed while serving in a limited non-career candidate appointment must have served at least one year while designated as a senior candidate. A senior candidate will be reviewed for tenure as soon as practicable after these conditions have been met.

b. In calculating the four-year period required for eligibility for tenure review, all periods of service under senior level limited appointments in the occupational category for which the candidate's status is sought, both before and after conferral of senior candidate status, will be included.

3 FAM 2266.3 Number of Board Reviews

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. Senior candidates will normally be reviewed only once by the Senior Commissioning Board.

b. In unusual circumstances, the Board may recommend a second review of the senior candidate to take place approximately 60 days before the expiration of the candidate's limited appointment.

3 FAM 2266.4 Implementation of Board Decisions

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

Upon receipt of the Senior Commissioning Boards recommendations, the Director General will take all necessary administrative action on behalf of the Secretary to forward to the Senate and the President the names of the senior candidates recommended for career appointments in the SFS under section 302 (a) of the Act. Board recommendations to grant or deny commissioning must be implemented except as otherwise explicitly authorized in 3 FAH-1 H-2260. Any senior candidates not recommended for commissioning will be notified immediately in writing by the Director General of the Board's decision not to offer career status and of the date the candidate's appointment is to be terminated. Time permitting, at least 30 days notice of expiration will be provided.

3 FAM 2267 TEMPORARY OR PERMANENT REMOVAL OF NAMES FROM COMMISSIONING LISTS

(TL:PER-295; 10-19-95)

(State Only)

(Applies to Foreign Service Only)

The Director General may order the temporary exclusion of the name of any senior candidate from the Senior Officer Commissioning list if, in the Director General's opinion, such commissioning would be inconsistent with the national interest or the efficiency of the Service. Such reasons must be based upon either:

(1) Issues of loyalty, security, misconduct, or malfeasance; or

(2) Indications that documentation available to the Senior Commissioning Board regarding a senior candidate's performance may have been significantly inaccurate or incomplete.

3 FAM 2268 SEPARATION OF SENIOR CANDIDATES FOR UNSATISFACTORY PERFORMANCE

3 FAM 2268.1 Policy

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. As the purpose of the Senior Candidate Program is to permit an on-the-job evaluation of the candidate's fitness and aptitude to fill the most demanding and sensitive positions in the Senior Foreign Service, this judgment will be made normally by the Senior Commissioning Board as described in this subchapter and 3 FAH-1 H-2260.

b. In exceptional cases a senior candidate may, prior to Board review, prove unable to perform currently assigned duties satisfactorily. In such circumstances, it serves neither the interest of the Service nor the individual to retain the senior candidate for the full trial period originally intended. In such instances, the Director General will terminate the senior candidate's limited appointment without a delay, as authorized by section 611 of the Act.

3 FAM 2268.2 Date of Separation

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

When ordering separation under section 3 FAM 2268.1 the Director General will set the effective date, which may be no less than 30 days following notification of that action, not counting necessary travel time to Washington D.C., if abroad.

3 FAM 2269 SENIOR FOREIGN SERVICE: STATUTORY ELECTION FOR PRESIDENTIAL APPOINTEES REGARDING PAY AND LEAVE

3 FAM 2269.1 Purpose

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

This regulation establishes the policies and procedures governing the election regarding pay and leave required of SFS members serving in Presidential appointments.

3 FAM 2269.2 Authority

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

Section 302(b) of the Act provides that a member of the SFS appointed to any position in the executive branch by :

(1) The President, by and with the advice and consent of the Senate, or

(2) The President alone, may elect to continue to receive the salary of the member's class, to remain eligible for performance pay under Chapter 4 of the Act, and to receive the leave to which such member is entitled under Subchapter I of Chapter 63 of Title 5, United States Code, as a member of the Senior Foreign Service, in lieu of receiving the salary and leave (if any) of the position to which the member is appointed by the President.

3 FAM 2269.3 Status While in Presidential Appointments

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. Under the Foreign Service Act of 1980, members of the Foreign Service serving in Presidential appointments, with or without the advice and consent of the Senate, retain their status as members of the Foreign Service, and such periods of service are regarded as normal assignments.

b. SFS members who accept Presidential appointments may, in addition, elect to receive the salary of their SFS class, to remain eligible for performance pay consideration, and may receive the leave accorded to other SFS members in lieu of the salary and leave (if any) of the position to which the member is appointed by the President.

3 FAM 2269.4 Responsibilities of the Director General

(TL:PER-295; 10-18-95)

(State Only)

(Applies to Foreign Service Only)

a. The Director General of the Foreign Service shall take the necessary action to ensure that each SFS member serving in a Presidential appointment makes the required election.

b. The Department's records shall record whether each SFS member required to make an election will serve, during the period of Presidential appointment, in Presidential Appointee (PA) pay and leave status or in SFS status.

c. The elections will be keyed to the annual performance rating cycle (normally April 16 of a given year through April 15 of the following year) to conform with the procedures for performance pay consideration.