

3 FAM 2320

PROMOTION OF MEMBERS OF THE FOREIGN SERVICE

(TL:PER-360; 06-10-1998)

3 FAM 2321 AUTHORITY

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

These regulations are based on sections 302, 303, 305, 404-406, and 601-608 of the Foreign Service Act of 1980.

3 FAM 2322 ADMINISTRATIVE RESPONSIBILITIES

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

Responsibility for the administration of the promotion of members of the Foreign Service is shared among the Director, Office of Performance Evaluation, the Director General of the Foreign Service, and the Under Secretary for Management. Responsibilities for each are inextricably bound to the procedures which are published in 3 FAH-1 H-2320. Those procedures and guidelines have the same force and effect as these regulations.

3 FAM 2323 PROMOTION POLICY

3 FAM 2323.1 Members of the Foreign Service at Class FS-1 and the Senior Foreign Service

3 FAM 2323.1-1 General Policy

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. Promotion into and within the SFS will be on the basis of merit and the needs of the Service. Career members of the SFS and of class FS-1 will be considered for promotion by selection boards in accordance with precepts approved by the Under Secretary for Management, which have been negotiated with the exclusive representative, if any.

b. The precepts shall emphasize performance which demonstrates the strong policy formulation capabilities, executive leadership qualities, and highly developed functional and area expertise which are required by the Senior Foreign Service.

c. Recommendations for promotion into the SFS shall be made only of career members of the Service assigned to class FS-1 who meet the requirements of 3 FAM 2324.4.

3 FAM 2323.1-2 Recommendation by the Secretary

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. The Secretary will recommend to the President the names of:

(1) Career members of the SFS who should be promoted to a higher salary class; and

(2) Career members of the Service who should be promoted into the SFS.

b. The Secretary's recommendations will be based on the recommendations of the selection boards.

3 FAM 2323.1-3 Promotion of Career Members

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. Career members of the Senior Foreign Service (SFS) will be promoted by the President, by and with the advice and consent of the Senate, by appointment to a higher class in the SFS.

b. Career members of the Foreign Service shall be promoted into the Senior Foreign Service by appointment of the President, by and with the advice and consent of the Senate.

3 FAM 2323.1-4 Promotion of Members With Limited Appointments

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

Members of the Senior Foreign Service with limited appointments will be considered for promotion as provided in 3 FAM 2260.

3 FAM 2323.1-5 Recommendation for Conferral of Personal Rank of Career Ambassador

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

The Secretary may recommend to the President the conferral of the personal rank of Career Ambassador on a limited number of career members of the SFS of the class of Career Minister whose careers have been characterized by especially distinguished service over a sustained period and who meet the requirements of 3 FAM 2324.1. The Secretary's recommendations will be based on the recommendations of selection boards. Conferral of the personal rank of Career Ambassador will be made by the President, by and with the advice and consent of the Senate.

3 FAM 2323.2 Members of the Foreign Service Below Class FS-1

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. The following policies govern the promotion of members of the Foreign Service except members at class FS-1 and of the Senior Foreign Service who are governed by 3 FAM 2323.1.

b. Career members of the Foreign Service will be promoted by the Under Secretary for Management in accordance with the recommendations and rankings of selection boards by assignment to a higher salary class in the Foreign Service schedule.

c. Members of the Foreign Service with limited or temporary appointments will not be considered for promotion except as provided for under 3 FAM 2240, Foreign Service Officer Career Candidate Program, under 3 FAM 2250, Foreign Service Specialist Career Candidate Program, and under 3 FAM 2260, Senior Foreign Service Officer Career Candidate Program.

3 FAM 2324 ELIGIBILITY

3 FAM 2324.1 General Provisions

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. The minimum period that members of the Senior Foreign Service and Foreign Service schedule must serve in class before becoming eligible for promotion by the selection boards shall be published in the selection board precepts.

b. In determining eligibility, time served on military furlough or under any type of appointment at the same or higher level in any salary schedule in the Department of State or USIA prior to the Foreign Service Act of 1980 shall be credited as time spent in the equivalent FS or SFS class.

3 FAM 2324.2 Conferral of Personal Rank of Career Ambassador

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. The personal rank of Career Ambassador shall be conferred only on a career member of the Senior Foreign Service who has:

(1) Held the rank of Career Minister for the requisite eligibility period set forth in annual selection board precepts;

(2) Served at least 15 years in positions of significant responsibility while in Class FS-1 or above; and

(3) A record of extraordinary sustained achievement at the level of Chief of Mission, Assistant Secretary, or the equivalent (see 3 FAH-1 H-2320) as well as availability for continued service for the most important positions in the Department and abroad.

b. No one, however, shall be eligible for promotion to the class of Career Ambassador unless the officer shall have served or is serving as a chief of mission.

3 FAM 2324.3 Promotion to Class of Career Minister

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. No person shall be eligible for a career appointment to the class of Career Minister who is not a career member of the Senior Foreign Service.

b. SFS members in the class of Minister-Counselor, in order to be eligible for consideration for promotion to the rank of Career Minister, shall have already clearly demonstrated, through superior achievement in positions demanding broad leadership, policy direction, and program and resource management that the officer is fully qualified to fill the most senior and responsible positions in the Service.

3 FAM 2324.4 Promotion Into the Senior Foreign Service

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. Only career members of the Foreign Service:

(1) Who have been assigned to Class 1 for the minimum period prescribed under 3 FAM 2324.1; and

(2) Who request that they be competed for promotion into the Senior Foreign Service in accordance with procedures established by the Director General and negotiated with the exclusive representative, if any, may be considered for promotion into the SFS.

b. A member may withdraw a request to be considered for promotion into the SFS at any time, but if the member has once been considered for promotion into the SFS, the member may not again request consideration for promotion into the SFS. (See 3 FAM 6200 regarding the number and requirements of Senior Threshold Board reviews.)

NOTE: Until 3 FAM 6200 is revised and published, old 3 FAM 730 (although no longer included in 3 FAM) is still in effect, since this regulation was a negotiated agreement.

c. Class 1 generalist career member of the Foreign Service must have achieved the tested professional level of proficiency rating of S-3/R-3 (see 3 FAM 2700 and 3 FAH-1 H-2700) in a foreign language to be promoted into the Senior Foreign Service (see above). However, the Generalist Senior Threshold Board may recommend a Class 1 member for promotion conditionally upon subsequent achievement of the prescribed proficiency level in at least one foreign language prior to the convening of the next Senior Threshold Selection Board. In such cases, the Board's action will not take effect until the required language rating is achieved. Upon meeting the S-3/R-3 requirement, action will be initiated to promote the member to the class of Counselor in the Senior Foreign Service effective the beginning of the first pay period following attainment of the S-3/R-3 rating, or if the Senate has not approved the Senior promotion list by that time, effective the date of that year's Senior Foreign Service promotions. If the member does not satisfy the language requirement prior to the convening of the next board, the member will re-compete for promotion, if otherwise eligible for consideration by the Senior Threshold Board.

3 FAM 2324.5 Exemption from Time-in-Class Requirements for Meritorious Service

(TL:PER-360; 06-10-1998)
(State Only)
(Applies to the Foreign Service Only)

The minimum period of eligibility established for members of the Foreign Service may not be waived.

3 FAM 2324.6 Retroactive Promotions

(TL:PER-360; 06-10-1998)
(State Only)
(Applies to the Foreign Service Only)

a. The Secretary may recommend retroactive promotions by the President, and the Under Secretary for Management may give retroactive effect to promotions whenever:

- (1) Necessary to carry out the provisions of 3 FAM 2328; or
- (2) The promotion is made to comply with a recommendation of the Foreign Service Grievance Board, an equal employment opportunity appeals examiner, the Special Counsel, or to correct an administrative error; and
- (3) Prospective promotion alone would not constitute a fair and adequate remedy to an adversely affected member.

b. Promotions shall be effected retroactively, if pursuant to an order or decision of the Foreign Service Grievance Board.

3 FAM 2325 DETERMINATION OF NUMBER OF PROMOTIONS

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. The Under Secretary for Management annually determines the number of promotions of members of the Foreign Service reviewed by the selection boards taking into account such factors as vacancies, availability of funds, estimated attrition, projected needs of the Service, and the need for retention of expertise and experience as provided in 3 FAM 6200.

NOTE: Until 3 FAM 6200 is revised and published, old 3 FAM 730 (although no longer included in 3 FAM) is still in effect, since this regulation was a negotiated agreement.

b. Decisions by the Under Secretary on the number of individuals to be promoted into and within, and to be retained in, the Senior Foreign Service will be based upon a systematic, long-term projection of personnel flows and needs designed to provide.

(1) A regular predictable flow of recruitment into the Service;

(2) Effective career development to meet Service needs; and

(3) A regular, predictable flow of talent upwards through the ranks and into the SFS.

c. The number of promotions shall be determined for each class and competition category prior to the submission of findings and recommendations by the responsible selection board. A copy of the list of promotion numbers determined will be made available to the exclusive employee bargaining representative which will hold the list in confidence. Once promotion lists have been published, the employee representative may request and will receive a briefing concerning any discrepancies that appear between the previously established numbers and the actual number of promotions by class and category.

3 FAM 2326 SELECTION BOARD AND PRECEPTS

3 FAM 2326.1 Selection Boards

3 FAM 2326.1-1 Composition

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. Selection boards are normally composed of:

(1) Members of the Foreign Service; and

(2) Public members.

When possible career employees of other agencies will be included as members of the selection boards.

b. The number of selection boards and the composition of each will be determined by the Director General on the basis of the:

(1) Numbers and categories of employees to be evaluated;

(2) Time required for the various boards to complete their work; and

(3) Needs of the Service.

The organization of the boards will be published in the selection board precepts (see 3 FAH-1 H-2320).

c. The Director General will ensure that selection boards are fully staffed for the duration of the selection board process. Should members become incapacitated or otherwise incapable of performing their duties, a new member will be appointed.

d. All selection board members shall be approved by the Director General and shall not serve on a selection board for two consecutive years.

e. All selection boards shall include public members and a substantial number of women and members of minority groups.

f. Names of proposed selection board members shall be provided to the exclusive representative, if any, for comment.

3 FAM 2326.1-2 Selection and Qualification of Members

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. **State Members** – State members of selection boards shall, so far as possible, meet the following qualifications:

(1) Have a rank at least one class higher than that of the employees to be rated;

(2) Have the depth and breadth of experience necessary to evaluate the employees designated for consideration by the boards;

(3) Have a superior record of service; and

(4) Have a reputation for unbiased judgment of personnel and for perceptive evaluation of performance.

b. **Public Members** – Each public member of a selection board shall so far as possible, meet the following qualifications:

(1) Have gained prominence in a profession, in business, in labor, or in a non-governmental organization or institution serviced by, or having an interest in the Foreign Service;

(2) Have some overseas experience;

(3) Be available to serve on a full-time basis during the entire time that the boards are in session; and

(4) Not be employed in the Federal service.

c. **Other Agency Members** – Other Federal government employees from the Civil Service of the Department of State or from other departments or agencies, who are invited to serve on selection boards shall, so far as possible, meet the following qualifications:

(1) Have a rank of Grade 15 or above;

(2) Have the depth and breadth of experience necessary to evaluate the employees designated for consideration by the boards; and

(3) Have familiarity with issues related to serving abroad in the Foreign Service as the result of having held pertinent positions in the Department of State or other agencies dealing with foreign affairs.

3 FAM 2326.1-3 Functions of the Selection Boards

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

The functions of the Selection Boards are:

(1) To evaluate the performance folders of members designated by the precepts for consideration and to rank them in the order of their relative merit, in accordance with the precepts; and to make recommendations:

- For promotion to the next higher class;
- For denial of within-class step increases to members whose performance during the most recent rating period is found to have fallen below the standards of their class;
- For offer or renewal of limited career extension (3 FAM 6200);
- Of members to be considered for possible selection-out (3 FAM 6200);
- For award of performance pay to career members of the Senior Foreign Service;
- For additional within-grade step increases for especially meritorious service (MSI).

NOTE: Until 3 FAM 6200 is revised and published, old 3 FAM 730 (although no longer included in 3 FAM) is still in effect, since this regulation was a negotiated agreement.

(2) To prepare such other lists and recommendations as required by the precepts.

(3) To prepare recommendations for improving the Department's policies and procedures for evaluating the performance of members of the Service and for the operation of future selection boards.

3 FAM 2326.2 Precepts

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. Precepts for the selection boards shall establish the rules, procedures, and criteria governing selection board review including:

- (1) The organization of the selection boards;

- (2) The specific responsibilities of the selection boards;
 - (3) The categories of personnel eligible or ineligible for selection board review;
 - (4) The minimum time-in-class required of eligible employees for selection board review;
 - (5) The competition groups in which eligible employees will be reviewed;
 - (6) The criteria on which selection board recommendations are to be based; and
 - (7) Such other provisions relevant to selection board review as may be deemed appropriate.
- b. The precepts shall be published in 3 FAH-1 H-2320 and distributed to member of the selection boards for their guidance.
 - c. The precepts shall:
 - (1) Inform the selection boards of the Department's policies on promotion and factors to be considered in evaluating employees, and
 - (2) Include a description of the needs of the Service for performance requirements, skills, and qualities which are to be considered in recommendations for promotion.
 - d. Precepts for selection boards responsible for recommending promotions into and within the Senior Foreign Service shall:
 - (1) Emphasize performance which demonstrates the strong policy formulation capabilities, executive leadership qualities, and highly developed functional and area expertise which are required for the Senior Foreign Service; and
 - (2) Provide instructions to the selection boards for rating employees of the Service on the basis of relative merit.

3 FAM 2327 UTILIZATION OF PROMOTION OPPORTUNITIES MADE AVAILABLE BY CHANGES IN PERSONNEL STATUS

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. To assure that promotion opportunities are properly utilized each year, the Office of Performance Evaluation (PER/PE) will follow the policies below concerning addition of names to promotion lists to fill unexpected vacancies.

b. Whenever retirement, resignation, death, or other change in personnel status creates a vacancy on the pending promotion lists giving effect to selection board recommendations, the promotion opportunity thereby made available will be assigned to the employee recommended for promotion in that competition group who is first in rank order below the promotion cutoff point.

c. For Foreign Service members whose promotions are approved by the President, to the fullest extent feasible, such substitutions will be made to the annual promotion list before it is sent by the Secretary to the White House. Where this is not possible, for example, in the case of officers resigning after the list leaves the Department, the additions will be made to the first miscellaneous promotion list next prepared for the President.

d. The officer receiving the promotion opportunity will be notified by PER/PE.

e. With regard to the Foreign Service promotion list approved by the Under Secretary for Management, substitutes to complete the list as provided in paragraph b above will be made to the fullest extent feasible up to the time the promotion list is approved by the Under Secretary. Where changes in personnel status free additional opportunities before promotions become effective but cannot be reflected through additions to the annual list, approval by the Under Secretary of a promotion for the nominee will be sought as soon as feasible by separate memorandum, and the member added will be notified.

f. All promotion opportunities which become available before the effective dates of promotions as the result of changes in the status of personnel on the promotion list will be utilized through these procedures. These procedures do not apply, however, in cases of temporary removal of names from the promotion list under the provisions of 3 FAM 2328.

g. Resignations, retirements, and other changes in personnel status effective on or after the effective date of promotion lists do not create “unutilized opportunities,” and action will not be taken to promote substitutes.

3 FAM 2328 TEMPORARY OR PERMANENT REMOVAL OF NAMES FROM PROMOTION LISTS

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

The procedures governing the removal of names from promotion lists, as authorized by section 605 of the Act, are as follows:

(1) At any time prior to the forwarding to the President of a promotion list of members of Class FS-1 and of the Senior Foreign Service, or at any time prior to the effective date of a promotion list of other members of the Foreign Service, the Director General may order the temporary exclusion from such a list of any member if the Director General determines, on the basis of notification by an appropriate office, that reason exists to believe such promotion would be inconsistent with the national interest or the efficiency of the Service. Such reasons must be based upon written documentation of either:

(a) Issues of loyalty, security, misconduct, suitability, or malfeasance; or

(b) Indications that documentation available to the selection board regarding the member’s performance may have been significantly inaccurate or incomplete.

(2) Following action under 3 FAM 2328 (1), the Director General will inform the member concerned in writing of the action taken and will initiate, pursue, or monitor such inquiry, investigation, or proceedings as are appropriate to the issue giving rise to the removal. The member will be given an opportunity to submit whatever information or documents the member believes are pertinent to the case. Upon disposition or resolution of the issue, the Director General will take one of the following actions:

(a) Order the inclusion of the name on the next promotion list from which the name was initially removed *with retroactive effect to the date of the promotion list from which the name was initially removed.*

(b) If resolution of the issue results in the inclusion of a letter of reprimand or other documentation in the member’s performance folder under 3 FAM 2810, reconvene the selection board which earlier recommended promotion to determine whether or not the member is qualified on the basis of the complete performance file to serve at the next higher grade.

(3) Upon reconvening, the selection board will receive only information on the member previously supplied to it, and material supplied under 3 FAM 2328 (2)(b). Prior to board review, the member will be supplied copies of all material added to the file and will be accorded the opportunity to submit a response or rebuttal for placement in the file. If any member of the original board is unavailable for personal participation, that member may participate by correspondence or may be excused from participation by the Director General.

(4) The finding of the reconvened board regarding the member in question will be final and binding to the same extent as if made at the initial session. If the board concludes that the member is qualified, based on current record, to serve at the next higher level, the Director General will order the inclusion of the name on the next promotion list with the effective date retroactive to the date of the promotion list from which the name was initially excluded. If the board concludes that the member is not currently qualified, based on current record to serve at the next higher level, the Director General will confirm the prior exclusion from the specific promotion list at issue.

(5) Notwithstanding the time-in-class limits established in 3 FAM 6213, involuntary separation for expiration of maximum time-in-class of a member whose name has been removed from a promotion list under the authority of 3 FAM 2328 (1) shall be suspended until the Director General either:

(a) Orders the inclusion of the member's name on a promotion list (see 3 FAM 2328 (2)(a)); or

(b) Confirms the prior exclusion of the name from the promotion list (see 3 FAM 2328 (4)).

(6) If a member whose name was temporarily removed from a promotion list receives a retroactive promotion under 3 FAM 2328 (2)(a) or 3 FAM 2328 (4), the member's maximum single-class time-in-class for the class to which the member has been promoted shall begin from the date the promotion is implemented rather than from the effective date of the promotion.

(7) When a member in the circumstances described in 3 FAM 2328 (6) is also subject to a cumulative time-in-class, the full balance remaining in such time-in-class at the time promotion was suspended shall be restored as of the date the promotion is implemented.

3 FAM 2329 EFFECTING PROMOTIONS FOR MEMBERS OF THE FOREIGN SERVICE

3 FAM 2329.1 Effective Date for Members of the Foreign Service Promoted Into and Within the Senior Foreign Service

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

a. The effective date of appointment for members promoted into the Senior Foreign Service or members within the SFS to a higher class shall be the first day of the pay period after the President attests the appointment after receiving the advice and consent of the Senate, unless the President specifies another date.

b. If the President's nomination for promotion of a member of the Senior Foreign Service occurs during a recess of the Senate, the Senior Foreign Service member shall receive the salary rate of the class to which nominated from the first day of the pay period after the President's nomination to the end of the next session. If the Senate rejects or fails to act on the appointment, the Senior Foreign Service member, unless liable to selection-out, shall be reinstated to the class from which nominated at the salary received before the nomination, except that the member will be granted any within-class salary increases to which the member would otherwise have been entitled. Such reinstatement shall be effective from the date of the rejection of the nomination, or, in the event of failure of the Senate to act on the nomination during the session following the member's nomination, from the termination of that session.

c. Similarly, if nomination for promotion into the Senior Foreign Service falls during a recess of the Senate, a limited appointment to the Senior Foreign Service for the duration of the session shall be made.

3 FAM 2329.2 Effective Date for Other Foreign Service Members

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

The effective date for members of the Service promoted by assignment to a higher salary class in the Foreign Service schedule shall be established by the Under Secretary for Management.

3 FAM 2329.3 Administrative Promotions

3 FAM 2329.3-1 Policy

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

These policies and procedures govern the promotion of all members of the Foreign Service in classes FS-5 and below, who are serving in career candidate or career appointments. Usually, only career candidates will serve in categories at classes subject to administrative promotion; however, career employees may also enter such classes and categories through skill code conversions and other programs. These regulations apply to both categories of personnel as specified.

(1) Career and career candidate members of the Foreign Service at and below the FS-5 level will be promoted administratively on the basis of satisfactory performance from the class of initial appointment up to class FS-4, except for members with primary skill codes in the following occupational categories where position classification structure permits administrative promotion only to the ceilings designated:

Occupational Category	Designated Ceiling Skill Code(s) for Administrative Promotions
Information Management Specialist 2880	Class FS-5
Diplomatic Courier 2580	No administrative promotions for Diplomatic Couriers who joined the service prior to June 1992
Secretary 9015	Class FS-7

(2) In order to be promoted administratively, such members in the applicable classes need only meet the time-in-class requirements in 3 FAM 2329.3-2 and demonstrate that their performance has been satisfactory.

3 FAM 2329.3-2 Time-in-Class Considerations for Administrative Promotions

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

The following time-in-class requirements apply to members of the Foreign Service to whom this section applies:

(1) Members in class FS-9 will be promoted administratively to class FS-8 on the basis of satisfactory performance after 12 months in class.

(2) Members with primary skill codes in the secretarial field will be promoted administratively from class FS-8 to FS-7 on the basis of satisfactory performance after 18 months in class.

(3) Members with a primary skill code in the information management occupational category (skill code 2880) will be promoted administratively from class FS-7 to FS-6 on the basis of satisfactory performance after 12 months in class and from class FS-6 to FS-5 following completion of 18 months in class with satisfactory performance.

(4) All other members who are at class FS-5 or below will be promoted administratively, one class at a time, up to class FS-5 following completion of 12 months in each class with satisfactory performance and from class FS-5 to FS-4 following completion of 18 months in class with satisfactory performance.

(5) Members entering an occupational category and class subject to administrative promotion, through skill code conversion or other lateral transfer, will be given credit in calculating required time-in-class for periods of previous service in present class while assigned to a position with the primary skill code of the new occupational category.

3 FAM 2329.3-3 Temporary or Permanent Deferral of Administrative Promotion

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

At the time a member becomes eligible for a scheduled administrative promotion, the Director General may order the temporary deferral of a promotion if the Director General determines such promotion would be inconsistent with the national interest or the efficiency of the Service. Such determinations must be based upon the procedures published in 3 FAH-1 H-2320.

3 FAM 2329.3-4 Date of Separation

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

When ordering separation under 3 FAM 2329.3-3 and 3 FAH-1 H-2320, the Director General will set the effective date, which may be no less than 30 days following notification of that action, not counting needed travel time to return to Washington, D.C., if abroad.

3 FAM 2329.3-5 Effective Date

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

Foreign Service career candidates and career members in classes FS-5 and below who meet the criteria for promotion under these regulations will be promoted effective the beginning of the first pay period following eligibility.

3 FAM 2329.3-6 Grievances

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

Nothing in these regulations will abridge the rights of members under Chapter 11 of the Act, Grievances.

3 FAM 2329.3-7 Transitional Period

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

These regulations will apply to Foreign Service members at class FS-5 and below who have been converted to career appointments or career candidate appointments (02 tenure code) under sections 2101 and 2106 of the Act, if such members were converted to classes and occupational categories subject to administrative promotions identified in 3 FAH-1 H-2320. In calculating the time-in-class requirement for promotion, such members will be given credit for any period spent in the equivalent class from which converted during which they had a primary skill code in their current occupational category or were assigned to a position with such a primary skill code.

3 FAM 2329.3-8 Foreign Service Members Not Covered by Administrative Promotion

(TL:PER-360; 06-10-1998)

(State Only)

(Applies to the Foreign Service Only)

Foreign Service members above those class levels designated for administrative promotion will compete for available promotion opportunities in their occupational categories along with other eligible members in their class and competition group in regular Selection Board competition in accordance with Selection Board precepts.