Department I of the I Treasury

Internal Revenue Service Office of Chief Counsel Notice

CC -2002-007

November 21, 2001

Assistant Branch Chief and Upon incorporation
Subject: Assistant to Branch Chief Positions Cancel Date: into the CCDM

## PURPOSE

The purpose of this notice is to issue updated procedures for announcing and filling Assistant Branch Chief and Assistant to the Branch Chief positions. The 104 week time-in-grade requirement for GS-13s has been changed to 52 weeks. A panel will be appointed to review and consider all qualified candidates.

## 30.4.2.12

### Announcement and Application Procedures for Assistant Branch Chief and Assistant to the Branch Chief Positions.

The following text will be added to CCDM 30.4.2.12 to provide details implementing these changes.

(3) *Grade Structure*. All Assistant Branch Chief and Assistant to the Branch Chief positions will be established and filled only at the GS-14 level. All GS-13s considered for promotion to such positions must meet the minimum 52 week requirement of CCDM 30.4.2.3.3.

(5) Application Procedures. Assistant Branch Chief and Assistant to the Branch Chief vacancies will be announced by Personnel and will be posted on the Chief Counsel Intranet and posted on vacancy announcement boards maintained by Personnel. Applicants who are interested in applying for these positions must submit application forms to Personnel, as stated on the vacancy announcement. Personnel will submit a package to the appropriate Assistant Chief Counsel.

Filing Instructions: Binder <u>30</u>	_ Master Sets: NO F	20
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- (6) Selection Process and Documentation
  - a. The Associate Chief Counsel of the affected organization will appoint a panel to review and consider the applications of the qualified candidates. This review panel will be responsible for identifying the highly qualified candidates, conducting interviews (if appropriate), and making a selection recommendation to the Associate.
  - b. The review panel will generally consist of three GM/GS-15 or above employees. The Associate Chief Counsel will appoint a chairperson of the panel who will generally be the Deputy Associate Chief Counsel or the Assistant Chief Counsel of the affected division or the Branch Chief of the affected branch. One of the members of the panel must be from outside the affected Associate area.
  - c. The chairperson will prepare a written selection recommendation (see Exhibit 30.4.2-6) on behalf of the review panel for submission to the Associate Chief Counsel. For those organizations with Assistant Chief Counsel, this recommendation will be routed through the affected Assistant.
  - d. The purpose of the selection memorandum will be to document the selection process by explaining the review panel's decisions regarding the relative qualifications of the applicants. Its focus should be on identifying the job-related criteria the panel used to assess the applicants' qualifications, and on describing the extent to which each of the highly qualified candidates met or did not meet these criteria.
  - e. Upon approval of the selection by the Associate Chief Counsel (as indicated by his/her signature on the selection memorandum), the recommendation is to be sent to the personnel office for processing, along with the applications of all of the candidates who had been referred to the review panel for consideration.
  - f. In the event the Associate Chief Counsel does not concur with the recommended selection, he/she may make an alternate selection from among the other highly qualified candidates by preparing a separate written narrative which documents the basis for his/her decision. The original selection recommendation is, however, to remain as part of the file sent to personnel for processing.

/s/ Richard J. Mihelcic Associate Chief Counsel (Finance and Management)

Attachment (1)



# Exhibit 30.4.2-6 Selection Recommendation for Assistant Branch Chief/Assistant to Branch Chief

MEMORANDUM FOR ASSOCIATE CHIEF COUNSEL<sup>1</sup>

(office)

FROM: Review Panel Chairperson

SUBJECT: Selection Recommendation for Assistant Branch Chief/ Assistant to Branch Chief (office) Vacancy Announcement # (announcement number)

On behalf of the review panel for this position, I am pleased to recommend the selection of (name of proposed selectee). The review panel consisted of myself as chairperson; (name and title of 2<sup>nd</sup> panel member); and (name and title of 3<sup>rd</sup> panel member). After an initial assessment of the applications of the (number of total qualified) candidates who were rated eligible for this position, the panel determined the following candidates to be highly qualified for this position:

## List applicants interviewed in alphabetical order

The interviews of these applicants were conducted on (date of interview).

The panel considered a number of factors in distinguishing between the relative qualifications of the candidates. These factors included each candidate's: technical knowledge and experience in (identify specialized law knowledge required; e.g., corporate tax matters <sup>2</sup>); supervisory or managerial potential; and (list other factors considered; these can be anything which is job-related <sup>3</sup>). Following is a summary of our final qualifications assessments of

the highly qualified candidates.

<sup>&</sup>lt;sup>1</sup> Include a "thru line, as appropriate, for Assistant Chief Counsel.

<sup>&</sup>lt;sup>2</sup> This knowledge should generally be that which is described in the specialized experience and knowledge, skills and abilities sections of the vacancy announcement. If multiple tax areas were considered, but some were considered more important than others, this should be noted; e.g., "experience in corporate tax, particularly in corporate bankruptcy work".

<sup>&</sup>lt;sup>3</sup> The point here is to identify all of the job-related factors that were used by the panel to sort/ rank the candidates. Examples of some appropriate factors might be: "experience in writing/reviewing regulations"; "organizational vision"; "interpersonal skills"; "familiarity with litigation processes", etc.

Starting with the selectee, provide a brief summary for each of the highly qualified candidates which discusses the relevance of his/her experience in terms of the technical, managerial, and any other skills needed to perform in the position, and the panel's impression of the candidate during the interview. If panel ranked the non-selected candidates, they should be discussed in rank order; otherwise, the non-selectees can be listed alphabetically. <sup>4</sup> Summaries should include only information that was used in making final selection decisions. Information about degrees, etc., are available in the candidates' applications and do not need to be repeated here.

### 1. Name of Selectee

The panel was unanimous in its recommendation of (selectee name).<sup>5</sup>

Summarize the basis of selection and why panel believes candidate surpasses other candidates. If any deficiency was noted, or selectee was weaker in an area than some of the other candidates, include a statement regarding how panel believes this weakness was off-set by other skills the candidate possesses, or how it believes the employee or management may address it in the future.

2. Name of highly qualified candidate - non-select: Repeat for each non-select

### If candidates were ranked:

(Candidate name) was ranked as the panel's second choice for this position.

Summarize why applicant was not as well qualified for position as the selectee, but why he/she was better than other ranked candidates.

### If candidates were not ranked:

(Candidate name) was not as well qualified for the position as the selected candidate. Summarize why applicant was not as well qualified for position as the selectee.

Based on the above, if you agree with our recommendation of (selectee name) for the subject position, please indicate your approval by signing in the space provided. The file containing the application material is available upon your request.

I hereby approve the selection of (selectee name) for the position of (title of position and location).

APPROVED

DATE\_\_\_\_\_

ASSOCIATE CHIEF COUNSEL

<sup>&</sup>lt;sup>4</sup> It is recommended candidates be ranked so that another selection can be made if the original selection "falls through". The panel does not, however, have to rank.

<sup>&</sup>lt;sup>5</sup> If recommendation of selectee was not unanimous, this should be discussed here with an explanation of how final resolution was reached.