

# **CPC CYBERFLASH**

MAY 11, 2007 HONOR RESPECT COMMITMENT

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### From the Director's Desk

In this Cyberflash, I will provide some answers to questions concerning the promotion process.

How are the number of officers to be promoted and the promotion zone sizes determined?

In the fall of each year, the Director approves an Officer Corps Management Plan (OCMP) prepared by the Commissioned Personnel Center (CPC). This document establishes the number of officers authorized in each grade, the opportunity of selection for each promotion board, and whether to hold certain boards such as the Annual Review, continuation and promotion boards. The approved OCMP contains the authorized promotion zone sizes and the number of officers to select. These numbers are approximately equal to the number of vacancies estimated for the next 12 months, less the number of officers on the promotion list for that grade. Decisions about zone sizes and opportunities of promotion for each grade are based on a few factors: the needs of the Service; the number of billets and the estimated number of vacancies.

# Why is the stated opportunity of selection (OOS) always higher than the actual OOS announced with the board results?

For a given board, the stated OOS is simply the total number of officers to be selected divided by the number of officers <u>in zone</u>. The actual OOS is the number of officers selected in zone divided by the number of officers <u>in and above zone</u>. The actual OOS is usually lower because some officers may be selected from above and below the zone. The difference between stated and actual OOS is best illustrated in an example.

For a promotion board the OCMP announced the following:

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# to be selected = 5
# in zone = 10
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therefore, the stated OOS was 5/10 = 50%

In making their decisions, the board actually selected:

1 (above zone)

4 (in zone)

Therefore, the actual OOS (for those in zone) was 4/10 = 40%. As is usually the case, the <u>actual OOS</u> was lower than the <u>stated OOS</u>.

What are the OOS, number to select and zone sizes that were used in the 2007 board season?

FY07 OOS			
	Number to		In Zone
Board	Select	OOS	Size
CAPT	5	50%	10
CDR	9	75%	12
LCDR	11	90%	12
LT	15	85%	18
LTJG	17	100%	17

The actual names of the officers in the zone will be announced in a separate CYBERFLASH.

#### What's the status of the 2007 promotion boards?

All promotion boards have been completed and the reports are currently in routing. The names of selectees will be released after the Secretary approves the report and appropriate notifications are made to those that were considered by the boards.

#### What does it mean to have a "Best Qualified" board?

Most promotion boards are best qualified (Lieutenant through Captain). All officers under consideration compete with each other for a limited number of vacancies. The NOAA Corps workforce depicts a pyramid structure, which relies on a large junior officer workforce but a much smaller senior officer workforce. Natural attrition alone is inadequate to reduce the size of the workforce as it matures. A best qualified board will always result in fewer officers selected than were considered. By necessity, the best qualified process results in the non-selection for promotion of officers who may be fully qualified to serve in the next-higher grade.

Selection on a "best qualified" basis embodies four elements. Selection boards are required to:

- (1) Consider all officers impartially and equally;
- (2) Develop criteria by which officers can be compared and apply the same criteria to all those being considered;

- (3) Evaluate by comparison, with the most capable officers advancing to positions of higher responsibility; and
- (4) Be legally sufficient.

Selection boards convened to recommend officers for promotion to the grades of lieutenant through captain consider officers on a "best qualified" basis. Promotion to lieutenant (junior grade) is made on a "Fully Qualified" basis. "Best Qualified" boards consider officers' records, comparing past performance, the officers' capacity to undertake successfully tasks of progressively greater difficulty involving broader responsibilities, the officers' capability and inclination to study for further professional growth, and their potential to perform creditably those duties to which they might be assigned in the next higher grade.

#### What does it mean to have a "fully qualified" board?

LTJG promotion boards are fully qualified. These boards recommend those officers for promotion whose records indicate they are qualified to perform all duties to which they reasonably might be assigned in the grade for which they are being considered. The board must recommend whether each officer it considers is or is not fully qualified, without any restrictions or qualifications. The board may also determine an officer to be performing unsatisfactorily in grade. In that case, the officer's commission is revoked and the member is discharged from the officer corps. All officers under consideration may be selected in a fully qualified board.

#### What selection criteria do the boards use?

Promotion boards recommend on either a best qualified or fully qualified basis as set forth in law and directed in the precept. The five criteria used by the Boards are contained in the NOAA Corps Directives. These include Performance, Leadership Ability, Management Ability, Breadth of Experience and Professional Development. The degree of significance a board assigns to each of these criteria may vary according to the grade and type of selection the board is making. For example, a board selecting officers for captain may place greater weight on leadership than it would for a board considering ensigns to lieutenant junior grade.

#### What information do boards see in making their decisions?

Officer promotion boards review only officers' service records. Records are presented to the boards using electronic imaging. The boards are also given eligibility rosters of the candidates in alphabetical order. Above and in zone officer rosters are combined, so that the status of the candidates is not discernible. Information regarding ethnicity is not available to promotion boards at any time.

#### Are the boards given quotas for diversity reasons?

No. The precepts tell the board how many officers to select for promotion from the eligible candidate pool without any reference to race or gender. Based on the Supreme Court's ruling in the 1995 case of Adarand v. United States Department of Transportation, Federal affirmative action programs that use racial and/or ethnic criteria as a basis for decision making are subject to strict judicial scrutiny, which typically results in judicial invalidation of such race-based initiatives. In the wake of the Adarand decision, the DOD has lost several landmark cases (Baker v. United States and most recently, Christian v. United States) in which selection boards were impermissibly using race and gender as criteria. In essence, the impact of the Adarand decision and follow on rulings is that boards cannot be directed to consider minority or gender status in selecting those officers "best qualified" for promotion.

#### Can board presidents vote?

Yes, board presidents have an equal vote in any decisions made by the board. All promotion boards (O-2 through O-5) have an O-6 president who acts as the senior member.

## What happens if a board member is a close friend or relative of someone under consideration?

In a small service such as ours, it is not unusual for board members to have personal knowledge of officers under consideration. For instance, a board member who is CO of a unit may have his OPS boss or a JO under consideration. In some cases, board members may have friends or distant relatives under consideration. However, board members are charged to make their decisions on matters of record only.

#### Do boards factor my medical condition into their decision?

Promotion boards are not given any information about medical condition of the officers under consideration. They are instructed to assume that all officers whose records they see are medically qualified.

#### Do boards exclusively use electronic records?

All promotion boards use electronic records. These records are scanned in so that images of the documents appear on the computer screen.

#### If I am passed over will the board know it the next time?

Promotion boards are given a combined roster of above and in zone officers under consideration, with officers listed alphabetically, so that the status of the candidates is not discernible.

### Can I find out exactly why I got passed over?

Deliberations of a promotion board are confidential, and board members take an oath to that effect. This requirement is not to hide the process, but is instead intended to protect officers from following what could be misleading guidance. Every year, boards convene with different members, a different precept, and different Service needs. They develop their own specific criteria for promotion. If each board gave out advice as to what they thought was the key to promotion, officers might follow suggestions that would not help them succeed in future years. Officers seeking career and promotion advice should ask their chain of command, assignment officer or the Chief of the Career Management Division in CPC for feedback and recommendations on how to strengthen their records.

#### What can I do six months out to prepare for a promotion board?

Review your official record for completeness. You can see your record by at the following website:

https://cpc.nmao.noaa.gov/opfonline/login.jsp. While every effort is made to ensure that records are checked for completeness prior to each promotion board, officers are ultimately responsible for their own records.

#### Can you appeal promotion board results?

No. Promotion boards are governed by law, not just policy. Once a board report is approved the results are firm. Promotion boards are not reconvened to address any type of appeal.

# How can someone who is known to be a "top performer" get passed over?

As a result of the "best qualified" selection process, some high performing officers are passed over. Boards have the benefit of seeing each member's entire record (including things along the way that coworkers may not be aware of) and being able to then compare all of those records in one sitting. Other officers may have had much stronger complete records in comparison to someone you personally know. It is important to remember that the "best qualified" selection process often results in very tough competition among qualified officers.

Roger Mason Acting Director, Commissioned Personnel Center

### **Billett of Week**

The National Marine Fisheries Service (NMFS) Southwest Fisheries Science Center, Environmental Research Division (ERD), (formerly Pacific Fisheries Environmental Lab – PFEL) in Pacific Grove, California is seeking a junior officer with oceanography, meteorology, or environmental science background for the Manager, Environmental Products (Billet #2390). ERD is a national center for providing global satellite and in-situ data and products that contribute to NOAA's mission as part of the Integrated Ocean Observing System (IOOS) effort. This billet offers excellent opportunities to conduct research and develop the tools to manage and apply multiple satellite oceanography data products for NOAA ecosystem management needs. The officer will develop a detailed technical experience in in environmental data management with expertise in satellite remote sensing toward published research. Pursuit of education opportunities toward advanced degrees (MS, PhD) in science or management is supported.

Primary duties include: NOAA NESDIS CoastWatch West Coast Regional Node (WCRN) Operations Officer. The CoastWatch West Coast Regional Node maintains data received from a suite of environmental monitoring satellites. Primary data products include sea surface temperature and currents, ocean color and primary productivity, and surface wind. http://coastwatch.pfel.noaa.gov/

If anyone should have any questions regarding this billet, please feel free to contact LCDR Michael Hoshlyk at 831-648-0426 or mike.hoshlyk@noaa.gov or the Assignment Officer, LCDR John Caskey, at 301-713-7748 or assignmentbranch.cpc@noaa.gov

### **Training Opportunity**

A unique training opportunity exists for any officers and civilians (Federal employees) interested in serving on NOAA's Aviation Safety Board (ASB). Although the training agenda is centered around Federal aviation safety, you do not need to have a background in aviation to become a member of the ASB. The intent of the program is to build a diverse, well-qualified pool of candidates from across all the Line Offices to serve on the ASB and/or Risk Assessment Boards. The ASB will typically meet on a quarterly basis in/around the Silver Spring, MD area.

This year's annual Interagency Committee for Aviation Policy (ICAP) event is being conducted from 23-26 July in Orlando, FL. A detailed agenda can be viewed at: www.fedfleet.org/printversion/aviation.html - www.fedfleet.org/printversion/aviation.html. The training will be fully-funded by NOAA's Aviation Safety Office.

Approximately 5-7 slots are still available and the deadline for registering is April 30th. If you're interested in attending the training and becoming a member of the ASB, obtain supervisor approval prior to sending an e-mail to Jim Kelley at jim.kelley@noaa.gov.

## On The Horizon

This section is designed to provide the NOAA Corps officers with some of the highlights of items under consideration that may have an impact on them. The items discussed may or may not be approved at a later date.

This section will be updated in a future CYBERFLASH.