

## Office of Personnel Management

## § 330.104

*Rating of record* has the meaning given that term in § 351.203 of this chapter.

*Representative rate* has the meaning given that term in § 351.203 of this chapter.

*Tenure groups* are described in § 351.501 of this chapter.

(b) In this subpart:

*Vacancy* means a vacant position in the competitive service, regardless of whether the position will be filled by permanent or time-limited appointment, for which an agency is seeking applications from outside its current permanent competitive service workforce.

### § 330.102 Methods of filling vacancies.

An agency may fill a vacancy in the competitive service by any method authorized in this chapter, including competitive appointment from a list of eligibles, noncompetitive appointment under special authority, reinstatement, transfer, reassignment, change to lower grade, or promotion. The agency must exercise its discretion in each personnel action solely on the basis of merit and fitness, without regard to political or religious affiliation, marital status, or race, and veterans' preference entitlements.

### § 330.103 Requirement to notify OPM.

An agency must provide the vacancy announcement information to OPM promptly when:

(a) Filling a vacancy for more than 120 days from outside the agency's current permanent competitive service workforce, as required by the Inter-agency Career Transition Assistance Plan, subpart G of this part, unless the action to be taken is listed in subpart G as an exception to that subpart;

(b) Filling any vacancy under the agency's merit promotion procedures when the agency will accept applications from outside its permanent competitive service workforce; and

(c) Filling a vacancy by open competitive examination, including direct hire procedures under part 337 of this chapter, or in the Senior Executive Service, as required by 5 U.S.C. 3327.

### § 330.104 Requirements for vacancy announcements.

(a) Each vacancy announcement must contain the following information:

- (1) Name of issuing agency;
- (2) Announcement number;
- (3) Position title, series, pay plan, and grade (or pay rate);
- (4) Duty location;
- (5) Number of vacancies;
- (6) Opening date and application deadline (closing date) and any other information concerning how receipt of applications will be documented, such as by date of receipt or postmark, and considered, such as by cut-off dates in open continuous announcements;
- (7) Qualification requirements, including knowledge, skills, and abilities or competencies;
- (8) Starting pay;
- (9) Brief description of duties;
- (10) Basis of rating;
- (11) What to file;
- (12) Instructions on how to apply;
- (13) Information on how to claim veterans' preference, if applicable;
- (14) Definition of "well-qualified," as required by subparts F and G of this part;
- (15) Information on how candidates eligible under subparts F and G of this part may apply, including required proof of eligibility;
- (16) Contact person or contact point;
- (17) Equal employment opportunity statement (Agencies may use the recommended equal employment opportunity statement located on OPM's USAJOBS website.); and
- (18) Reasonable accommodation statement.

(b)(1) An agency may use wording of its choice in its statement that conveys the availability of reasonable accommodation required by § 330.104(a)(18). In its reasonable accommodation statement, an agency may not list types of medical conditions or impairments appropriate for accommodation.

(2) Agencies may use the recommended reasonable accommodation statement located on OPM's USAJOBS website.