

ARTICLE 24: FOREIGN SERVICE CAREER CANDIDATE PROGRAM

LEGAL AUTHORITY

- 24.1 The regulations relating to appointment, assignment, promotion, commissioning and termination of Foreign Service Officer (FSO) career candidates and Foreign Service Administrative Assistant (FSAA) career candidates are prescribed under authority of Sections 211, 301, 302, 306, 307, 309, 404, 502, 601, 602, 603, 605, 610, and 611 of the FS Act.

PURPOSE

- 24.2 The Foreign Service Career Candidate Program is a comprehensive program of training, assignment, counseling and evaluation intended to enable career candidates to demonstrate through on-the-job experience, and in the shortest time practicable, whether they have the aptitude and capability to serve successfully as career Foreign Service Officers or Foreign Service Administrative Assistants.

APPLICABILITY

- 24.3 These regulations apply to career candidates who have been appointed under the authority of the FS Act, Section 306, for a period not to exceed 5 years.

ASSIGNMENTS

ASSIGNMENT DETERMINATION

- 24.4 When there are projected vacancies abroad, Foreign Agricultural Affairs/Washington (FAA) and the Servicing Personnel Office (SPO) review the career candidate list and the Deputy Administrator/FAA recommends career candidates to the Administrator/FAS for consideration for assignments abroad. Offers of assignments are made only after the proposed assignments are approved by the Administrator/FAS.

CRITERIA AND OBJECTIVES

- 24.5 Career candidates are to be selected for an assignment abroad or long-term language training as soon as practicable after conversion to the Foreign Service (FS).
- 24.6 The Deputy Administrator/FAA is guided by the following parameters when recommending assignments:
- a. Current and long-range staffing needs of the FS;

- b. Effective utilization of a candidate's abilities and potential for progressive career development;
 - c. Individual qualifications (language, previous work experience, education, etc.); and,
 - d. Assignment preferences as indicated by a candidate on the "Bidding for Overseas Assignments" form, FAS-193.
- 24.7 When assigning FSO career candidates, the Deputy Administrator/FAA, as guided by Article 27 (Assignment Policy) of this Agreement and the constraints and needs of the FS and other limitations, will ensure that no initial assignment is made without reasonable expectations that the candidate will be able, through applied effort, to become language qualified before the period of career candidacy is completed. Career candidates preparing for language qualification at post are also expected to concurrently demonstrate career competency in their work performance.

TRAINING BEFORE ASSIGNMENT

- 24.8 Language Training: FSO career candidates normally will receive language training before their initial assignment abroad in accordance with the guidance provided in Article 31.44-47, unless they are already qualified in a language relevant to the assignment.
- 24.9 Management, Leadership and Other Training: FSO career candidates normally will be scheduled for 80 hours of training in such areas as supervisory skills, Foreign Service orientation, area studies, information technology, coping with violence, security abroad, and other necessary training associated with service abroad including, when feasible, leadership, interpersonal communications, budget management, and public speaking.

PROMOTIONS

PROMOTION OF FSO AND FSAA CAREER CANDIDATES

- 24.10 FSO career candidates and FSAA career candidates will be considered for promotion by the annual FS Selection Board after serving the requisite time-in-class required for career FS Officers or FS Administrative Assistants in their class, as established in the Selection Board Precepts. They will be reviewed in the same competitive groups as career individuals. Any time spent in an equivalent grade in the Civil Service will be credited.

- 24.11 FSO career candidates may receive one promotion prior to achieving proficiency in a foreign language. If a candidate is recommended for another promotion by a subsequent Selection Board, that promotion cannot be effected until the candidate satisfies the language proficiency requirements. If the career candidate has not achieved language proficiency prior to the convening of the next Selection Board, the candidate must re-compete for promotion.

COMMISSIONING AND TENURE

FSO CAREER CANDIDATE COMMISSIONING POLICY

- 24.12 The Commissioning and Tenure Board (hereinafter referred to as the “Board”) recommends FSO career candidates for commissioning or to terminate a candidacy. Only career candidates recommended by the Board are eligible for commissioning.
- 24.13 The primary criterion for recommending commissioning is based on a candidate’s demonstrated potential, for success in the Foreign Service and adaptability to the discipline and rigors of a Foreign Service career through Class 1.
- 24.14 No quota or numerical limit is placed on the number of commissions a Board can recommend. Each candidate's performance, as recorded in his/her personal performance file, is reviewed separately. It is not compared against the performance of other career candidates. Career candidates not recommended for commissioning after three Board reviews will be separated from the FS at the expiration of their limited appointments or at an earlier date, if so recommended by the Board. A limited appointment normally is for five years.
- a. After completing three years under a limited appointment, a candidate will be referred to the Board for review. While two years of service abroad are desirable, completion of one full year of FAS service abroad is required for commissioning. In appropriate cases, the Board may recommend commissioning, conditional upon subsequent completion of the one year of service abroad requirement before the expiration of the candidate’s limited career appointment. In such cases, the Board's decision will not become effective until after the service requirement is met. A candidate who fails to meet this requirement will be separated from the Service at the end of his/her limited appointment.
 - b. A candidate recommended for commissioning will be commissioned as an FSO as soon as possible after the conclusion of the Board. A candidate not recommended for commissioning by the first Board will be reviewed by a second Board 12 months later, and, if necessary, by a third Board approximately 60 days prior to the expiration date of the candidate's limited

appointment. Career candidates not recommended by the third Board for commissioning will be separated from the FS no later than the expiration date of their limited appointments.

- c. The SPO will notify career candidates of board results in a timely manner.

FS ADMINISTRATIVE ASSISTANT CAREER CANDIDATE TENURE POLICY

- 24.15 The Board recommends FSAA career candidates for tenure or to terminate a candidacy. Only those career candidates recommended by the Board are eligible for tenure in the Foreign Service.
- 24.16 The criterion for recommending tenure is based on a candidate's demonstrated potential to perform effectively as an FSAA in a normal range of assignments through Class 4.
- 24.17 No quota or numerical limit is placed on the number of tenures a Board can recommend. Each candidate's performance, as recorded in his/her personal performance file, is reviewed separately. It is not compared against the performance of other career candidates. Career candidates not recommended for tenure after three Board reviews will be separated from the FS at the expiration of their limited appointments or at an earlier date, if so recommended by the Board. A limited appointment normally is for five years.
 - a. After completing two years under a limited appointment, a candidate will be referred to the Board for review. While two years of service abroad are desirable, completion of one full year of FAS service abroad is required for tenure. In appropriate cases, the Board may recommend tenure, conditional upon subsequent completion of the one year of service abroad requirement before the expiration of the candidate's limited career appointment. In such cases, the Board's decision will not become effective until after the service requirement is met. A candidate who fails to meet this requirement will be separated from the Service at the end of his/her limited appointment
 - b. A candidate recommended for tenure will be appointed as a career FSAA. A candidate not recommended for tenure will be reviewed by a second Board 12 months later and, if necessary, by a third Board approximately 60 days prior to the expiration date of the candidate's five year limited appointment. Career candidates not recommended for tenure by the third Board review will be separated from the FS no later than the expiration date of their limited appointments.
 - c. The SPO will notify career candidates of board results in a timely manner.

INFORMATION TO BE CONSIDERED BY THE BOARD

- 24.18 The SPO will guide the Board in the technical procedures it must follow. The Board will address all queries regarding its work to the SPO.
- 24.19 The Board will base its decisions only on material properly included as part of a candidate's performance folder, including information on disciplinary and adverse actions.
- 24.20 A candidate is entitled to interim performance appraisals prior to the second and third Board reviews. Interim appraisals will cover the period between the candidate's last annual performance appraisal reviewed by the Board and October 31 of the year the Board meets, for Boards meeting in December. For Boards meeting during other months, the interim period will end 30 days prior to the date of the Board meeting.
- a. Interim appraisals will be completed using the same forms as those required for an annual FS performance appraisal.
 - b. Interim appraisals will be superceded by annual performance appraisals. Thus, interim appraisals will be removed from a candidate's performance folder when an annual appraisal covering the same period is added to the folder.
 - c. Interim appraisals will be permitted for Commissioning and Tenure Boards only.
- 24.21 The Board will ignore any information in the file which is currently inadmissible. Such information will not be the subject of discussion or a basis for the Board's decisions.
- 24.22 Board members will neither seek nor receive any information on a candidate other than that properly included in the performance file.

FOREIGN LANGUAGE PROFICIENCY

- 24.23 An FSO career candidate may not be commissioned until the candidate has demonstrated proficiency in at least one foreign language. In appropriate cases, however, the Commissioning and Tenure Board may render a favorable decision conditional upon subsequent achievement of the required language proficiency before the expiration of the limited career appointment. In such cases, the Board's action will not take effect until the required language proficiency is achieved. A candidate who fails to obtain language qualification by the end of a five-year limited

appointment will be separated from the Service.

- 24.24 Language proficiency requirements for commissioning are listed below, by language category. Management reserves the right to add to or delete from the languages under each category based on Agency needs, in consultation with AFSA. An up-to-date list of the language categories can be found in FAS Notice, "Language Proficiency Requirements for Commissioning of Foreign Service Officers and for Incentive Pay." The notice can be found in the Overseas Administrative Handbook on the FASTNET and currently on the FAA Homepage. Management will normally only pay for training to bring an employee to the required proficiency level for commissioning in languages under the conditions listed in the FAS notice.

Language Categories (As of the effective date of this agreement)			
<u>HARD</u>	<u>INTERMEDIATE</u>	<u>BASIC</u>	<u>ADDITIONAL</u>
Arabic	Bulgarian	French	Czech 2/
Chinese (Mandarin)	Indonesian	German	Chinese (Cantonese) 1/
Japanese	Polish	Italian	Danish 3/
Korean	Russian	Portuguese	Dutch/Afrikaans 3/
	Serbian	Spanish	Greek 2/
	Thai		Hindi 2/
	Turkish		Hungarian 2/
	Ukrainian		Malay 2/
	Vietnamese		Romanian 3/
			Swahili 2/
			Swedish 3/
			Tagalog 2/
			Urdu 2/
			Croatian 2/
Commissioning Proficiency Level			
S-2/R-N	S-2/R-2	S-3/R-3	1/ S-2/R-N
			2/ S-2/R-2
			3/ S-3/R-3

- 24.25 FSAA career candidates may be tenured without demonstrating foreign language proficiency.

THE COMMISSIONING AND TENURE BOARD

- 24.26 Organization: The Board is composed of five members appointed by the SPO. Every effort will be made to comply with EEO goals to assure that at least one Board

member is a member of a minority group and/or a woman. To ensure the widest possible participation, the SPO will solicit for members through an announcement to Foreign Service Officers. The SPO may, however, select members from any appropriate source in order to meet the composition shown below. The SPO will provide AFSA a list of the recommended Board members for comment prior to notification of prospective board members. AFSA will have two business days to provide comment. The Board is composed of the following five members:

- a. An FAS Senior Foreign Service Officer who will serve as Chairperson;
- b. Two (2) FAS career FSO's in Class Two or above;
- c. An FAS career FSO at least one grade above any candidate reviewed; and,
- d. A career FSO in Class One or above from another Foreign Affairs Agency.

24.27 Responsibilities and Duties: The Board will meet annually or at the request of the SPO to review the performance files of all eligible career candidates and FSAA career candidates and make recommendations regarding the commissioning or tenure of these career candidates. No action unfavorable to a candidate will be taken without review of the file by all members of the Board. The concurrence of at least three members is required for an action to:

- a. Commission or tenure a candidate;
- b. Not commission or tenure a candidate, but continue the candidacy for subsequent Board review; or,
- c. Not commission a candidate and separate the candidate from the Foreign Service.

24.28 Board Reports: The Board will prepare, in draft, the following reports:

- a. An alphabetical list of the names of FSO career candidates and Administrative Assistants the Board has determined should be commissioned as career FS Officers or tenured as career Foreign Service Administrative Assistants.
- b. An alphabetical list of the names of the FSO career candidates and Administrative Assistants reviewed for the first and second time that the Board has determined should not be commissioned but whose candidacy should be continued for subsequent Board review. The Board will prepare statements, as guidance to the career candidates, identifying areas in which they should direct their efforts to improve. Such statements will not become part of a candidate's

file unless the candidate so requests in writing.

- c. An alphabetical list of the names of the FSO career candidates and Administrative Assistants reviewed for the first or second time that the Board has determined should not be commissioned and for whom early separation is warranted. The Board will prepare a statement explaining the reasons early separation is appropriate and the SPO will establish the effective date of termination.
- d. An alphabetical list of the names of FSO career candidates and Administrative Assistants reviewed for the final time that the Board has determined should not be commissioned or tenured. Career candidates not recommended for commissioning or tenure will be separated from the FS at the end of their limited appointments. The Board will prepare a statement explaining the reasons separation is appropriate.
- e. At their discretion, the Board may prepare a statement of observations on the operation of the Career Candidate Program.

24.29 Board Recommendations: The Chairperson will give the candidate lists to the SPO advisor to prepare in final form for signature. After the Chairperson has signed them, the lists will be returned to the SPO which will:

- a. Initiate the necessary administrative action to finalize the recommendations;
- b. Notify the career candidates in writing of the Board recommendations; and,
- c. Release the notification letters to the appropriate Deputy Administrators for delivery to their career candidates.

REMOVAL OF NAMES FROM COMMISSIONING AND TENURE LISTS

24.30 The procedures below apply to all FSO career candidates and Administrative Assistant career candidates included on the commissioning and tenure lists prepared by the Board. (Adapted from 3 FAM 2246.8)

- a. The Deputy Administrator/FAA, or designee, may order the temporary exclusion from a commissioning or tenure list of the name of any candidate if, in the SPO's opinion, such commissioning or tenure would be inconsistent with the national interest or the efficiency of the FS. Such reasons must be based upon either:

1. Issues of loyalty, security, misconduct, suitability, or malfeasance; or,
 2. Indications that documentation available to the Board regarding an employee's performance may have been significantly inaccurate or incomplete.
- b. The SPO will inform the affected candidate in writing of the action taken and will initiate, pursue, or monitor such inquiry, investigation, or proceeding as is appropriate to the issue giving rise to the removal. The candidate will be given five (5) working days from receipt of the written notification to submit whatever information or documentation s/he believes is pertinent to the case. The five day limit may be extended at the discretion of either the Deputy Administrator/FAA or the SPO. Upon disposition or resolution of the issue, the SPO will either:
1. Request that the necessary administrative action be initiated to commission or tenure the candidate, respectively, as a career FSO or career FSAA; or,
 2. Request that the original Board reconvene to determine whether the candidate is, on the basis of the updated performance file, qualified to be commissioned as a career FSO or tenured as a career FSAA.
- (a) The reconvened Board will not receive any information regarding the candidate not previously supplied, other than material supplied under the provisions of this section. Prior to Board review, the candidate will be provided copies of all material added to the file and will be accorded the opportunity to submit a written response or rebuttal for placement in the file.
- (b) The subsequent finding of the Board will be final and binding. If the Board concludes that the candidate is to be commissioned as a career FSO or tenured as a career FSAA, the SPO will initiate administrative action to commission or tenure the candidate. If the Board concludes that the candidate is not presently qualified for commissioning or tenure based on the current record, the SPO will make permanent the prior exclusion of the candidate's name from the commissioning or tenure list.