

**Forest Service Manual
National Headquarters - Washington Office
Washington, DC**

**Forest Service Manual 6100 – Personnel Management
Chapter 6130 - Employment and Status Changes**

Amendment: 6100-2020-2

Effective date: August 18, 2020

Duration: This amendment is effective until superseded or removed.

Approved by: Tina Terrell, Associate Deputy Chief, NFS

Date approved: August 02, 2020

Responsible Staff:

Last Change: Amendment 6100-2020-1 to FSM 6100 Zero Code

Superseded Document(s): 6130, Amendment 6100-2007-1, January 26, 2007

Digest: Following is an explanation of the changes throughout the directive by section.

6133.04a: Changes caption from “Line Officers, Staff Directors, and Primary Staff Officers” to “Line Officers, Staff Directors, National Technology & Development Program Director, Geospatial Technology & Applications Center Director, and Primary Staff Officers,” and adds direction for the National Technology & Development Program Director and the Geospatial Technology & Applications Center.

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6130.4 - Responsibility

Regional Foresters, Station Directors, the Area Director, and the Institute Director have the responsibility to develop annual recruitment plans and Federal Equal Opportunity Recruitment Program Plans based on identified staffing needs.

6131 - External Recruitment

6131.03 - Policy

Line Officers shall establish and maintain a recruitment program that ensures identification and consideration of candidates from all segments of the population.

6131.06 - References

The Agency's EEO Program Status Report (MD-715) and Federal Equal Opportunity Recruitment Program (FEORP) Plan contain recruitment information. These plans are available in the unit servicing personnel office. See Title 5, Code of Federal Regulations, part 300 (5 CFR part 300) for information on recruitment and hiring authorities. Procedural and supportive materials are in FSH 6109.12, chapter 10.

6132 - Internal Placement and Mobility

6132.03 - Policy

6132.03a - Placement of Spouses

Upon request of an employee or spouse, management at the gaining unit shall provide employment assistance to the spouse of an employee being transferred. This may include providing job information with other Federal agencies or identifying employment sources in the private sector in the local area.

Ultimate responsibility for career planning for dual career families rests with the families involved.

6132.03b - Reduction in Force

1. Use reduction in force only as a last resort for coping with program and personnel adjustments. First, consider other actions; for example, out-placement, career development agreement, and so forth.
2. The standard competitive area for reduction in force is an activity under separate administration within the local commuting area. A nonstandard competitive area may be requested when reduction in force authority is requested.

3. All requests for reduction in force must be consistent with controlling labor-management agreement guidelines and must receive the consideration and approval of the Chief. (Related requirements are in 5 CFR part 351.)

6132.03c - Mobility

Advise employees concerning the positive effects of mobility (FSM 6132.05), such as gaining varied experiences and greater levels of responsibilities and providing managers a pool of qualified employees to apply for line and key staff positions. Employees who are in or aspire to line and key staff positions are expected to be mobile. Mobility is not expected of employees in different positions and at other levels. Balance organizational needs with employee needs and mobility when making organizational and personnel decisions (such as advertising and filling vacancies) and providing career counseling.

When evaluating potential candidates for positions, the selecting official must consider the employee's knowledge, skills, abilities, and potential, not the number of geographic moves the employee has made. (See FSH 6109.12, section 23, Forest Service Merit Promotion Plan, for direction on a selecting official's actions.)

1. Line and Key Staff Positions. Mobility is expected of employees who currently fill or who aspire to fill Line Officer (FSM 1230) and key staff positions. Examples of key staff positions include Washington Office Staff Directors and Deputy Directors; Special Assistants to the Deputy Chiefs; Regional Office Staff Directors; and Forest Staff Officers.

2. Other Positions. Managers should not reassign (para. 3) or relocate an employee who is not mobile as long as the employee is doing a satisfactory job, and

a. There is a continuing need for the employee's current position,

b. The employee is not in a developmental position which may, on a case-by-case basis, require relocation after completion of the assignment, or

c. The employee is not in or aspiring to a line or key staff position. However, Supervisors should counsel such non-mobile employees that opportunities for advancement may be limited to vacancies that occur in the immediate geographical area where the employee is located. Supervisors should encourage employees who elect to be non-mobile to enhance their knowledge, skills, and abilities in their present positions and through other options, such as details, special committee assignments, changes in assigned duties, training assignments, and reassignments to other positions on the same unit.

3. Directed Reassignments. In making directed reassignments, managers should follow the mobility policy and guidance set forth in paragraphs 1 and 2 to the extent possible. Managers may use directed reassignments to meet special organizational needs, such as reassigning an employee with a special skill, ability, or demonstrated characteristics which are considered necessary for accomplishing the agency's mission. Directed reassignment regulations (5 CFR 335.102) state that an agency may:

. . . promote, demote, or reassign a career or career conditional employee or an employee serving under career executive assignment.

4. Policy Supplementation. Field units are not authorized to supplement this mobility policy.

6132.03d - Selection of Employees Identified Under Work Force Reduction and Placement System

In filling vacancies, use the Work Force Reduction and Placement System to give first consideration to current Forest Service employees in affected positions who are in need of placement due to shifts in budget or workload. For further direction on placement of employees identified in this system and use of the Work Force Reduction and Placement System, see FSH 6109.12, Employment and Benefits Handbook, sections 21.05 and 21.4.

6132.03e - Transfer of Station Expenses

Base decisions on selection of employees identified in the Work Force Reduction and Placement System on their qualifications and suitability for vacant positions (FSH 6109.12, sec. 21.4). Do not make transfer of station expenses a barrier to such selections. For direction on payment of transfer of station expenses by the outplacing and gaining units, see FSH 6109.12, section 21.4. Further direction on transfer of station expenses is in the Federal Travel Regulation, chapter 302, Relocation Allowances (FSH 6509.33 - FTR 302).

6132.04 - Responsibility

1. The delegations of personnel authority to direct the reassignment of employees are in FSM 6104.1, exhibit 01, section 6130, paragraphs 1 and 2.
2. Each Regional Forester, Station Director, the Area Director, and the Institute Director must submit Report FS-6100-AT, Annual Upward Mobility Program Activity Report, to the Washington Mobility Program Activity Coordinator, in the Washington Office, Human Capital Management Staff by September 15.

6132.05 - Definition

Mobility. Employee's relocation to different positions in different geographic locations to gain experience that is varied, and in most cases, successively more responsible.

6132.1 - Probationary Period for New Employees, New Supervisors, and New Managers

See section 22 of FSH 6109.12, Employment and Benefits Handbook, and the controlling labor agreement for documentation required for the probationary period.

6132.11 - Failure to Complete Satisfactory Probation

A new Supervisor or manager must successfully complete the 1-year probationary period to continue in the position. An employee whose performance is evaluated to be unsatisfactory shall

be returned to a non-supervisory/non-managerial position. Removal from a supervisory or managerial position shall not preclude the employee from applying and being considered for a subsequent supervisory or managerial position.

6132.2 - Competitive Promotion

For requirements on competitive promotion, see the Forest Service Merit Promotion Plan in section 23 of FSH 6109.12, Employment and Benefits Handbook, and the Department Merit Promotion Plan in chapter 335, Appendix B of the Department Personnel Manual (FSH 6109.41 - DPM 335, Appendix B).

6132.3 - Employment of Relatives

For direction on employment of relatives, see section 21.1 of FSH 6109.12, Employment and Benefits Handbook. For additional information, see the Spouse Placement Assistance Program brochure, available from the Washington Office, Human Capital Management Staff.

6133 - Disability Employment Programs

For further direction on the Persons with Disabilities Programs, consult the authorities in FSM 6133.01. For direction on reasonable accommodation for job applicants and employees, see FSM 6133.06.

6133.01 - Authority

1. Title 29, Code of Federal Regulations, sections 1613.701-1613.709. These regulations set forth:

- a. The specific policy and provisions for continuing agency programs to ensure nondiscrimination in the hiring, placement, and advancement of qualified persons with mental and physical disabilities;
- b. Requirements for processing complaints of discrimination based on a physical or mental disability; and
- c. Requirements for providing reasonable accommodation for persons with disabilities. Section 1613.704 requires that:

An agency shall make reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless the agency can demonstrate that the accommodation would impose an undue hardship on the operation of its program.

2. Title 5, United States Code, sections 7201, 7203 (Public Law 93-112, as amended). Title 5, United States Code, sections 7201 and 7203 authorize the development of programs which promote and expand employment opportunities for persons with disabilities.

3. U.S. Department of Agriculture, Secretary's Memorandum 4030-1. This memorandum issued October 16, 1991, establishes Departmental policy regarding the Disability Employment Programs (formerly, Selective Placement Programs). It provides that the aim of the program is "to provide a work environment which promotes and encourages recruitment, retention, and career development" for physically and mentally challenged individuals of all races, national origin, and age groups in all occupations "through reasonable accommodation and accessibility." It also directs agency heads to establish a Disability Employment Program and to appoint a Disability Employment Manager.

6133.03 - Policy

Provide a work environment that promotes and encourages recruitment, retention, and career development of persons with disabilities through reasonable accommodation and accessibility. Ensure that reasonable accommodations are made for qualified disabled employees and job applicants in accordance with applicable laws, regulations, and agreements with collective bargaining units. (See FSM 6133.1 for further direction on reasonable accommodation for job applicants and employees; for related direction on access to facilities see section 34.16 of FSH 7309.11, Buildings and Related Facilities Handbook.)

6133.04 - Responsibility

6133.04a - Line Officers, Staff Directors, National Technology & Development Program Director, Geospatial Technology & Applications Center Director, and Primary Staff Officers

Line Officers, Staff Directors, National Technology & Development Program Director, the Geospatial Technology & Applications Center Director, and primary Staff Officers at the Washington Office and field units have the responsibility to:

1. Ensure the work environment promotes the recruitment, retention, and development of persons with disabilities.
2. Provide reasonable accommodation for persons with disabilities (FSM 6133.1).
3. Provide access to facilities for persons with disabilities (FSH 7309.11, sec. 34.16).

6133.04b - Director, Human Capital Management Staff, Washington Office

The Director, Human Capital Management Staff, Washington Office shares responsibility for providing overall agency guidance and leadership in the Disability Employment Program by appointing a Workforce Recruitment Program Liaison for the agency.

6133.04c - Workforce Recruitment Program Liaison, Human Capital Management Staff, Washington Office

The Workforce Recruitment Program Liaison is responsible for liaison operations at the national level and for technical assistance on reasonable accommodation to the Washington Office and

field units for the placement of college students with disabilities through the Workforce Recruitment Program.

6133.04d - Director, Civil Rights Staff, Washington Office

The Director, Civil Rights Staff, Washington Office shares responsibility for providing overall agency guidance and leadership in the Disability Employment Program and for appointing a Disability Employment Program Manager for the agency.

6133.04e - Disability Employment Program Manager, Civil Rights Staff, Washington Office

The Disability Employment Program Manager is responsible for program operations at the national level and for technical assistance on reasonable accommodation to the Washington Office and field units.

6133.04f - Mission Area Designee, Civil Rights Staff, Washington Office

The Forest Service Disability Employment Program Manager/Reasonable Accommodation Coordinator serves as the Mission Area Designee and, as such, has overall responsibility to ensure USDA mission area compliance with its obligations to provide reasonable accommodation to qualified applicants for employment and employees. See DM 4300-002, section 3f, for specific responsibilities for the Mission Area Designee.

6133.05 - Definitions

The following definitions have been extracted from 29 CFR 1613.702.

Major life activities. (DM 4300-002, sec. 2c).

Person with disability. A person who:

- a. Has a physical or mental impairment that substantially limits one or more major life activities;
- b. Has a record of such an impairment; or
- c. Is regarded as having such an impairment.

Physical or Mental Impairment. (DM 4300-2).

- a. Mental impairment. (DM 4300-002, sec. 2d).
- b. Physical impairment. (DM 4300-002, sec. 2e).

Qualified disabled person. An individual who:

- a. With or without reasonable accommodation, can perform the essential functions of the position in question without endangering the health and safety of the individual or others; and
- b. Meets either the experience and/or education requirements of the position, or the criteria for appointment under one of the special appointing authorities for persons with disabilities.

Qualified Individual with a Disability. (DM 4300-002, sec. 2f).

Reasonable Accommodation. (DM 4300-002, sec. 2g).

Record of such an impairment. A history, classification, or misclassification of an individual as having a mental or physical impairment that substantially limits one or more major life activities.

Regarded as having such an impairment. Terminology referring to one or more of the following situations in which an individual:

- a. Has a physical or mental impairment that does not substantially limit major life activities but is treated by an employer as constituting such a limitation;
- b. Has a physical or mental impairment that substantially limits major life activities only as a result of the attitude of an employer toward such an impairment; or
- c. Has no impairment as defined but is treated by an employer as having such an impairment.

6133.06 - Reference

EEOC's MD-715. This plan provides overall guidance for the Forest Service in the employment of persons with disabilities. The plan is available from the Washington Office, Civil Rights Staff, and from field unit personnel offices.

6133.1 - Reasonable Accommodation for Job Applicants and Employees with Disabilities

See FSM 6133.01 for a summary of the reasonable accommodation requirements under 29 CFR 1613.704.

6133.11 - Requests for Reasonable Accommodation

(DM 4300-002, sec. 4a).

6133.11a - Making Requests for Reasonable Accommodation

(DM 4300-002, sec. 4a).

6133.11b - Processing and Making Decisions on Requests for Reasonable Accommodation

(DM 4300-002, secs. 4a, 7, 9, 10, and 11).

6133.11c - Criteria for Determining Reasonable Accommodation [Reserved]

6133.11d - Criteria for Determining Undue Hardship on Unit Operations [Reserved]

6134 - Demonstration Project

The Forest Service, in conjunction with the Agricultural Research Service, is conducting a demonstration project to test a new recruitment and hiring system for Federal employment. The project will also test the feasibility and effects of extending the probationary period from 1 year to 3 years. The Demonstration Project Handbook (FSH 6109.16) provides direction on implementation of this project. Demo Form 001 is an optional form that is available electronically and may be used to collect data from job applications.

6134.01 - Authority

Title 5, United States Code, Chapter 47 (Civil Service Reform Act) authorizes the Office of Personnel Management to approve demonstration projects. The Federal Register, volume 55, page 9062, dated March 9, 1990 (55 FR 9062) contains the final notice of approval by the Office of Personnel Management of the USDA Demonstration Project plan for Forest Service and Agricultural Research Service (ARS) experimental and comparison sites.

The plan was amended to broaden the demonstration project to include the previously identified comparison sites and no longer limit the project to the Forest Service and ARS experimental sites (61 FR 9507, March 8, 1996). The final plan also was amended to include term appointments (61 FR 49178, September 18, 1996).

6134.02 - Objectives

The overall goal of the project is to develop a recruitment and selection program that is flexible and responsive to local recruitment needs and will facilitate attainment of a quality workforce reflective of society. Specific objectives in support of the goal are to:

1. Increase flexibility and responsiveness of the recruitment and hiring system, and
2. Increase the reliability of decisions to grant career tenure for employees in scientific positions.

6134.03 - Policy

Line Officers at all Forest Service units are authorized to use the demonstration project provisions when recruiting and filling permanent and term competitive service positions from sources outside the Federal Government.