

**DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY**

DEPARTMENTAL PERSONNEL MANUAL SYSTEM

DPM LETTER: 300-23

DATE: March 16, 1998

SUBJECT: Employment of Retired Members of the
Uniformed Services

This Letter supersedes DPM Chapter 300, Subchapter 13.

INTRODUCTION

Retired members of the uniformed services have the right to be considered for Federal civilian employment on the same basis as other candidates. Since some members of the uniformed services are assigned to positions in the Department, the normal policy of strict compliance with the merit principle of open competition requires particular emphasis when such retired military personnel are considered for appointment to civilian positions. It is necessary to avoid any semblance of preferential treatment, as well as to preclude unwarranted allegations that an appointment was obtained through influence growing out of assignment to the Department during military service, rather than because of ability and merit.

POLICY

Operating administrations may appoint retired members of the uniformed services under the same conditions as any other applicant, provided the merit system principle of open competition is followed, and that selections for positions are made from the best available candidates. Operating administrations are responsible for ensuring that all such requirements are strictly adhered to.

Because the period within 180 days of retirement from the uniformed services is the period when a civilian appointment would be most vulnerable to allegations of impropriety, operating administrations must take particular care during that period to ensure that all applicable requirements are met. This is especially true in cases where the retired member may be appointed to civilian incumbency in the same or substantially the same position that he/she occupied in DOT immediately prior to retirement from active duty. Each operating administration must establish procedures for the review and approval of proposed civilian appointments within the 180-day period after retirement, when the proposed appointment is to the same or substantially the same position held immediately prior to retirement, or is in the same organization to which assigned prior to retirement. Approval should be at the operating administration headquarters level.

DOCUMENTATION

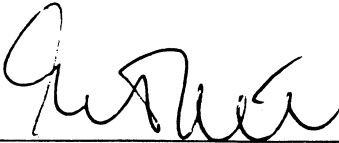
Whenever a retired member of the uniformed service is appointed within 180 days after retirement, except during a period of national emergency, documentation shall be retained in the selection case file that clearly shows that:

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- (a) the vacancy was well publicized and recruitment was conducted over a sufficiently long period of time to give all interested parties an opportunity to apply;
- (b) full consideration, in accordance with applicable Governmentwide, DOT, and other placement and promotion requirements, was given to other applicants, as well as to individuals entitled to special placement consideration;
- (c) qualification requirements for the position are totally relevant to the work to be done and were not established in such a manner as to give advantage to a particular individual; and
- (d) recruitment for the position was timely and not delayed, or the position held open, in order to provide a retiring member of the uniformed services with a preferential opportunity to apply or be appointed.



Departmental Director of Human
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