

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

District Personnel Manual Issuance System

This instruction should be filed
behind the divider for Part III of DPM
Chapter (s) 8

DPM Instruction No. 8-59

SUBJECT: Time-in-Grade Requirements and Restrictions

Date: August 29, 2008

1. PURPOSE

This instruction explains the rules and procedures pertaining to *time-in-grade requirements and restrictions*, including the provisions for *waivers of time-in-grade*.

What is the Purpose of the Time-In-Grade Restrictions?

- ***PREVENT*** excessively rapid promotions;
- ***PROTECT*** competitive principles; and
- ***PROVIDE BUDGETARY CONTROLS*** on promotion rates.

2. APPLICABILITY

- a. Time-in-grade requirements apply to the following types of CAREER SERVICE appointments:
 - (1) Promotions;
 - (2) Appointments to higher grade positions; and
 - (3) Reinstatements to higher grade positions within one (1) year after separation from non temporary appointments in the Career Service.
- b. The time-in-grade provisions outlined in this instruction **do not apply** to movements between Career Service positions paid under **wage service** (blue collar) rate schedules.

3. TIME-IN-GRADE REQUIREMENTS

Except as specified in sections 6 and 7 of this instruction, a Career Service employee shall not advance in grade by promotion to a position under a Career Service Salary schedule unless the employee meets the following minimum time-in-grade requirements:

Note: DPM instructions that are strictly procedural in nature have direct applicability only to agencies under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employees under their respective jurisdictions. [See DPM Chapter 2, Part II, Subpart 1, § 1.3]

Inquiries: Policy and Planning Administration, DCHR (202) 442-9644

Distribution: Heads of Department and Agencies, HR Advisors

Retain Until Superseded

For Positions at Grade Levels:	Time-In-Grade Requirement:
CS-12 or above	<ul style="list-style-type: none"> The employee may advance in grade by promotion only after he or she has served <u>1 year in a position at the next lower grade.</u> <p>[Section 838.5 (a) of Chapter 8 of the D.C. personnel regulations, Career Service]</p>
CS-6 through CS-11	<p>The employee may advance in grade by promotion only after he or she has served:</p> <ul style="list-style-type: none"> <u>One (1) year in a position two (2) grades lower,</u> when the position to which the employee is advanced is in a line of work properly classified <u>at two-grade (2-grade) intervals;</u> or <u>One (1) year at the next lower grade,</u> when the position to which the employee is advanced is in a line of work properly classified <u>at one-grade (1-grade) intervals.</u> <p>[Section 838.5 (b) of Chapter 8 of the regulations]</p>
CS-5 or below	<ul style="list-style-type: none"> <u>Without regard to time-in-grade,</u> an employee may advance in grade by promotion to a position at grade levels CS-5 or below which is not more than <u>two (2) grades above the lowest grade he or she held within the preceding year under a non- temporary appointment.</u> <p>[Section 838.5 (c) of Chapter 8 of the regulations]</p>

4. APPLYING TIME-IN-GRADE AND CREDITING PRIOR SERVICE AND EXPERIENCE

In applying the time-in-grade requirements and crediting prior service and experience towards meeting time-in-grade, an employee will receive credit for:

- a. Prior service with the District or federal government under an appointment at the same level as or a higher level than the employee's current appointment;
- b. Any specialized experience with the military, state or local governments, or with the private sector, as appropriate; and
- c. College or university education.

5. APPLICATION OF TIME-IN-GRADE RESTRICTIONS IN CONJUNCTION WITH RULES ON POSITION CHANGES TO A DIFFERENT LINE OF WORK

- a. Time-in-grade restrictions shall be applied in conjunction with the restriction in section 833.1 of Chapter 8 of the regulations on position changes to a different line of work.

- b. Specifically, the restriction on position changes to a different line of work in section 833.1 of Chapter 8 of the regulations is as follows:

*An agency may promote (or reassign, transfer, or reinstate a former employee) an employee to a **different line of work** only after three (3) months (ninety (90) days) have elapsed since the employee's latest non-temporary competitive appointment.*

6. **WAIVERS OF THE TIME-IN-GRADE RESTRICTION**

- a. The one-year (1-year) *time-in-grade* restriction may be waived in the case of an employee who does not meet the *time-in-grade* requirement but meets the qualifications requirements for the position and is ranked among the best-qualified candidates and within reach for selection, based on any of the four (4) criteria listed below:

1. On the basis of the employee's *total work history*;
2. When the employee has performed work related to the higher grade position at a level that is determined to be *at least commensurate (equivalent) to the higher grade position*;
3. On the basis of the employee's *education, superior academic credentials, or superior academic achievements*; or
4. For reasons of *hardship, inequity, or in especially meritorious cases*.

b. **Salary History**

While an employee's salary history (i.e. previous higher salary) shall not automatically be considered the determining factor in waiving the *time-in-grade* restriction, it may be considered along with the criteria listed above.

c. **Documenting the Selection Certificate in Cases of Waivers of the Time-In-Grade Requirement**

If a determination is made to refer an employee for selection based on any of the criteria for a waiver of the *time-in-grade* restriction listed above, an *asterisk* (*) shall be placed by the person's name, and the following statement added to the selection certificate:

"Candidate meets experience or education requirements for this position. However, he/she does not meet the time-in-grade requirement. If selected, a request for approval of a waiver of the time-in-grade requirement must be submitted to the D.C. Department of Human Resources. Approval is not automatic or guaranteed."

- d. An employee promoted thru a waiver of time-in-grade MAY be advanced more than two (2) grade levels at a time.
- e. A request for a waiver of the time-in-grade requirement will be required for any Career

Service employee competitively selected to a higher grade position who does not meet the requirement, but meets any of the criteria listed in section 6 (a) above (chart).

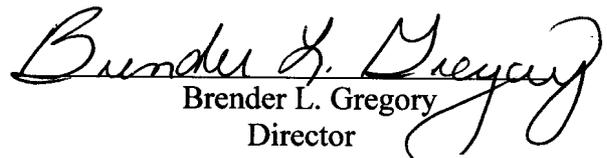
- f. If selected for the higher grade position, an employee who was granted a waiver of the time-in-grade requirement shall be required to complete one (1) year of service at the position before he or she meets the requirements for advancement to the next grade level.

7. PROCESSING A REQUEST FOR A WAIVER OF THE TIME-IN-GRADE REQUIREMENT

- a. For each action requiring the approval of a waiver of the time-in-grade requirement, the employing agency will be required to complete *D.C. Standard Form (DCSF) No. 8-01, Request for Waiver of the Time-In-Grade Requirement*, and submit the form, along with a written justification and supporting documentation, to the D.C. Department of Human Resources.
- b. The written justification must specify the basis for the request (one (1) or more of the criteria listed in section 838.6 of Chapter 8 of the regulations).
- c. At a minimum, the supporting documentation must include the candidate's completed *D.C. 2000 Employment Application*; and documentation in support of the candidate's expertise/specialized skills.
- d. The appropriate staff within the DCHR will promptly process and consider each request received; make a determination; and inform the agency.

8. REFERENCES

Section 838 of Chapter 8 of the D.C. personnel regulations, Career Service


Brender L. Gregory
Director

Attachments:

- *Procedures for Requesting a Waiver of the Time-In-Grade Requirement; Required Documentation and Information (Fact Sheet)*
- *DCSF No. 8-01, Request for Waiver of Time-In-Grade Requirement (Issued 8/08)*

**PROCEDURES FOR REQUESTING A WAIVER OF THE TIME-IN-GRADE REQUIREMENT;
REQUIRED DOCUMENTATION AND INFORMATION:**

1. The employing agency is required to complete *DCSF No. 8-01, Request for Waiver of Time-In-Grade Requirement*, and submit the request to the D.C. Department of Human Resources (DCHR), for each action requiring the approval of a waiver of the time-in-grade requirement.
2. The agency submission must include all of the following:
 - A *written justification*, which shall specify the basis for the waiver request (see section 838.6 of Chapter 8 of the D.C. personnel regulations, Career Service, for the criteria for waivers of the time-in-grade requirement);
 - A completed *D.C. 2000 Employment Application*;
 - Documentation of candidate's *expertise/specialized skills*; and
 - Any other *documentation* or *information* deemed by the agency to be in support of the request.

RECORD-KEEPING:

1. The DCHR will maintain a RECORD of each request for waiver of time-in-grade requirement (whether or not the request is approved). Each file is to include a copy of all of the following:
 - *DCSF No. 8-01*;
 - The selectee's *D.C. Form 2000 – Employment Application*;
 - Copy of the selection certificate; and
 - Written justification along with supporting documentation.
2. The original *DCSF No. 8-01* for an approved waiver of time-in-grade will be filed on the RIGHT SIDE of the selectee's Official Personnel Folder (OPF).

**DOCUMENTATION OF PERSONNEL ACTIONS INVOLVING WAIVERS
OF THE TIME-IN-GRADE REQUIREMENT:**

The personnel action (Form 50) for an approved waiver of the time-in-grade requirement must be annotated in the *Remarks* section of the form to show the approval of the Director, DCHR. An example of the language required is as follows:

"Time-in-grade requirements waived by (Name of Approving Official) on DCSF No. 8-01, on (Date)."

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

REQUEST FOR WAIVER OF TIME-IN-GRADE REQUIREMENT
(CAREER SERVICE (WHITE-COLLAR) POSITIONS ONLY)

Section 1 – Designated Office Within DCHR/Type of Appointment

		DCHR NO.	DATE
TO: <u>D.C. Department of Human Resources</u>			

Attn: _____	Type of Appointment: <input type="checkbox"/> Promotion <input type="checkbox"/> Appointment to Higher-Grade Position <input type="checkbox"/> Transfer <input type="checkbox"/> Reinstatement to Higher-Grade Position		

Section 2 – Agency Requesting Approval of Waiver of Time-In-Grade Requirement

Agency _____	Name of Agency Official Requesting Waiver _____	
For Information on Request Call: (Name/Telephone Number) _____	Signature _____	Date _____

Section 3 – Provide Information on Candidate

Name of the Candidate: _____

Is the employee now serving under a Career (Permanent) or Career (Probational) Appointment? Yes No

Total Length of Service at Present Grade: _____ Residency Preference Yes No

Section 4 – Provide Information on Position

FROM	TO
Position Title _____	Position Title _____
Pay Plan, Series, Grade, Step, and Salary _____	Pay Plan, Series, Grade, Step, and Salary _____
Agency and Division _____	Agency and Division _____

Section 5 – Supporting Documentation for Waiver of Time-In-Grade Request

Attach to request the candidate's completed *D.C. 2000 – Employment Application*; written justification; position description; and any other supporting documentation or supporting statements.

Section 6 – To Be Completed by DCHR Representatives

Recommendation: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove	Final Determination: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Supervisory HR Specialist (or Designee) _____ Date _____	Director, DCHR (or Designee) _____ Date _____

INSTRUCTIONS

Agency:

- Complete sections 1 through 5.
- Under section 1, include the location (address) of the office within the D.C. Department of Human Resources (DCHR) to which the request is being submitted.
- The written justification required under section 5 must include all information and documentation the agency considers relevant for the DCHR to determine whether the request should be approved, including a detailed analysis of the candidate's superior qualifications and how they compare to those of other candidates/applicants; existing salary, if applicable (include proof such as pay stubs), etc.

[Regulatory and procedural references concerning time-in-grade requirements are contained in sections 838 of Chapter 8 of the D.C. personnel regulations, Career Service].

DCHR:

- Each DCSF No. 8-01, Request for Request for Waiver of Time-In-Grade Requirement – Career Service Positions Only form received is to be assigned a “DCHR No./Agency No.” (section 1).
- The DCHR representative making the recommendation and approving/disapproving the request for superior qualifications appointment, respectively, must sign and date the form.
- The original DCSF No. 8-01 approving a request for the waiver of time-in-grade requirement will become a permanent personnel record and is to be filed on the right hand side of the employee's official personnel folder (OPF) along with the personnel action effecting the appointment.
- The original DCSF No. 8-01 and supporting documentation disapproving a request for waiver of time-in-grade will be returned to the agency (the DCHR should keep a copy of the request).