

Promotion Resulting From Additional Duties and Responsibilities (Accretion of Duties) & Planned Management Action

This guide focuses attention on two types of actions that involve the upgrade of an incumbered position but that frequently cause confusion in several areas, including the criteria which supports their use, documentation required to justify the action, and whether the action allows for an exception to competitive procedures and/or the DOD Priority Placement Program (PPP). The following material defines the differences between an accretion of duties action and a planned management action, both of which are exceptions to the PPP, provides examples of both types of actions, and will help you identify if your action requires competitive procedures or if it is an exception to the merit promotion process. For additional information, please consult the 5 CFR Part 335, the DOD PPP Operations Manual, Subchapter 4, and Navy's Guidance/Advice Memorandum (GAM) #63 dated 23 May 1995.

I. You have a person working for you who is dependable, intelligent and willing to assume additional duties when the work requires. In fact, over the past fifteen months she has willingly assumed a number of duties that are not currently part of her official position description. In your carpool you mention that you would like to do something to get her promoted, but are not sure what to do. The driver says, “Just *accrete* her. She doesn’t have to compete for the job and because it is an exception to the Priority Placement Program, you don’t have to worry about being required to hire someone from outside. If you feel she deserves a promotion, just do it!” Not wanting to look foolish, you don’t admit that you have heard of accretion of duties promotions, but have no idea what they involve.

What is accretion of duties?

“Accretion of Duties” is a shortened version of saying a promotion that results from an employee’s position being classified at a higher grade *because of additional duties and responsibilities*. Merit Principle #1 for Federal Employment holds that there should be fair and open competition for positions within the Federal Service. But there are SOME RARE EXCEPTIONS, including promotions resulting from additional duties and responsibilities. Accretion of duties is both an exception to competitive procedures and the DOD Priority Placement Program (PPP).

The Department of the Navy established the following criteria (GAM #63 issued 23 May 1995) for promotions resulting from the addition of duties and responsibilities that may be done without competition:

- ***The major duties of the employee’s old position are absorbed into the new position, and the former position is cancelled.***

Major duties are those duties that represent the primary reason for the position’s existence and the duties that govern the employee’s time. These are the duties that drive the series and grade of the position. Since the new duties are absorbed *into the new position*, there is no need for the old position and it *must* be cancelled or abolished.

- ***The new position has NO KNOWN promotion potential.***

The position *cannot* have any further promotion potential or career ladder associated with it. Avoiding the appearance of giving someone a *competitive advantage* on the next promotion is also important. If you know that further duties that could increase the grade again are likely to be added in the future, then

competition for the promotion should be held. Appearing to change your organization's past promotional practices to suit one person should also be avoided. Check with your Human Resource Office advisor to see how similar positions have been filled in the past before you decide to promote a person without competition.

- ***The additional duties do not adversely affect another incumbered position.***

In order to add duties and responsibilities to one position, you *cannot* adversely affect another encumbered position, thereby causing a downgrade of that position or a reduction-in-force. Problems resulting from the removal of duties from one position and the addition of duties to another generally occurs when one or more employees of an organization are performing below expected levels. The work has to get done, so the supervisor assigns additional duties and responsibilities to someone else who will do the work. Supervisors *must* address the performance issues -- promoting someone else to perform the work is *not* allowed.

Additional Considerations

Here are a few additional *considerations* that relate to the principle of fair and open competition that you should consider:

- Are there other employees in the same organization, who report to the same supervisor, or who are assigned the same duties who are eligible to compete for the promotion?
- Is the position that you are considering for upgrade a generic or standard position used in various places in your organization?
- Did you give the employee occupying the position you desire to upgrade additional training or other developmental opportunities that were not available to other employees of

the organization?

- How often has your organization used accretion of duties in the past? Under what circumstances?

Following are some cases that may assist you in determining whether your action merits a noncompetitive promotion based on additional duties and responsibilities:

Case 1. *LaVerne supervises a lab that employs both medical technologists and medical technicians. There are ten medical technicians all of whom have approximately the same duties and responsibilities. One of the technicians has been attending college at night and now has the education and experience to work as a medical technologist. None of the other medical technicians meet these requirements. Can I promote this technician?*

Comment: Yes, you can offer a promotional opportunity BUT IT SHOULD BE DONE COMPETITIVELY. This case does not involve the addition of duties and responsibilities to an existing position. It involves the promotion of a person with additional training. It is not an accretion of duties.

Case 2. *A supervisory Accountant has four teams of operating accountants reporting to her. As a result of consolidation of the accounting functions, three more teams are added, almost doubling the number of subordinate personnel. May I accrete the incumbent to the next highest grade?*

Comment: The issue here is not the promotion of a person, but whether the increase in the number of people or teams reporting to someone changes the classification of the position. In all likelihood, the position will not be classified at a higher grade, so the issue of promotion will not come up.

Case 3. *Your organization has undergone a number of reorganizations and has contracted out much of its work over the*

past decade. Promotions have been frozen for the past eighteen months. You have one Inventory Management Specialist, GS-11, remaining of a group that once had one GS-12 and three GS-11s. Over the past two years you have continually asked the remaining specialist to perform many of the duties previously assigned to those who have left. You are convinced that this specialist is performing at the GS-12 level now. Can you accrete him?

Comment: Probably, yes. The new, higher-graded duties and responsibilities were *added to* the old position, there is no known promotion potential and no one else is adversely affected by this action. The old position needs to be cancelled when the new one is established.

Case 4. *I have five Budget Analysts, GS-12. They all do approximately the same work. Because I am required to do so much travelling in my job, I tend to leave one of the five in charge in my absence. I want to set up a team leader position at the GS-13 level. Can I noncompetitively promote my trusted GS-12 into that position?*

Comment: NO. This violates the principle of fair and open competition. In addition, you should stop assigning the duties to act in your absence to one person and rotate that responsibility among the others.

Case 5. *I have a Secretary, GS-5, with a college degree. She is so good with computer hardware and software that she serves as our help desk and troubleshooter. Since almost all the work she does is computer work, can I accrete her?*

Comment: PROBABLY NOT. First, it appears that you are attempting to assign work based on a person's education and interests and not on the duties and responsibilities of the position itself. Second, the work that you have added is not secretarial work, so the work cannot easily be absorbed in the new position. Third, if the new position is classified in the

computer field, it would probably have promotion potential above the GS-6 level. Your first step would be to classify the actual duties that she is performing.

Case 6. *There are six different site offices each with a single individual responsible for manpower and program management tasks, each classified as a GS-12 Management and Program Analyst. Due to regionalization, I need to replace one of the GS-12 site analyst positions with a GS-13 position with supervisory and oversight responsibility over all six sites. Can I noncompetitively promote the employee who is senior in terms of their experience and knowledge?*

Comment: NO. This violates the principle of fair and open competition. The GS-13 position is in effect a new position since there is no direct correlation between the primary duties of the old position and the higher-graded duties of the supervisory position. This is not an accretion of duties.

Case 7. *I have a GS-343-11 Management Analyst position responsible for evaluating both the financial and manpower reports of my command. My supervisor wants to change the position to a GS-510-12 Accountant since he believes the work has evolved where it now requires application of professional accounting knowledge and warrants a higher grade. Since the employee does have the education necessary to qualify for this position, can I accrete the incumbent to the GS-12 position?*

Comment: You can promote the individual, but it must be done using competitive procedures. This change in the paramount knowledges required of the position is so significant that not only has the series changed but the position has been transformed from a nonprofessional to a professional position. As a result, there is no direct nexus between the two positions. Therefore, it is not an accretion of duties and must be filled using competitive procedures.

Case 8. *A command has three GS-11 IT Specialists sharing the same position description. Due to changing technology and the delegation of work from headquarters to the command, these positions now perform more complex work that supports the GS-12 level. Can I accrete all three employees?*

Comment: Probably, yes. The new, higher-graded duties have been added to the old position, there is no known higher promotion potential, and no one else is adversely affected by this action. The old position description must be cancelled once the new position is established. If the higher level duties had only supported one of the three positions being upgraded, then the higher level position would have needed to be filled competitively.

Case 9. *Tracy is the sole Program Analyst, GS-11, in a resources office with responsibility for resource management for his field organization and four site offices. During a recent streamlining initiative, Tracy's office now has been given claimancy-level responsibility for the program that he is assigned. With this increase in responsibility, the position Tracy occupies has been reclassified as a Program Analyst, GS-12. Does this meet accretion of duties criteria?*

Comment: Since Tracy's current position is unique to his organization, the upgrading of the position does not adversely affect the duties performed by any other employee, there is no further promotion potential, and the duties in the old position remain part of the new position and the old position will be abolished, a noncompetitive promotion is appropriate in this situation.

Additional Questions

Question 1: *Who has the authority to set the date when the promotion takes place. If the person is in fact doing the work,*

shouldn't the supervisor determine when to promote the person?

Answer: The supervisor may *recommend* a date, but the decision on whether the proposed promotion in fact is appropriate and meets the criteria listed above is a decision that is made by the HRSC HR Specialist who approves the action. There are three significant steps or parts to a noncompetitive promotion that result from an employee's position being classified at a higher grade because of additional duties and responsibilities.

The first step is that the supervisor has assigned and the employee is performing higher graded duties. Second, the classification of the new duties and responsibilities are indeed at a higher grade. Finally, there is a decision, made at the Human Resource Service Center, that the proposed promotion is appropriate as an exception to competition, and that the employee meets OPM time-in-grade and qualification requirements for the promotion action. Only after those decisions are made can the action be effected. In accordance with the CFR, personnel actions must occur within a reasonable period of time following the date of the classification action, but not later than the beginning of the fourth pay period following the position action. Note: Classification actions cannot be made retroactive except in cases where the employee has been wrongfully demoted resulting in a loss of pay or grade.

Question 2: *Can I change the series of the position and still use accretion of duties to promote someone?*

Answer: It is possible but EXTREMELY RARE. The additional duties and responsibilities must reflect the primary reason for the position to exist. In other words, there should be a direct nexus between the primary duties of the old position and the grade-controlling duties of the new, higher-graded position. The major duties of the old position must also be absorbed into the new position. So in all but a few rare cases the duties that drive

the series and grade of the position will remain the same in both the old and new position.

Question 3: *Are there situations typically considered inappropriate as an accretion of duties action?*

Answer: It is important to remember that the concept of upgrading a position due to the addition of duties and responsibilities implies that major changes have taken place in a position over time in the form of higher level, more complex duties that are directly related to the primary purpose of the position being replaced, that the employee will also continue to perform most or all of the duties of the former position, and that there is no real vacancy since the employee will continue to perform their former duties as well as the higher level duties. That being said, and given the Navy criteria that must be met to justify an accretion of duties action, the following situations are typically considered inappropriate:

- **Change from a one-grade interval to a two-grade interval position**
- **Change in occupational series**
- **Promotion to a vacant, previously existing higher level position**
- **Accretion from an Identical-Additional (IA) position (unless everyone on the IA'd position is promoted and assuming the higher-level grade is not diluted by having more than one person performing those duties)**
- **Change from a nonsupervisory to a supervisory position**
- **Change from a nonleader to a leader position**
- **Promotion which crosses organizational lines**
- **Change from a nonprofessional to a professional position**

Documentation for Noncompetitive Promotion Based on Additional Duties and Responsibilities

- 1) Submit a Request for Personnel Action (electronic Standard Form 52) for a promotion due to additional duties and responsibilities;**
- 2) Submit copy of old position description and new position description;**
- 3) Complete and submit a Justification Form for promotion as an exception to the competitive process, which includes:**
 - Old and new position description numbers**
 - Explanation of what caused the increased duties and responsibilities to the incumbent's position**
 - Supervisor of the position signs justification form**
- 4) Certification Statement signed by HRSC HR Specialist that action meets the following Navy criteria:**
 - Statement that the duties of the old position are absorbed in the new position and that the old position is cancelled;**
 - Statement that no other position is adversely affected by adding new duties and responsibilities to the new position; and**
 - Statement that the position has no known promotion potential.**

II. If an incumbered position has been upgraded but does not meet accretion of duties criteria, it may meet the criteria required to support a **Planned Management Action which is an exception to the PPP but does require use of *competitive* procedures. This will be determined by the HRSC-SW once they receive the Request for Personnel Action (RPA). This is done before the competitive process begins. You will be notified if the action is or is not an exception to PPP, or whether the PPP is clear and recruitment may begin.**

What is a Planned Management Action?

In accordance with the PPP Operations Manual, which identifies such an action as an exception to the PPP, it is the promotion of an employee through COMPETITIVE procedures when an incumbered position has been upgraded as a result of planned management action and the addition of another person would result in someone being adversely affected by RIF . This situation is only considered to exist when the new position includes most of the duties and responsibilities of the former position. In other words, management has made a conscious decision to add higher level duties to an incumbered position knowing that the classification of the position will change resulting in a higher grade level; it doesn't meet accretion of duties criteria which would permit a noncompetitive promotion; and the placement of an individual off of PPP would result in a surplus position and force a RIF that would adversely impact an employee. In order to justify using planned management action as an exception to PPP procedures, the following criteria must be met:

- Most of the duties and responsibilities of the former position are absorbed into the new position;**
- There is no true vacancy since the incumbent continues to perform most of the duties of the former, abolished position;**
- The lowest standing employee in the competitive level of the abolished position has no other vacant position of equal grade to be reassigned to; and**
- Competitive procedures are used to fill the higher-graded position.**

Example: Linda supervises a work unit consisting of 20 employees, and 15 of these employees are GS-11 Environmental Protection Specialists. She needs to create two GS-12 team leader positions to help her in managing the day-to-day workload.

However, she has no extra billets so she must take two of her existing positions and add the team leader responsibilities to those incumbered positions. Because all of these specialists will want to be considered for this promotional opportunity, and the action doesn't meet accretion of duties criteria, she knows that competitive procedures must be used. At the same time, if she applies the PPP, she's afraid that someone from outside the command will be placed in one or both of the new team leader positions resulting in a surplus billet which will force her in a RIF situation. In this case, use of planned management action as an exception to PPP is probably appropriate.

Documentation to Support a Planned Management Action

The merit promotion case file must include the following documentation to justify use of the planned management action exception to PPP:

- 1) Copy of the abolished position description**
- 2) Copy of the new position description**
- 3) Retention register for the competitive level of the abolished position (in order to identify the employee with the lowest retention standing in that competitive level)**
- 4) Referral list to show that the position is filled using competitive procedures (unless MIOC procedures are used - see part III below)**
- 5) List of vacancies in the competitive area that are at the same grade level as the abolished position (the Workload Coordinator or HR specialist can pull a list of RPA recruitment actions from the 52 Tracker that will identify vacancies for the abolished grade that are currently in the HRO and HRSC-SW team inbox for the impacted competitive area)**
- 6) Organization listings that identifies positions in the impacted organizational unit both before and after the upgrade action.**

III. If the upgraded position does not meet the criteria for accretion of duties and therefore must be filled competitively, including those actions that support the planned management action exception to PPP, then you may want to consider filling the position using **Management Identification of Candidates**. This is a competitive procedure that expedites the merit promotion process. However, you should check with your PMA for information on your activity's policy and procedures for use of MIOC since specific procedures vary somewhat from one HRO to another, and some activities may not be permitted use of MIOC by their major claimant.

What is Management Identification of Candidates?

MIOC is a competitive process that can be used to fill a position under merit promotion principles without advertising the vacancy or soliciting applications from potential candidates. The area of consideration is usually the immediate organizational unit in which the vacancy exists since all candidates must be subordinates of the selecting official. This process is intended to expedite the recruitment process since candidates are usually known to the selecting official and can be evaluated based on the manager's personal knowledge of the individual. However, in all cases, the RPA must be submitted to the HRSC-SW *prior* to the process being initiated and PPP cleared *before* the manager can begin to solicit interest from prospective candidates within the designated area of consideration.