

# MS 620 Direct Hire Merit Selection and Promotion

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## *MS 620 Direct Hire Merit Selection and Promotion Procedures*

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## 1.0 Purpose

This Manual Section establishes Peace Corps policy for processing placement and promotion actions for certain “Direct Hire Positions” (*see* definition below) following merit system principles. Implementing procedures are set forth in MS 620 *Direct Hire Merit Selection and Promotion Procedures* (MS 620 Procedures).

## 2.0 Scope

This Manual Section applies to the selection of United States citizens for all Peace Corps Direct Hire Positions except:

- (a) Positions listed in subsection 3.7 of MS 601 *Administration of the Peace Corps Direct Hire Personnel System*; and
- (b) Any additional position which the Director has exempted from competition.

This Manual Section does not apply to the selection for Personal Services Contractor (PSC) positions.

### 3.0 References

- (a) 5 USC 2301 and 2302.
- (b) Article 12 *Merit Selection* of the Negotiated Agreement between the Peace Corps and the Peace Corps Employees Union, American Federation of State, County, and Municipal Employees (AFSCME), AFL-CIO, Local 3548.
- (c) Section 2506 of the Peace Corps Act (22 USC Chapter 34), as amended.

### 4.0 Definitions

The following defined terms are based on definitions in applicable statutes and regulations:

- (a) ***Applicant*** means an individual who has submitted an application and other required supporting documents, if any, in response to a “Vacancy Announcement” (*see* definition below).
- (b) ***Area of Consideration*** means the geographical or organizational area in which the Agency makes a search for eligible candidates in filling a specific vacancy or vacancies through competitive procedures.
- (c) ***Automated System*** means the online automated applicant in-take system used by the Office of Human Resources (OHR) that processes employment applications, assesses applicants, generates various human resources documents, such as Vacancy Announcements, and stores human resources information, such as personnel actions and employment history.
- (d) ***Basic Qualifications Requirements*** are the designated experience and education (if applicable) an applicant is required to possess to be considered for a vacant position as determined by OHR, in consultation with the hiring office.
- (e) ***Career Ladder*** means a series of positions of increasing responsibility with similar required knowledge, skills, and abilities through which an employee may progress from the entry level to the “Full Performance Level” (*see* definition below). An employee may advance, without competition, up to the Full Performance Level. For example, if a position is classified at the FP-7/6/5 levels, and an employee is hired at the FP-7 level, promotion to each of the FP-6 and FP-5 levels is considered to be a Career Ladder promotion.
- (f) ***Certificate*** means a listing of “Qualified Candidates” created by OHR that is submitted to a “Selecting Official” (*see* definitions below).
- (g) ***Confidential/Policy Making Positions*** are positions that are policy determining or involve a close and confidential working relationship with the head of the agency or other key appointed officials who are involved in policy making.

- (h) **Detail** is the temporary assignment of an employee to perform the duties of a different position, or to perform an unclassified set of duties for a specific period, with the employee returning to regular duties when the temporary assignment is concluded.
- (i) **Direct Hire Positions** are positions covered by the Peace Corps personnel system authorized by 22 USC 2506 and implemented by MS 601.
- (j) **Eligibility Requirements** are position or promotion requirements that must be met by an Applicant for them to be considered for a position, such as U.S. citizenship and, for “Merit Promotion,” one year in grade.
- (k) **Full Performance Level** means the highest grade level of performance that can be achieved in a particular position's Career Ladder and to which an incumbent employee may be promoted without further competition.
- (l) **Merit Promotion Eligible** means current, or former, federal employees may apply for a vacancy without competing with the general public or candidates with Veterans’ Preference.
- (m) **Position Description** means the description of the duties and responsibilities of the position. A Position Description requires review and classification by OHR and may be a single grade or a position that includes increasing responsibilities in the same series. This latter Position Description describes a Career Ladder position.
- (n) **Promotion** is the advancement of an employee to a position with a higher grade level. *See* types of Promotion in subsection 11.1 below.
- (o) **Qualified Candidates** are those Applicants who meet the Basic Qualifications Requirements for the position.
- (p) **Reassignment** means the movement of a current federal employee from one position to another, at the same grade level, for which they meet the Basic Qualifications Requirements.
- (q) **Reinstatement** is the hiring of a former federal employee to a position, for which they qualify, that has no higher Promotion potential than the position formerly held.
- (r) **Selecting Official** is the agency employee who has been delegated the authority to select a candidate for a particular vacant position. (*See* MS 114 *Delegation of Authority*.)
- (s) **Time in Grade** means a minimum of one year served in the position of record. Additionally, Time in Grade served during a temporary Promotion only counts toward permanent Promotion to that higher grade.
- (t) **Vacancy Announcement** is the public notice requirement used to publicize vacant positions.
- (u) **Veterans’ Preference** means preferences, as provided in subsection 3.7 of MS 601, given to an eligible Applicant who has provided OHR with supporting documentation (e.g., DD-214) demonstrating that their service is covered by the terms of 5 U.S.C. 2108(1).

## **5.0 Policy**

### **5.1 Non-discrimination, Veterans' Preference, and Non-Competitive Eligibility**

- (a) All selections covered by this Manual Section shall be made on the basis of merit. Full consideration will be given to present employees in filling positions to make the best use of their knowledge and skills, except as otherwise provided in this Manual Section.
- (b) It is the Peace Corps' goal to advance full realization of equal opportunity through Promotion.
- (c) All selections shall be made solely on the basis of qualifications and in accordance with the policies set forth elsewhere in the Peace Corps Manual to include non-discrimination, Veterans' Preference, non-competitive eligibility, and prohibiting the employment of Applicants with intelligence backgrounds.

### **5.2 Selections to Which Competitive Procedures Will Be Applied**

The competitive procedures of this Manual Section shall apply to the following selections, unless otherwise exempted by subsection 5.3 below:

- (a) Appointments to the Foreign Service for more than one year;
- (b) Promotion to a position at a higher grade or to a position with greater Promotion potential than the highest permanent position previously held by the employee; and
- (c) Details with a temporary Promotion expected to exceed 120 calendar days.

### **5.3 Selections Exempted from Competitive Procedures**

The following selections are exempted from competitive procedures:

- (a) Reassignments to a position having no higher Promotion potential than the employee's current position. A Reassignment may be from one Peace Corps position to another, or from a comparably graded position in another federal agency for which the Applicant previously competed and is qualified;
- (b) Reinstatements of former federal employees, including Peace Corps employees, to a position, regardless of grade, having no higher Promotion potential than the position that the person formerly held;
- (c) Re-Promotion of an employee to a grade or position from which the employee was removed without personal cause and not at the employee's request;
- (d) Details with a temporary Promotion for 120 calendar days or less within a 365-day period;

- (e) Any action, including a Promotion, directed by an individual or agency official with authority that supersedes this Manual Section. These include, but are not limited to, actions resulting from resolution of discrimination complaints, court decisions, arbitration decisions, or accretion of duties; and
- (f) Details with a temporary Promotion for up to one year to senior Confidential/Policy Making Positions at the FP-1 level and above. Any such Detail that will be extended to exceed one year must be reviewed and approved by OHR.

**Note:** Career Ladder Promotions are not selections and are addressed in subsection 11.1 below.

## **5.4 Promotion Based on Qualifications**

For Vacancy Announcements where the area of consideration is for all U.S. citizens, an individual may compete for Promotion or selection for any position for which they meet the Basic Qualifications Requirements, regardless of their current grade. For all Merit Promotion Vacancy Announcements, employees must meet Eligibility and Basic Qualifications Requirements.

## **5.5 Approval and Authorization of Selections**

- (a) “A” Delegates are delegated the authority to approve competitive and non-competitive selections. (*See MS 114 Attachment F – Personnel Authorities, Section A.*)
- (b) The Chief Human Capital Officer (CHCO) in OHR is delegated the authority to authorize competitive and non-competitive selections. (*See MS 114 Attachment F, Section A.*)

## **6.0 Roles and Responsibilities**

The CHCO and Selecting Officials have designated roles and responsibilities in the process for the selection and Promotion of employees. The selection of Applicants for Direct Hire Positions generally involves the following steps:

- (a) Preparation and issuance of Vacancy Announcements;
- (b) Screening of Applicants and preparing Certificates;
- (c) Final selections of candidates for positions; and
- (d) Addressing post-selection inquiries and disputes.

### **6.1 Chief Human Capital Officer**

The CHCO is responsible for the management and implementation of this Manual Section, including but not limited to, the following:

- (a) Ensuring that all legal and regulatory requirements are met;

- (b) Ensuring compliance with policies stated in this Manual Section;
- (c) Developing and issuing Vacancy Announcements;
- (d) Preparing Position Descriptions;
- (e) Screening Applicants for Eligibility and Basic Qualifications Requirements;
- (f) Establishing and issuing Certificates;
- (g) Setting salary ranges and negotiating and extending starting salary offers to selected candidates;
- (h) Notifying Applicants of the status of their applications and, upon request, advising Applicants on selection or non-selection based on Basic Qualifications Requirements;
- (i) Maintaining merit selection records for a period of three years;
- (j) Providing technical assistance to Selecting Officials, candidates, Applicants, supervisors, and employees in fulfilling their responsibilities;
- (k) Evaluating and amending policies contained in this Manual Section;
- (l) Reviewing non-competitive selections made under the provisions of subsection 5.3 above before an offer of employment is extended; and
- (m) Authorizing all selections. (*See MS 114 Attachment F, Section A.*)

## **6.2 Selecting Officials**

Selecting Officials are responsible for:

- (a) Reviewing draft, and approving final, Position Descriptions for Direct Hire Positions open to competitive and non-competitive selections;
- (b) Participating in the timely and efficient recruitment and selection of candidates;
- (c) Following appropriate selection procedures for both competitive and non-competitive selections;
- (d) Making selections based on merit principles for competitive positions and notifying OHR of decision(s) made;
- (e) Complying with legal requirements regarding prohibited personnel practices set forth in 5 USC 2302;
- (f) Checking and verifying references; and

- (g) Ensuring that the written MS 620 Procedures Attachment A – Applicant Selection/Veterans’ Passover Memo (PC-2113), required by subsection 9.1 below, is prepared and provided to OHR to ensure a timely job offer is extended.

## **7.0 Vacancy Announcements**

The starting point in the recruitment and selection of the most qualified Applicants for vacant Peace Corps positions is the preparation of a complete and accurate Vacancy Announcement. OHR will develop, along with the Selecting Official, an accurate and informative Vacancy Announcement based on a current classified Position Description. The requirements for a Vacancy Announcement are set forth in MS 620 Procedures.

### **7.1 Area of Consideration**

- (a) All Peace Corps employees, including experts and PSCs who are U.S. citizens and meet the Basic Qualifications Requirements, may apply to any Peace Corps Vacancy Announcement for Direct Hire Positions, including but not limited to, Vacancy Announcements limited to internal candidates only.
- (b) The Peace Corps will not pay relocation expenses unless relocation expenses are specifically authorized in the Vacancy Announcement for a position within the United States. If relocation expenses are specifically authorized in the Vacancy Announcement, they will be paid in accordance with the Federal Travel Regulations (FTR), the Civilian Personnel Law Manual, and 5 USC 5724.

### **7.2 Senior Foreign Service Announcements**

Certain positions classified in the Senior Foreign Service may be recruited competitively. The decision to recruit competitively in each case will be made by the Peace Corps Director.

## **8.0 Screening of Applications**

OHR will review all applications via the Automated System to determine whether Applicants meet the Eligibility Requirements and possess the Basic Qualifications Requirements in the Vacancy Announcement.

### **8.1 Establishing the Certificate**

OHR will review and certify that Applicants listed on the Certificate meet Basic Qualifications and Eligibility Requirements. There is no limit on the number of candidates that can be provided to the Selecting Official on a Certificate. The Certificate provides a list of qualified Applicants using category rating.

### **8.2 Review of Certificate, Interviewing, and Reference Checking**

#### **8.2.1 Review of All Applications of Candidates on the Certificate**



All candidates listed on the Certificate are eligible for selection. The Selecting Official is required to review all applications on the Certificate and to determine which candidates, if any, to interview.

### **8.2.2 Interviewing**

The decision of which candidates to interview is at the discretion of the Selecting Official but should be guided by the qualifications of the candidates when compared to the requirements of the position in question. In-person, virtual, or telephone interviews are all acceptable interview methods. If a selection occurs, then an interview of at least the selected candidate is mandatory.

### **8.2.3 Checking References**

The Selecting Official is responsible for checking an Applicant's references.

## **9.0 Selection**

### **9.1 Applicant Selection Form**

Upon making a selection, the selecting office must complete PC-2113 and forward it to OHR.

### **9.2 Notification of Selection**

- (a) OHR will review selection memos to ensure compliance with all personnel policies and procedures prior to making a tentative job offer to a selected candidate and following approval by the CHCO or their designee. OHR will coordinate with the Selecting Official to determine the Applicant's start date. In the event of a Veterans' Passover, *see* MS 601 Attachment B – Veterans' Preference Passover Guidance.
- (b) Once a selection has been made by the Selecting Official, the Certificate will be considered closed. In addition, if the office of the Selecting Official has an additional comparable vacancy (same title, series, and grade), the Selecting Official may choose to make additional selections from the selection Certificate within 90 days of its issuance. In both instances, OHR has the discretion to extend or reopen a Certificate.
- (c) OHR shall ensure that all Qualified Candidates are notified of the final disposition.
- (d) OHR shall maintain a record of the recruitment action for a period of three years from the selection date in accordance with the documentation requirements in MS 620 Procedures.
- (e) Positions for which no selection was made may be re-posted upon request; however, OHR will require the Selecting Official to interview at least three Applicants, unless the Certificate contains fewer Applicants, before granting a request to re-post the vacancy.

## **10.0 Inquiries and Disputes**

- (a) Inquiries regarding the application of the policies contained in this Manual Section should be addressed to OHR.
- (b) If the explanation given does not satisfy the matter of concern or answer the question raised, an Applicant may seek to resolve the matter through the exercise of either the Peace Corps or the negotiated grievance procedure where appropriate. Failure to be selected for a position from a properly certified Certificate is not a basis for any grievance.

## **11.0 Promotion**

### **11.1 Types of Promotion**

- (a) **Career Ladder Promotion**: The range of a Career Ladder for a position is stated in the Vacancy Announcement. To be eligible for a Career Ladder Promotion, there must be a supervisory determination that the employee demonstrates the ability to perform at the next higher grade (i.e., FP-5 to FP-4, or FP-3 to FP-2) . Time in Grade for all Career Ladder Promotions is one year.
- (b) **Promotion through Reclassification or Accretion of Duties**: If an existing position is reclassified to a higher grade due to a determination by OHR that the position has been assigned additional duties and responsibilities, the incumbent employee may be non-competitively promoted to the grade, provided the employee meets the minimum education and/or experience requirements for the position as reclassified.
- (c) **Competitive Promotion**: An employee may compete and be selected at any time for a vacant Peace Corps position that is at a higher grade than the employee currently holds as long as the employee is eligible to compete for the position and fully meets the Basic Qualifications Requirements for that position.

## **12.0 Pay Upon Position Change**

### **12.1 Pay Upon Promotion**

When a current employee is promoted, the employee is entitled to basic pay at the lowest rate of the higher grade that exceeds such employee's existing rate of basic pay by no more than two step increases of the grade from which the current employee was promoted.

### **12.2 Pay Upon Reassignment**

When a current employee is reassigned (selected for another position at their current grade), the employee is entitled to the current rate and pay of the locality to which assigned. An increase in basic salary is not authorized on a Reassignment action.

### **12.3 Pay Upon Change to Lower Level**

When a current employee is selected for a position at a lower grade, basic pay will be set based on their current rate of basic pay up to the maximum of the lower grade.

### **13.0 Procedures**

Procedures implementing this manual section are set forth in the accompanying MS 620 Procedures. The Human Resource Council is authorized to approve these Procedures and any revisions to them. *See* MS 601 subsection 3.2.

### **14.0 Effective Date**

The effective date of this Manual Section is the date of issuance.