

# RETROACTIVE CAREER LADDER PROMOTIONS

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EFFECTIVE IMMEDIATELY

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**Staffing Leaders** - This is to provide you and your staff with advice on how and when to process **career ladder promotions**. Effective immediately, we will have two different rules for these types of actions depending on whether the employee is covered by the current NFFE Master Agreement and those not covered by this Agreement.

**If the employee is covered by the Agreement (Article 16.4):**

Employees within a career ladder promotion will be promoted to the full performance level as soon as they have met the time-in-grade requirements and have successfully met the requirements of the current and the next higher grade in the areas they have been provided an opportunity to perform. If a supervisor's review leads to the conclusion that the employee's performance does not warrant a promotion or that other factors exist that may delay a promotion, the supervisor will provide a notice to the employee in writing 60 days before the employee is eligible for the promotion. The written notice will explain where the employee's performance is lacking and advise what the employee must do to qualify for the promotion.

If the decision not to promote was based on performance, the employee will be given 60 days to improve to a level warranting promotion. If at the end of 60 days, performance has improved to an acceptable level, the employee will be promoted to the higher grade. If 60-day advance notice requirements are not met and performance is found to be acceptable at the end of the 60-day period, the promotion will be made retroactive to the date the employee met time-in-grade requirements.

In other words, a retroactive career ladder promotion is supported (for a bargaining unit employee) if requirements for a career ladder promotion as set forth in the Master Agreement have been met by the employee. This type of retroactive promotion action has been supported by various OGC decisions.

**If the employee is not covered by the Agreement:**

Career ladder promotions will normally occur upon the employee meeting the required time-in-grade and specialized experience requirements granted the supervisor has submitted the required SF-52 for promotion in a timely manner (prior to the desired effective date). If a manager does not submit a career ladder promotion timely, the effective date will be set on the first full pay period after the date the SF-52 was approved by the appropriate manager. In cases such as this, the effective date of the career promotion will not be changed (made retroactive or backdated). The processing of retroactive actions (backdating) is normally prohibited per OGC decisions. Only a few exceptions (such as described above) are authorized.

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