

CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

CPSC EXECUTIVE SESSION
1750 K Street, N.W.

August 8, 1974
9:30 a.m.

Presiding: Chairman Simpson

Present: Commissioner Kushner
Commissioner Franklin
Commissioner Newman
Commissioner Pittle

ITEM

Selection of Director of Bureau of Information and
Education.

DECISION

After reporting on the status of other possible candidates for the position, the Chairman, in accordance with Section 4(g)(1) of the Consumer Product Safety Act, nominated William White as the permanent director of the Bureau of Information and Education. The Commission concurs and further agrees to request that, because of Mr. White's broad background experience, the Civil Service Commission grant a waiver for any missing college courses in this area.*

COMMISSION VOTE

Concur: Chairman Simpson
Commissioner Kushner
Commissioner Newman
Commissioner Pittle

R. Simpson
J. Kushner
C. Newman
R. David Pittle

Do Not Concur: Commissioner Franklin**

B. Franklin

*Subsequent information provided by Mr. White (9-9-74) to the Personnel Management Division (ORU) indicated no need for a waiver.

Submitted by:
Commissioner Pittle
October 7, 1974

**Opinion attached

RECEIVED
OFFICE OF THE SECRETARY
THE CONSUMER PRODUCT SAFETY COMMISSION
OF THE UNITED STATES OF AMERICA
AUG 21 2 26 PM '74

DISSENTING OPINION OF
COMMISSIONER BARBARA H. FRANKLIN
REGARDING THE SELECTION OF A
DIRECTOR FOR THE COMMISSION'S BUREAU
OF INFORMATION AND EDUCATION

On August 8, 1974, in Executive Session, Chairman Simpson proposed, and three other Commissioners approved, the appointment of Mr. William White for the position of Director of the Commission's Bureau of Information and Education (BIE). In my view, that decision violates the Commission's own Merit Promotion Plan, shows flagrant disregard for the Commission's Policy on Equal Employment Opportunity, and sidesteps Section 3-9(c) of Chapter 335 of the Federal Personnel Manual. Accordingly, I strongly dissent.

I want to make clear at the outset that nothing in this opinion should be construed as a criticism of Mr. White, who is currently the Acting Director of BIE and for whom I have a high regard. Mr. White has served the Commission with dedication since its creation.

I. Background

To view the BIE case in context, there are two important things to note:

- In accordance with Civil Service Commission regulations, CPSC has instituted a Merit Promotion Plan which governs promotion under the career civil service system. The Commission's Merit Promotion Plan was issued by Chairman Simpson on July 20, 1973. (See Attachment A.)
- On May 9, 1974 all five Commissioners signed the Policy on Equal Employment Opportunity. (See Attachment B.)

Policy statements on the subject of equal employment opportunities for women and minorities have abounded in the past several years. It has become fashionable to pay lip service to them. Lip service is easy because policy statements on this subject are usually very general and vague so that their success or failure never can be fully determined. I have been proud of the fact that the CPSC's policy on equal employment opportunity is in vivid contrast. It is forceful and to the point:

Specifically, the Commission's goal is to employ minorities and women at all grade levels and in all job categories in proportion generally to their percentages of the population. The Commission will make special efforts to bring minorities and women into grade levels and job categories which have been traditionally denied them.

II. Facts of the BIE Case

The CPSC Bureau of Information and Education has responsibility for planning and directing the implementation of nationwide consumer education and information programs and assuring coordination of consumer education programs with state and local governments. On October 24, 1973, Chairman Simpson authorized the issuance of a "position description" for the position of the Director of BIE. (See Attachment C.) That description, in accordance with regulations promulgated by the Civil Service Commission, set forth the duties and responsibilities of the BIE Director. It also indicated that the position was to be filled only with a person who had all of the qualifications required for "Series GS-1701" positions. The Civil Service Commission's

requirements for all Series GS-1701 jobs are contained in Handbook X-118, "Qualification Standards for White Collar Positions Under the General Schedule" published by that Commission's Bureau of Policy and Standards. (See Attachment D.). Handbook X-118 provides that there is only one "basic requirement" for positions at all grade levels within Series GS-1701:

...(C)andidates must have successfully completed a full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree which included or was supplemented by a major study in education or in a subject field appropriate to the work of the position.

The vacancy in the position of Director of BIE and the search for qualified candidates was announced by a CPSC Merit Promotion Vacancy Announcement DPM-0202-74, with a closing date of June 12, 1974. (See Attachment E.) Because the Director of BIE would be at the GS-15 grade level (with the possibility that the position would be recommended for upgrading to GS-16), the Commission's Merit Promotion Plan became applicable, mandating that a Merit Promotion Panel must be used.*

A Merit Promotion Panel, usually consisting of three members, evaluates all candidates to fill a position, rating those who meet the minimum qualification standards. (See Section 10(d) of the Merit Promotion Plan.) Further, Section 10(a) of the Plan addresses "minimum qualification standards" as they relate to the process of qualifying and evaluating candidates:

* The CPSC's Merit Promotion Plan provides in Section 11 that as a general rule "[a]t the GS-14 and GS-15 levels, panels will be held in each instance..."

The Civil Service Commission publishes minimum qualification standards for Federal positions in all occupations. These stipulate requirements for minimum education and/or experience which candidates must possess in order to qualify for consideration. [Emphasis added.]

Those candidates who are rated as best qualified are "certified" by the panel, and their names are included on a "certificate" which is forwarded to the selecting official who makes the final decision. According to section 12 of the CPSC Merit Promotion Plan, "The selecting official may select any of the applicants referred on the promotion certificate."

In the BIE case, two men and one woman composed the Merit Promotion Panel which evaluated a number of male and female candidates for the BIE position. The Panel determined that only three persons met the minimum qualification standards and could be included on the certificate. The certificate, entitled "CPSC Personnel Office Certificate of Eligibles for the Merit Promotion Program," was issued on June 20, 1974 by the Director of the CPSC's Division of Personnel Management. It certified three candidates to the Commissioners. All three candidates were female, and one was black.

III. The Commission's Decision

Final selection of the BIE Director then came before the Commission. Usually, the full Commission is not involved in the selection and appointment of staff personnel; those matters are generally reserved to the Chairman in accordance with Section 4(g)(2) of the Consumer Product Safety Act. In this particular instance, however, a majority of the Commissioners had become the "selecting officials" in view of Section 4(g)(1) of the Consumer

Product Safety Act which provides:

The Chairman, subject to the approval of the Commission, shall appoint...a Director of Information.

Of the three certified candidates, the Chairman proposed, and the Commissioners unanimously approved, the appointment of the person considered to be best qualified for the BIE position. She was offered the job, but declined, bringing into focus the other two female candidates. Although both were certified and rated as qualified, they were rejected and Mr. White, who was rated as not qualified and was not certified, was appointed.

Although I understand that Mr. White applied for the job, as is his right under the Merit Promotion Plan, the Panel did not rate Mr. White as qualified and did not certify his name to the Commissioners. In addition, the Division of Personnel Management forwarded to the Commissioners the Panel's rating sheet on Mr. White, indicating that he was "NQ [Not Qualified] Lacks Education," and adding:

Mr. William White does not meet the mandatory educational qualifications for the Director of BIE... In order to place Mr. White in this position, prior approval for a waiver of qualifications must be obtained from the Civil Service Commission. [Emphasis added.]*/

* The basis for the selection of Mr. White was apparently that he was awarded a higher point score by the Merit Promotion Panel than the other candidates were. Since the Panel used a rating system which gave a heavy weight to work experience, and since Mr. White was Acting Director of BIE, the assessment of his work experience was quite high, and this gave him a slightly higher point total than any of the other candidates. The point total is, of course, a guide to the selecting official and is, at best, an imprecise tool. Neither Civil Service Regulations nor CPSC policy requires that the person with the highest point total be chosen. Indeed, the candidate who was first offered the job and declined had a point total lower than Mr. White's.

A majority of the Commissioners decided to request the Civil Service Commission waiver of requirements, in the event Mr. White accepted the job offer. Subsequently, he accepted, and efforts to secure the waiver are underway.

IV. Conclusion

The Commissioners' action in the BIE case violates both the Commission's own Merit Promotion Plan and its own Equal Employment Opportunity policy.

First, the Merit Promotion Plan provides that the "selecting official may select any of the applicants referred on the promotion certificate." In this case, an individual not qualified and not on the promotion certificate was selected, and two candidates, who were qualified and certified, were rejected.

Second, the action of the Commission is a clear contradiction of the Commission's Equal Employment Opportunity policy which states that "the Commission's goal is to employ minorities and women at all grade levels and in all job categories in proportion generally to their percentages of the population." It further provides that the Commission will make "special efforts to bring minorities and women into grade levels and job categories which have traditionally been denied them."

In this case, the majority of Commissioners rejected two qualified and certified female candidates, one of whom was black, and selected a white male

whom the Merit Promotion Panel specifically evaluated as not qualified and not certified for the job of BIE Director.

The only "special efforts" made here were to ensure that the two qualified and certified women candidates would not get the job. This action turns the CPSC's Policy on Equal Employment Opportunity into a string of platitudes. The implications for women as well as for minorities are serious.

Additionally, prior to selecting the male candidate, the Commissioners received a memorandum dated August 6, 1974, from the Commission's Assistant General Counsel for Administration which spelled out the alternatives available to them in making their final selection and which set forth those factors which they must consider. The memo urged consideration of Section 3-9(c) of Chapter 335 of the Federal Personnel Manual which identifies selection practices which should be avoided:

Agencies should avoid practices that may lead employees to believe that a person was preselected for a job filled under competitive promotion procedures or that a promotion was based on favoritism. Among these practices are changes in qualification requirements, last-minute additions to certificates, reappraisals of candidates, and long delays in selection. These practices tend to undermine employee confidence in the promotion system and give rise to complaints, even though the selection was entirely proper. When it is necessary for valid reasons (such as to correct an error or an oversight) to undertake one of these practices, the promotion record must indicate the reasons and appropriate notice must be given to affected employees.

In short, the Commission changed the rules long after the game began. I believe this action was unconscionable and unfair to the certified

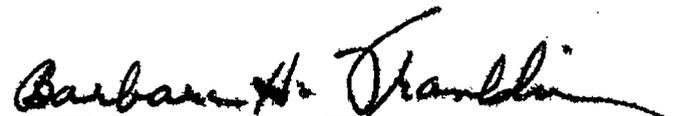
candidates and is all too reminiscent of the way qualified women and minorities have been kept out of the many positions in the past.

In conclusion, as one might deduce from the foregoing, the CPSC's record on employment of women in senior executive positions is lamentable. The following chart speaks for itself:

CONSUMER PRODUCT SAFETY COMMISSION
SENIOR EXECUTIVE POSITIONS
As of August 13, 1974

<u>Senior Executive Positions</u>	<u>Men</u>		<u>Women</u>		<u>Total Number</u>
	<u>Number</u>	<u>% of Total</u>	<u>Number</u>	<u>% of Total</u>	
General Counsel, Secretary, Public Affairs Director, Congressional Relations Director	2	50%	2	50%	4
Executive Director and Deputy Executive Director	2	100%	0	0	2
Office Directors and Bureau Directors	12	100%	0	0	12
Area Office Directors	13	93%	1	7%	14
TOTAL	29	91%	3	9%	32

The Commission's action in the BIE case is a sad but clear signal to present and future employees that where merit promotion and equal employment opportunity are concerned, the CPSC doesn't mean what it says.


Barbara Hackman Franklin
Commissioner

August 20, 1974

MEMORANDUM

CONSUMER PRODUCT SAFETY COMMISSION

DATE: July 20, 1973

TO : All Consumer Product Safety Commission Personnel

FROM: Richard O. Simpson, Chairman *Richard O. Simpson*

SUBJECT: Merit Promotion Plan

The U. S. Civil Service Commission requires that each Agency establish and administer a Merit Promotion Program. To expedite the development and staffing of our new organization an interim Merit Promotion Plan has been developed for use effective July 30, 1973.

All Commission promotions will follow the policies and procedures outlined in the attached interim merit promotion plan. This plan was developed within the guidelines of the Civil Service Commission and will serve as our operating plan for six months to a year or until we have had time to receive, evaluate, and implement employee comments and suggestions.

The plan will provide that all qualified employees will receive due consideration for all vacancies and that the Consumer Product Safety Commission obtains the best personnel available.

Candidates will not be required to submit an SF-171, "Personal Qualifications Statement" when applying for consideration for a vacancy. The SF-171 on file in the employee's personnel file will be utilized in the rating process. Employees who feel that their SF-171 is not up to date should submit a current application.

To expedite administration of merit procedures in the Field Service, each Area Office will announce vacancies for all technical and clerical positions for their commuting area, GS-7 and below. Area Offices may exercise this authority only after completion of training provided by Division of Personnel Management.

Each employee should be concerned that the merit promotion plan which is implemented is fair and objective. Therefore, all employees are urged to review the plan carefully and submit any comments in writing to the Personnel Office for consideration when preparing the final plan.

CONSUMER PRODUCT SAFETY COMMISSION PERSONNEL OFFICE
MERIT PROMOTION PROGRAM

1. PURPOSE

To state the basic policy and key requirements of the CPSC Merit Promotion Program for filling vacancies involving promotion.

2. POLICY OBJECTIVES

The CPSC Merit Promotion Program outlines the objectives of the Federal Merit Promotion Policy as stated in FPM Chapter 335. A sound promotion program, fully supported by managers, supervisors, and employees, is essential to maintaining an effective and motivated workforce. The program is directed toward:

- a. Staffing positions with highly qualified employees.
- b. Providing information on career opportunities to employees.
- c. Assuring that the skills and qualifications of all employees are fairly considered in the staffing process.
- d. Encouraging employees to improve their performance and to develop their skills, knowledge, and abilities.
- e. Selecting employees without regard to race, creed, color, national origin, religion, sex, age, marital status, handicap, or any other non-merit reason and without favoritism based on personal relationships or patronage.

3. KEY REQUIREMENTS

The CPSC Merit Promotion Program will implement the following:

- a. Employees who meet the minimum qualification standards, essential administrative requirements, and any legal or regulatory requirements imposed by the Civil Service Commission will be considered eligible for promotion.
- b. Areas of consideration (this term is explained later), within which employees are identified to compete for advancement, will be established to provide management with an adequate number of highly qualified candidates and to provide employees with adequate promotion opportunities.

- c. Promotions and placements into positions with known promotion potential will generally be based on open competition between basically eligible employees. Promotions without competition are authorized with due consideration to recognized merit principles and are limited to actions enumerated in paragraph 6, b and c.
- d. Appropriate job-related criteria will be evaluated for all promotion candidates.
- e. Concurrent consideration will be given to candidates outside the agency when necessary to assure an adequate supply of highly qualified candidates for management's consideration, and as further specified in the general merit promotion plan.
- f. Views of employees and recognized employee groups will be considered in developing and establishing merit promotion procedures.
- g. Employees will be informed about the promotion program, the policies and provisions of the promotion plan, eligibility requirements, and advancement opportunities.

4. RESPONSIBILITIES

The following responsibilities are assigned:

- a. The Personnel Office will coordinate, develop, and implement the Merit Promotion Program.
- b. Supervisors will (1) impartially select from among the highly qualified candidates the individuals whom they believe will best perform in their positions; (2) prepare appraisals of their employee's performance and performance potential; and (3) provide appropriate developmental assignments and training. Supervisors will submit for promotion consideration the names of employees who are on detail or leave. An employee may designate someone other than his supervisor to perform this function, while on detail.
- c. Employees are responsible for applying for announced vacancies in which they are interested and for which they qualify.

5. PROMOTION PLANS

Promotion plans issued in accordance with the requirements of this promotion program will be used to fill all CPSC vacancies involving competitive promotion. These plans will not apply to positions in the excepted service nor to positions in the Public Health Service Commissioned Corps.

6. COMPETITIVE PROMOTION PROCEDURES

a. Applicability of Plan: The following types of personnel actions are included under the Merit Promotion Procedures:

- (1) Promotion of an employee except as stated in paragraphs b and c below.
- (2) Selection for transfer or reinstatement to a higher grade position or to a position at the same or former grade with known promotion potential.
- (3) Reassignment to a position with known promotion potential.
- (4) Selection of a Federal employee from a Civil Service register for a higher grade position or one with known promotion potential.
- (5) Selection for detail for more than 60 days to a higher grade position or one with known promotion potential.
- (6) Selection for training required for promotion.
- (7) Temporary promotion for more than 120 days.

b. Actions in which current competition is unnecessary

Since competitive procedures were previously followed and documented, current competition is not required in the following promotion actions:

- (1) Career promotions made under training or executive development agreements approved by the Civil Service Commission.
- (2) Promotions made after competitive selection for detail or temporary promotion.
- (3) Promotion of an employee from an understudy position to the target position when the promotion potential was initially publicized.
- (4) Career promotions of employees in positions filled through competitive procedures at a grade level below the established or anticipated level for reasons such as trying out a candidate.

- (5) Career promotion of an employee whose position is reconstituted at a higher grade as a result of gradual accretion of duties over a period of not less than 90 days, not as a result of planned management action.
- (6) Career promotion of an employee in the normal progression from the beginning level to the journeyman level of an occupation provided the position was originally announced as having promotion potential.
- (7) Selection from CSC registers of persons outside the Federal service, or of Federal employees serving on temporary appointments.

c. Actions exempt from Competitive Promotion Requirements

- (1) Reinstatement or transfer of an outside candidate at the same grade or a lower grade than that last held, on a permanent basis to a position with no known promotion potential.
- (2) Repromotion of an individual to a grade or position not exceeding that from which he was downgraded in the Federal service without personal cause and not at the employee's request. This provision applies in the case where employees have accepted lower grade positions in lieu of reduction in force or failure to follow a transfer of function.
- (3) Promotion to an appropriate vacancy after failing to receive proper consideration in a previous promotion action. Employees are entitled to only one consideration under this provision.
- (4) Promotion of incumbents of positions reconstituted to higher grades because of:
 - (a) Changes in classification standards.
 - (b) Error in the allocation of the original positions.
- (5) Conversions to a different pay system without changes in duties or responsibilities.
- (6) Promotion of an employee during a formal reduction in force caused by assignment to a position for which pay is fixed at a higher rate because of established policy or different minimum rates.

(7) Individual promotion or placement actions where prior approval was obtained from the Civil Service Commission to process the action as an exception to the requirements of the competitive promotion procedures.

(8) Temporary promotion for 120 days or less.

(9) Selection for detail to a higher grade position or one with known promotion potential for 60 days or less.

7. INFORMATION ABOUT PROMOTION ACTIONS

Each employee has the right to learn, with respect to individual promotion actions:

- a. Whether he met the minimum requirements for the position.
- b. Whether he was considered for the promotion.
- c. Whether he was among those given final consideration for the promotion.
- d. Who was selected for the promotion.

Supervisors and the Personnel Office will, upon an employee's oral or written request, assist him in obtaining the above information about any individual promotion or placement action for which he was considered.

8. REQUEST FOR REVIEW OF PERSONNEL ACTION

Any CPSC employee may take up questions about the promotion plan's specific promotion actions with his supervisor or the Personnel Office. If the matter can not be resolved on an informal basis, the employee may request a formal review.

9. PROGRAM REVIEW

The effectiveness of this Merit Promotion Program will be evaluated after an interval of 6 to 12 months to determine what changes should be made. The Personnel Office will welcome suggestions for program improvements from all levels of management and employees.

10. QUALIFYING AND EVALUATING CANDIDATES

- a. Minimum qualifications standards: The Civil Service Commission publishes minimum qualification standards for Federal positions in all occupations. These stipulate requirements for minimum education and/or experience which candidates must possess in order to qualify for consideration.

- b. Selective Placement Factors: When selective placement factors, such as knowledge of a foreign language or a particular attribute are determined to be essential to successful performance in the position to be filled, such factors and their use will be subject to the prior approval of the Director of Personnel, in consultation with the selecting official. EEO representatives may serve as advisors to the Personnel Office on the use of selective factors. Upon approval, such factors will become a part of the minimum qualification standards. These selective factors will be included in the vacancy announcement.
- c. Supervisory Positions: The Civil Service Commission requires special attention to selections for supervisory positions at all levels. It has published special qualification standards which will be used in evaluating all candidates for any type of supervisory job. These provide a variety of factors for assessing potential managerial ability in addition to technical competence in the given field of work. For the first line supervisory positions, the Civil Service Commission also requires development and execution of a supervisory training plan for individuals selected for first-level supervisory positions.
- d. Evaluation of Candidates: Candidates identified as meeting the minimum qualification standards will be rated by a comparison of experience, training, educational background (if essential to the position), appraisals of past performance, appraisals of supervisory potential, special achievements or awards, and outside activities. When a qualification review board is used, it may recommend that a personal interview be included in the evaluation criteria in order to identify the highly qualified candidates. Evaluation and comparison of each candidate's background will be in relation to the requirements of the position being filled, and not on factors unrelated to the announced job.
- e. Grouping the Candidates: Candidates will be placed in the following groups:

Highly Qualified - Those candidates who possess optimum qualifications for the position to be filled, and who are most likely to succeed on the job.

Fully Qualified - Those candidates who have less than optimum qualifications for the position to be filled, but who are likely to be able to successfully perform the duties of the position.

Qualified

- Those candidates who possess the minimum qualifications for the position to be filled.

A certificate will identify the highly qualified candidates for a vacancy. A certificate will be void 60 calendar days after the issue date.

11. QUALIFICATION REVIEW BOARDS

In instances where the Personnel Office feels that rating can best be done by a group of subject matter experts because of the technical nature, complexity, or subtlety of the requirements of the position, a promotion panel will be convened. In instances where promotion panels are not utilized, the EEO representative will be notified prior to the preparation of merit promotion certificates in order to insure an opportunity to refer candidates for consideration. At the GS-14 and GS-15 levels, panels will be held in each instance unless a rating scale has been previously established for the specific occupation by a group of subject matter specialists, and an EEO representative. When used, Promotion Panels will consist of three members, including one employee directly involved in, or knowledgeable of, the functional area of the position to be filled. Panel members will normally be at least one grade higher than the vacancy to be filled.

The selecting official will not serve on a Panel. When a Panel is not utilized, the staff of the Personnel Office will rate the candidates and list the best qualified eligibles on a promotion certificate for the selecting official. EEO representatives of the agency may review merit promotion records at any time to insure adequate consideration of minority candidates.

12. SELECTION OF CANDIDATES

The Selecting Official may select any of the applicants referred on the promotion certificate. If possible, the selecting official should interview all candidates on the certificate.

13. RELEASING CANDIDATES

The Personnel Office will request the release of employees selected for promotion. The employee selected will normally be released in two weeks, or at the end of the first full pay period after the date of selection, but no later than four weeks, except in highly unusual circumstances as determined by the Director of Personnel.

14. INFORMATION AVAILABLE TO EMPLOYEES

- a. All new employees will receive during orientation information about the Merit Promotion Program and how it operates. Additionally, a copy of the plan will be distributed to each employee.
- b. An employee is entitled to see, upon request, any production record or any supervisory appraisal of past performance or any appraisal of potential.
- c. All applicable regulations and qualification standards may be reviewed in the Personnel Office.

CPSC MERIT PROMOTION PLAN

This attachment prescribes the general merit promotion plan which will be applied when filling all competitive positions for which individual promotion plans have not been developed.

AREA OF CONSIDERATION

1. Unless individual promotion plans are developed and issued for select occupational groups which establish different areas of consideration, the following minimum areas of consideration will apply:
 - a. For positions at GS-12 through GS-15, the minimum area of consideration is the CPSC headquarters and all field offices.
 - b. For positions at GS-11 and below, the minimum area of consideration will be the geographic or commuting area where the position is located.
 - c. Systematic extension of the minimum area of consideration shall be made when the area fails to produce or recent efforts have failed to produce enough highly qualified candidates for the position. Normally every effort will be made to identify CPSC employees before an outside search is undertaken. Systematic extension as described above is not necessary for positions at the GS-6 level and below regardless of the number of eligibles identified.
 - d. For positions covered by this plan that are temporary (i.e., to be filled for a limited period of time not to exceed one year), or that are part-time or intermittent, the area of consideration will be the division, or comparable organizational unit in which the vacancy occurs.
 - e. For positions covered by this plan which are established as a direct result of a reorganization of the type and scope which requires approval by the Chairman, the area of consideration may be limited to the organizational units affected by the reorganization. This provision only applies in situations where on board strength would preclude selection of an outside candidate. There must also be an adequate supply of highly qualified candidates available within this limited area. In each instance where this provision is requested, a written explanation of the circumstances involved, and the request of personnel action will be submitted to the Personnel Office by the Chairman. The written explanation will ultimately be made a part of the Personnel Office's merit promotion records if the provision is utilized.

2. Qualified employees in the following groups will be considered as being in the minimum area of consideration and given the same consideration as other qualified employees when filling position vacancies at any grade level:
 - a. Those employees on active military duty or furlough.
 - b. Those employees who have been transferred or detailed to an international organization.
 - c. Employees who have been detailed to other positions, and employees on leave.
3. Methods of locating Candidates:
 - a. Candidates for consideration in filling positions will normally be located by one or more of the following methods:
 - (1) Publishing a vacancy announcement throughout the area of consideration for a minimum of five (5) working days.
 - (2) Consulting records of the qualifications of available CPSC employees, reinstatement eligibles, and candidates from other Federal agencies.
 - b. Other sources which can be used to assure an adequate number of well-qualified candidates are:
 - (1) Civil Service Commission Certificates.
 - (2) State Employment Service and other appropriate employment offices.
 - (3) Paid and free advertising.
 - c. A vacancy does not have to be announced if a similar vacancy was announced within the past 60 days and failed to produce eligible candidates. The same principle applies if a previous announcement produced candidates in sufficiently large quantity to preclude the need for current announcement.
 - d. The supervisor of the vacant position may suggest the names of candidates, but may not preselect a candidate.

In filling vacancies, serious concurrent consideration should be given to:

- (1) Employing Vietnam Era Veterans eligible for Veteran Readjustment Appointments.
- (2) Employing displaced or about-to-be-displaced employees of other agencies.

DATE: May 9, 1974

TO : CPSC Staff

FROM:

SUBJECT: Equal Employment Opportunity

It is a policy of the Government of the United States to provide equal opportunity in employment to all persons, to prohibit discrimination in employment because of race, color, religion, sex, national origin or, age, and to promote the full realization of equal employment opportunity through a continuing affirmative program in each Agency.

The Consumer Product Safety Commission will implement as effectively and vigorously as possible the equal employment opportunity policy of the United States Government.

Specifically, the Commission's goal is to employ minorities and women at all grade levels and in all job categories in proportion generally to their percentages of the population. The Commission will make special efforts to bring minorities and women into grade levels and job categories which have been traditionally denied them.

The Commission will insure that training, recruiting and upward mobility programs and opportunities emphasize and encourage fuller participation of women and minorities in all aspects of the Commission's activities while giving all employees the opportunity to fulfill legitimate aspirations for self improvement.

Richard R. Simpson
Chairman Simpson

Barbara H. Franklin
Vice Chairman Franklin

Constance B. Newman
Commissioner Newman

Laurence M. Kushner
Commissioner Kushner

R. David Pittle
Commissioner Pittle

POSITION DESCRIPTION

3. Reason for substitution
(a) If this position replaces another (i. e., a change of duties in an existing position), identify such position by title, allocation (service, title, grade), and position number

5. U. S. C. certification No.

6. Date of certification

CLASSIFICATION ACTION

(b) Other (specify)
New Position

7. Date received from U. S. C.

ALLOCATION BY	CLASS TITLE OF POSITION	CLASS			INITIALS	DATE
		Service	Series	Grade		
Civil Service Commission						
Department, agency, or establishment	Director, Bureau of Information & Education	GS	1701	16	MS	2/13/73
Bureau						
Field office						
Recommended by initiating office						
Organizational title of position (if any)						
		10. Name of employee (If former, specify V-1, S, J, or A)				

11. Department, agency, or establishment
Consumer Product Safety Commission

12. First subdivision
Office of the Executive Director

12. Second subdivision
Bureau of Information & Education

13. This is a complete and accurate description of the duties and responsibilities of this position

(Signature of employee) _____ (Date) _____

14. Third subdivision

14. Fourth subdivision

14. Fifth subdivision

13. This is a complete and accurate description of the duties and responsibilities of this position

(Signature of immediate supervisor) _____ (Date) _____
JOHN W. LOCKE,
Title: Acting Executive Director

14. Certification by head of bureau, division, field office, or designated representative

RICHARD O. SIMPSON,
Chairman

OCT 24 1973

15. Certification by department, agency, or establishment

MARY P. VALENTINO OCT 31 1973

MARY P. VALENTINO, Director,
Title: Division of Personnel Management

INTRODUCTION

The purpose of this position is to serve as the Director, Bureau of Information and Education. The functions of this position are described in Consumer Product Safety Commission Order 0130.1 dated May 14, 1973.

DUTIES AND RESPONSIBILITIES

A. (Serves as the Director for the Bureau of Information and Education. As such, is responsible for all technical, executive, and administrative decisions necessary to accomplish the established mission and goals for the Bureau. Recommends or establishes management policies and makes decisions on matters including planning, priorities, program emphasis, budgeting, staffing, etc. Delineates functional responsibilities; plans, recommends, and implements organizational structure for the Bureau; and delegates authority.

B. (Plans and directs the implementation of nationwide consumer education and information programs carried out by consumer affairs specialist in both headquarters and the field service. Assures coordination of consumer education programs with state and local governments, and develops consumer affairs programs to be administered as their primary responsibility.) Develops and coordinates educational programs for colleges and universities intended to enhance the ongoing consumer affairs curriculum or to establish an awareness of need for such a curriculum.

C. (Plans and directs the implementation of nationwide industry information programs.) Provides industry officials with advice and information on consumer needs and attempts to persuade industry officials to adopt such recommendations, whenever possible. Develops working relations with the industry to receive assistance in disseminating such information to consumers. Oversees the conduct of, or conducts seminars, workshops, etc. as necessary to implement the consumer education program.

D. (Evaluates the need, and oversees the production of new materials, approaches, and techniques in implementing the national and local programs.) Contacts and develops effective relationships with national consumer groups which have not been receptive to Commission programs.

E. Develops techniques to evaluate consumer's opinions and attitudes on Commission activities, and evaluates the impact of these opinions and attitudes on the Bureau's programs.

F. Provides program guidance to Consumer Affairs Specialists located in field offices. Develops new guidelines where complex, novel or highly controversial activities are involved to get the program into operation. Provides guidance in developing new, original, and fresh approaches to communicating with consumer groups which encompass diverse socio/economic groups representing substantial problems in developing an understanding of Consumer Product Safety Commission's activities.

G. Is responsible for providing executive program direction in planning and implementing technical training programs for Consumer Product Safety Commission personnel, manufacturers and distributors, state and local government personnel, consumer groups, and voluntary groups. Serves as primary advisor to the Executive Director on technical training matters which impart on policy and Commission level training decisions. Reviews and appraises Commission training policy, priorities, and long-range needs and requirements. Assures effective and economic utilization of training resources in regard to Commission program priorities, commitments, and objectives.

H. (Continually appraises and evaluates education, information and training programs.) Takes into consideration: (a) long-range programs and goals; (b) initiation, curtailment, consolidation, or decentralization of functions; and (c) organization, delegation of authorities, and deployment of resources, and the necessary actions to be taken to

implement policy. Determines and implements necessary program adjustments consulting with the Executive Director only when there would require a change in major Commission policy.

I. Uses the stature of his Office to stimulate the training information and education effort and achievement in the Commission. Is responsible for serving as advisor and consultant to all Commission Office and Bureau Directors and their staffs in assuring that their needs are met, and to discuss and arrive at solutions to overall problems in these areas.

J. (Is responsible for maintaining Product Safety Information Centers for distribution of information to the general public.)

K. Provides for the development, editing, and final copy for all Commission publication visual aids and other materials in support of the Commission needs.

L. (Organizes, supervises, coordinates, and reviews the work of professional staff, engaged in the activities of the Bureau.) Is responsible for the training, development, and effective utilization of the Bureau's staff; for evaluating their conduct and performance; and for initiating personnel actions.

SUPERVISION AND GUIDANCE RECEIVED

The incumbent of this position is directly responsible to, and functions under the broad administrative direction of the Executive Director, who provides guidance and counsel on broad policy matters. The breadth and diversity of his mission encompasses all phases of Consumer Product Safety Commission's mission. Work performance is evaluated in terms of the degree to which overall objectives of the function are accomplished.

ATT. D

FOR
WHITE COLLAR POSITIONS
UNDER
THE GENERAL SCHEDULE



U.S. CIVIL SERVICE COMMISSION
BUREAU OF POLICIES AND STANDARDS
WASHINGTON, D.C.

Reprinted March 1970

HANDBOOK X-118

General Education and Training Series GS-5/15

DESCRIPTION OF WORK

Persons in these positions advise on, administer, supervise or perform research or other professional work in the field of education and training when the work is of such generalized or specialized miscellaneous nature that the positions are not more appropriately classifiable in any existing professional series in this or any other group. The education and training work may involve a combination of characteristics not specifically provided for in other series of the Education Group, or it may require knowledge of two or more academic disciplines, or it may require professional knowledge of a specialized field which is not identifiable with any existing series.

BASIC REQUIREMENTS FOR ALL GRADES

For all grades, candidates must have successfully completed a full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree which included or was supplemented by major study in education or in a subject field appropriate to the work of the position.

GS-5.—The basic requirements which apply to all grades are fully qualifying for grade GS-5.

ADDITIONAL EXPERIENCE AND TRAINING REQUIREMENTS

Candidates for grades GS-7 and above must have had either professional experience or graduate education (or an equivalent combination of both) in addition to meeting the basic requirements. Such professional experience or graduate education must have been in a field of education or in a subject field with which the position is directly concerned.

This experience or education must have equipped the candidate with the knowledge and ability to perform fully the work of the position for which he is being considered. For example, candidates for research positions must

possess the aptitude or ability to perform professional research work at the appropriate grade level.

1. Experience

In addition to the basic requirements, the following amounts of professional experience are required for grades GS-7 and above:

Grade:	Minimum amount of professional experience in appropriate subject-matter fields (years)
GS-7	1
GS-9	2
GS-11 and above	3

For grades GS-11 and below, at least 6 months of the required experience must have been at the level of difficulty comparable to that of the next lower grade, or 1 year comparable to the second lower grade, in the Federal service. For grades GS-12 and above, at least 1 year of the required experience must have been at a level of difficulty comparable to that of the next lower grade in the Federal service.

2. Education

In addition to the basic requirements, the following amounts and levels of education are qualifying for grades GS-7 and above, as shown:

Grade:	Minimum amount or level of education in appropriate subject-matter fields
GS-7	One full academic year of graduate education.
GS-9	Completion of all requirements for a master's or equivalent degree; or Two full academic years of graduate education.
GS-11	Completion of all requirements for a doctoral degree (Ph. D. or equivalent); or Three full academic years of graduate education.
GS-11 Research positions.	Completion of all requirements for a master's or an equivalent degree for which at least 2 full academic years of graduate study is required when— a. The position involves primarily research or very similar research-type exploratory development of a creative or advanced scientific nature.

QUALITY OF EXPERIENCE

Qualifying professional experience is experience in a capacity related to the work involved in the position. This experience must have required the application of professional knowledge of the theories, principles, methodologies and practices underlying the particular field with which the position is concerned, and must have demonstrated ability to relate and apply this knowledge effectively to the education and training program area involved.

Note: Some professional education positions appropriately classifiable in this series involve professional work in connection with grants or similar funding activities to further educational progress. For such positions, experience which involved professional work of this nature, which was gained in an occupational area similar or closely related to the work of the position, is qualifying professional experience, *provided such experience involved professional judgments* of a kind and level of difficulty and responsibility essential to successful performance in the position to be filled.

ADMINISTRATIVE AND SUPERVISORY EXPERIENCE

For positions which are *administrative* in nature, the applicant must have demonstrated the ability to perform successfully administrative duties, such as planning, organizing, and monitoring studies.

For *supervisory* positions, see the qualification standard for "Supervisory Positions in General Schedule Occupations," in part III of this handbook.

WRITTEN TEST

The Federal Service Entrance Examination written test battery is required for positions at grades GS-5 and GS-7. It should be waived for in-service placement actions but not for appointments outside the register.

- b. The knowledges required for the work are *typically and preferably* acquired through *graduate study*.
- c. The work is of such character that the academic preparation will equip the candidate to perform fully the professional work at the GS-11 level after a short orientation period.

GS-12 Research positions.

Completion of all requirements for a doctoral degree (Ph. D. or equivalent) for appointment to such positions as meet the following criteria:

- a. The position involves primarily research or very similar research-type exploratory development of a creative or advanced scientific nature.
- b. The knowledges required for the work are *typically and preferably* acquired through graduate study at the doctoral (Ph. D. or equivalent) level.
- c. The work is of such character that the academic preparation will equip the candidate to perform fully the professional work at the GS-12 level after a short orientation period.

3. *Combinations of professional experience and graduate education*

Equivalent combinations of professional experience and graduate education of the types described above are acceptable at each grade. (Thirty semester hours, or the equivalent, of part-time graduate education may be considered to be equal to 1 full academic year of graduate education.)

4. *Alternate requirements*

Superior academic achievement at the baccalaureate level or 1 year of student trainee experience is qualifying at grade GS-7. A combination of superior academic achievement at the baccalaureate level and 1 year of appropriate professional experience is qualifying at grade GS-9. In each case, the pertinent criteria in section III of part II, Instructions to Users, of this handbook must be met.

No written test is required for positions at grade GS-9 and above.

BASIS OF RATING

Applicants for grades GS-5 and GS-7 will be rated on the basis of their written test scores and an evaluation of their education, training, and experience. Applicants for grades GS-9 and above will be rated on the basis of an evaluation of their education, training, experience and other qualifications in relation to the requirements of the specific positions for which they are being considered. A review will be made of the training and experience of each applicant as described in his application form and as supported by information which may be obtained from his supervisors and others familiar with the nature and quality of his work. In rating,

consideration will be given to evidence of the quality and scope of his training and experience and of the extent to which he possesses the knowledge and abilities necessary to successful performance.

SELECTIVE PLACEMENT

Many positions in this series demand specific competence in a particular area. For such positions, consideration may be limited to those candidates whose records show evidence of the required capabilities.

PHYSICAL REQUIREMENTS

See part II, *Physical Requirements*, paragraph 3, except that there may be a few positions suitable for the blind. In addition, applicants must possess emotional and mental stability.



MERIT PROMOTION VACANCY ANNOUNCEMENT

ADDENDUM

ANNOUNCEMENT NO.: DPM - 0202 -74 CLOSING DATE June 12, 1974

OPPORTUNITY FOR DIRECTOR, BUREAU OF INFORMATION AND EDUCATION, GS-1701 - 15
POSSIBILITY THAT THIS POSITION WILL BE RECOMMENDED FOR UPGRADING.

ANNOUNCING OFFICE Consumer Product Safety Commission, Division of Personnel Management
5401 Westbard Avenue, Bethesda, Maryland 20207 Room 910.

ORGANIZATIONAL LOCATION AND DUTY STATION Position located in the CPSC Bureau of Information and Education,
Office of the Director, Bethesda, Maryland.

AREA OF CONSIDERATION

DESCRIPTION OF ASSIGNMENT

June 7, 1974

QUALIFICATIONS REQUIRED (Complete qualification standard available in most Federal Personnel Offices.)

DESIRABLE EXPERIENCE AND TRAINING

EVALUATION METHOD

Evaluations will be made of appraisals, experience, training, self-development, awards, and outside activities.

HOW TO APPLY

Send SF-171 "Personal Qualifications Statement" and a current copy of performance appraisal to the Announcing Office no later than the closing date cited above.

QUALIFICATION

Selection for this position will be based solely on merit, with no discrimination for nonmerit factors such as race, color, religion, sex, national origin, politics, marital status, physical handicap, seniority, membership or non-membership in an employee organization. Promotions will not be based on seniority or other types of personal favoritism or patronage.



MERIT PROMOTION VACANCY ANNOUNCEMENT

EXTENDED

June 12, 1974

ANNOUNCEMENT NO.: DPM -0202-74

CLOSING DATE

OPPORTUNITY FOR DIRECTOR, BUREAU OF INFORMATION AND EDUCATION, GS-1701 -15

ANNOUNCING OFFICE

Consumer Product Safety Commission, Division of Personnel Management
5401 Westbard Avenue, Bethesda, Maryland 20207 Room 910

ORGANIZATIONAL POSITION AND DUTY DESCRIPTION

Position located in the CPSC Bureau of Information and Education, Office of the Director, Bethesda, Maryland.

AREA OF CONSIDERATION

CPSC - Wide. All eligible applicants will be considered for this vacancy.

DESCRIPTION OF ASSIGNMENT

Incumbent serves as the Director for the Bureau of Information and Education. As such, is responsible for all technical, executive, and administrative decisions necessary to accomplish the established mission and goals for the Bureau. Recommends or establishes management policies and makes decisions on matters including planning, priorities, program emphasis, budgeting, staffing, etc. Delineates functional responsibilities; plans, recommends, and implements organizational structure for the Bureau; and delegates authority. Plans and directs the implementation of nationwide consumer education and information programs carried out by consumer affairs specialist in both headquarters and the field service. Assures coordination of consumer education programs with state and local governments, and develops consumer affairs programs to be administered as their primary responsibility. Plans and directs the implementation

(CONTINUED)

QUALIFICATIONS REQUIRED (Complete Specification Standard applicable in most Federal Personnel Acts.)

In addition to the basic educational requirements, applicant must have three (3) years of professional experience must have been in a field of education or in a subject field with which the above position is directly concerned. This experience must have equipped the candidate with the knowledges and ability to perform fully the work of the position described above. At least one (1) year of the required experience must have been comparable to the next lower level in the Federal service.

DESIRABLE EXPERIENCE AND TRAINING

EVALUATION METHOD

Exclusions will be made of appraisals, experience, training, self-development, awards, and outside activities.

HOW TO APPLY

Send SF-171 "Personal Qualifications Statement" and a current copy of performance appraisal to the Announcing Office no later than the closing date cited above.

FINAL EMPLOYMENT

Selection for this position will be based solely on merit, with no discrimination for non-merit reasons such as race, color, religion, sex, national origin, politics, marital status, physical handicap, age, or membership or nonmembership in an employee organization. Promotions will not be based on personal relationship or other types of personal favoritism or patronage.



MERIT PROMOTION VACANCY ANNOUNCEMENT

EXTENDED

June 12, 1974

ANNOUNCEMENT NO.:

DPM 0202-74

CLOSING DATE

OPPORTUNITY FOR

DIRECTOR, BUREAU OF INFORMATION AND EDUCATION, GS-1701 -15

ANNOUNCING OFFICE

Consumer Product Safety Commission, Division of Personnel Management
5401 Westbard Avenue, Bethesda, Maryland 20207 Room 910

ORGANIZATIONAL LOCATION AND DUTY STATION

AREA OF CONSIDERATION

DESCRIPTION OF ASSIGNMENT

of nationwide industry information programs. Evaluated the need, and oversees the production of new materials, approaches, and techniques in implementing the national and local programs. Continually appraises and evaluates education, information and training programs. Is responsible for maintaining Product Safety Information Centers for distribution of information to the general public. Organizes, supervises, coordinates, and reviews the work of professional staff, engaged in the activities of the Bureau.

QUALIFICATIONS REQUIRED (Complete Qualification Standards Available in most Federal Personnel Offices.)

DESIRABLE EXPERIENCE AND TRAINING

EVALUATION METHOD

Evaluations will be made of appraisals, experience, training, self-development, awards, and outside activities.

HOW TO APPLY

Send SF-171 "Personal Qualifications Statement" and a current copy of performance appraisal to the Announcing Office no later than closing date cited above.

EQUAL EMPLOYMENT

Selection for this position will be based solely on merit with no discrimination for non-merit reasons such as race, color, religion, sex, national origin, politics, marital status, physical handicap, age, or membership or non-membership in an employee organization. Promotions will not be based on personalship or other types of personal favoritism or patronage.