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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 300, 315, 316, 352, and 410

[Docket ID: OPM–2026–0067]

RIN 3206–AP05

Elimination of Time-in-Grade

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is adopting, substantially as proposed, its proposed rule eliminating the Time-in-Grade (TIG) restriction on advancement to competitive service positions in the General Schedule (GS). Under the prior regulations, a candidate generally could not be advanced to a covered position at GS–6 or above without completing 52 weeks in a position no more than one grade lower—or two grades lower for certain positions in two-grade-interval lines of work. This final rule removes that requirement. Employees remain subject to all applicable occupational qualification standards and any additional job-related qualification requirements established by their employing agency.

DATES: This rule is effective January 19, 2027.

FOR FURTHER INFORMATION CONTACT: Ms. Melissa Cuffari (202) 936–2638 or by email at WPIntake@opm.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

OPM is finalizing its proposal (91 FR 31669; May 28, 2026) to eliminate the Time-in-Grade (TIG) restriction in 5 CFR part 300, subpart F, and to make conforming amendments to 5 CFR parts 315, 316, 352, and 410. This rule removes the requirement that a candidate for advancement to a covered General Schedule position in the competitive service at GS–6 or above have completed 52 weeks in a position

no more than one grade lower—or, for positions at GS–6 through GS–11 in lines of work properly classified at two-grade intervals, no more than two grades lower—than the position to be filled.

Employees must continue to meet all applicable OPM qualification standards, agency-established job-related requirements, classification requirements, and merit promotion procedures. This rule does not create an entitlement to promotion, does not waive specialized-experience or education requirements, and does not alter statutory qualification, classification, or competition requirements under 5 U.S.C. chapter 33, 5 CFR part 335, or OPM’s qualification standards. By its own terms, the restriction OPM removes in this rule operated “in addition to the eligibility requirements for promotion in part 335 of this chapter.” 5 CFR 300.601. Those part 335 requirements—which govern how agencies evaluate, rank, and select candidates for promotion—are unaffected by this rule and remain fully in force.

During the 60-day comment period, OPM received 75 comments. Of those, 41 comments supported eliminating TIG, 22 comments proposed conditions, safeguards, or targeted alternatives rather than opposing elimination outright, and 11 comments opposed elimination. OPM is finalizing the rule substantially as proposed. In response to public comments, OPM confirms the following clarifications, discussed further in the section-by-section analysis.

First, eliminating TIG creates eligibility for consideration; it does not create an entitlement to promotion, does not require agencies to accept or act on promotion requests on demand, and does not alter agency discretion regarding classification, funding, or the existence of higher-level work.

Second, agencies may continue to establish and apply job-related promotion prerequisites—including a specified period of service in grade, demonstrated competencies, required training or certifications, and documentation requirements—provided those prerequisites are job-related, consistently applied, and administered through the agency’s written merit promotion plan under 5 CFR 335.103.

Third, this rule does not alter within-grade increase requirements under 5

U.S.C. 5335 and 5 CFR part 531, subpart D; Quality Step Increase authority under 5 CFR part 531, subpart E; veterans’ preference under 5 U.S.C. 2108 and the Veterans Employment Opportunities Act (VEOA) under 5 U.S.C. 3304(f); collective bargaining obligations under 5 U.S.C. chapter 71; or the merit system principles and prohibited personnel practices in 5 U.S.C. 2301 and 2302.

Fourth, a number of comments recommended that OPM adopt governmentwide standards, documentation requirements, review boards, or reporting mandates governing accelerated promotions. OPM is not adopting those recommendations in this rule. The requirements that govern how agencies evaluate, rank, and select candidates for promotion are established in 5 CFR part 335, not in the TIG restriction OPM is removing, which by its terms operated “in addition to the eligibility requirements for promotion in part 335 of this chapter.” 5 CFR 300.601. A governmentwide change to the promotion process of the kind these comments describe would properly be made through a rulemaking amending part 335, on notice directed to that part, rather than through this rule removing a separate, calendar-based eligibility restriction in part 300.

Fifth, OPM is correcting several technical cross-reference and drafting inconsistencies identified between the proposed rule’s preamble narrative and its amendatory instructions, discussed in the section-by-section analysis.

II. Digest of Public Comments

During the 60-day comment period between May 28, 2026, and July 27, 2026, OPM received 75 comments in response to the proposed rule. Comments are individually identified by their docket comment number (e.g., “Comment 0002” refers to OPM–2026–0067–0002). OPM has grouped the comments into six general categories based on their predominant content. Considered in the aggregate rather than by category, 41 of the 75 comments supported eliminating TIG on one or more grounds (Parts II.A through II.C); 12 comments opposed elimination (Parts II.D and II.E); and 23 comments neither supported nor opposed elimination outright, instead proposing conditions, safeguards, or targeted alternatives directed principally at how

elimination should be implemented (Part II.F).

Comments touching on more than one theme are grouped according to their primary focus and are cross-referenced in the section-by-section analysis in Part III where relevant. Such comments are discussed in each category to which they pertain, with a bracketed cross-reference, but are counted only once—in the category reflecting the comment's primary focus. The category counts accordingly sum to the 75 comments received.

*A. Comments Supporting Elimination Based on Merit and Performance*¹

Comments in this group supported eliminating TIG because they believe promotion should reflect demonstrated performance, capability, and readiness rather than elapsed time. Comment 0011 described being selected as the best-qualified candidate for a position through a structured panel interview, only to have the promotion blocked because 52 weeks had not elapsed in the current grade.

Comment 0027 and Comment 0060 similarly described performing at a higher grade level for extended periods, including receiving a Quality Step Increase and special contribution awards, while remaining ineligible for promotion solely because of the calendar requirement. Comment 0015, submitted by an employee at a Federal correctional complex, and Comment 0053 likewise described high performers being held back by TIG independent of their actual readiness. Additional comments (0005, 0010, 0017, 0018, 0019, 0035, 0037, 0044, 0047, 0049, 0065, and 0066) similarly urged that promotion rest on demonstrated qualifications, skills, and performance rather than on time served. Taken together, these comments describe a consistent pattern in which TIG deferred the advancement of employees whose readiness their agencies had already evaluated—through structured selection, performance appraisal, or the assignment of higher-graded duties. OPM agrees with these comments, and this final rule is intended to permit precisely the kind of merit-based consideration they described.

*B. Comments Supporting Elimination Based on Prior Experience and Career Mobility*²

Comments in this group supported elimination because their prior military service, private-sector employment, education, or experience in a different occupational series exceeded what their current Federal grade would suggest.

Comment 0003 described being capped at a GS–9 despite performing GS–13-equivalent work. Comment 0016 described performing GS–12-level work while remaining a GS–6 because advancement required moving grade-by-grade. Comment 0056 identified specific structural barriers, including employees who have served in a higher-graded position through details or temporary promotions being unable to compete for the next grade because that time was not in a permanent appointment, and employees being unable to move between one-grade-interval and two-grade-interval occupational series despite meeting specialized-experience requirements.

Comment 0058 and Comment 0041 described relevant military and certification-based experience that TIG does not credit. Ten comments (0006, 0021, 0022, 0026, 0029, 0038, 0039, 0043, 0052, and 0055) similarly described prior experience, education, or performance that exceeded the requirements associated with their current grade. OPM agrees. As these comments illustrate, TIG operates to prevent qualified employees from being considered for advancement based solely on the passage of time rather than the nature and level of their experience, and it does so without regard to whether experience acquired in military service, the private sector, another occupational series, or a higher-graded detail has already prepared the employee for the higher-level work.

*C. Comments Supporting Elimination Based on Workforce Agility and Retention*³

Comments in this group, including one from a hiring manager (0009) and others from Federal agency employees, emphasized that TIG creates promotion bottlenecks, particularly where higher-grade vacancies are limited (Comment 0028), and can cause agencies to lose qualified candidates or delay filling mission-critical positions. Comment

0040 explained that the nominal 52-week period, once SF–50 processing and hiring-pipeline timelines are included, regularly extends to 15–18 months or more in practice. Comment 0051 described lower-graded employees who began performing higher-grade duties after more senior colleagues departed under deferred resignation programs and who would otherwise be excluded from future vacancies despite the experience gained.

Comment 0057, a Pathways career-ladder employee, expressed concern about retention absent faster advancement. Comment 0076 expressed definitive support for elimination while raising extensive implementation considerations addressed in Parts III.E through III.G, III.I, and III.K. Three additional comments (0020, 0032, and 0045) expressed general support on workforce-agility and retention grounds.

OPM agrees. Removing TIG will allow agencies to fill higher-graded positions more quickly where a qualified employee is available, the higher-level work exists, and funding permits—and, as Comment 0040 explained, will eliminate a delay that in practice runs well beyond the nominal 52 weeks.

*D. Comments Opposing Elimination Based on Fairness, Favoritism, and Merit Safeguards*⁴

Comment 0059 suggested that TIG is the strongest guardrail against managers fast-tracking favored employees and that the qualification standards OPM cites would provide no comparable check because the same managers control both selection and grooming of candidates for accelerated advancement. Comment 0012 argued that TIG is a preventive structural safeguard, whereas prohibited personnel practice (PPP) enforcement is reactive, slow, and places the burden on the employee after harm occurs, citing a 2009 comment on a prior TIG rulemaking. Comment 0007 argued that TIG provides predictable career expectations and that removing it would place excessive discretionary authority in supervisors' hands.

Comment 0031 and Comment 0070 argued more generally that removing the 52-week requirement would accelerate unqualified or favored employees. Comment 0024 argued that TIG promotes fairness, consistency, clear expectations, and merit-based progression, and that, because promotion decisions can be subjective, removing TIG could increase the potential for favoritism and arbitrary

¹ This group comprised 17 comments: 0005, 0010, 0011, 0015, 0017, 0018, 0019, 0027, 0035, 0037 (also within Workforce Agility), 0044, 0047, 0049 (also within Workforce Agility), 0053, 0060, 0065, and 0066.

² This group comprised 15 comments: 0003, 0006, 0016, 0021, 0022, 0026, 0029, 0038, 0039, 0041, 0043, 0052, 0055, 0056, and 0058.

³ This group comprised 9 comments: 0009, 0020, 0028, 0032, 0037 (also within Merit/Performance), 0040, 0045, 0049 (also within Merit/Performance), 0051, 0057, 0076 (also addressed at length in Part III).

⁴ This group comprised 7 comments: 0004, 0007, 0008 (primarily conditional, cross-referenced in Part III.B), 0012, 0031, 0059, 0070, and 0075.

promotions. Comment 0024 recommended, as an alternative to elimination, adding flexibility for high-performing employees to accelerate advancement while maintaining objective standards, addressed in Part III.B. Comment 0075 opposed the rule in its entirety on the ground that it would replace merit-based competitive examining with a spoils system in violation of the Pendleton Act and multiple constitutional provisions, addressed separately in Part III.J. Comment 0004 objected on the separate ground that the rule overlooks Quality Step Increases as an existing tool for rewarding performance, addressed in Part III.H. OPM addresses the favoritism- and safeguard-related arguments in detail in Part III.A.

E. Comments Opposing Elimination Based on Experience, Readiness, and Institutional Knowledge⁵

Comment 0025 identified potential disadvantages of elimination, including increased perceived favoritism, reduced development time, budget pressure, loss of intermediate-grade experience, and increased competition for advancement. Comments 0033 and 0034 (near-identical submissions) argued that removing TIG before overhauling agency promotion and competency-evaluation processes risks systemic underperformance and loss of accountability. Comment 0048 opposed any change to TIG on the grounds that experience and knowledge would be degraded and favoritism would increase. OPM addresses these comments in Part III.A.

F. Comments Supporting or Not Opposing Elimination Subject to Conditions, Safeguards, or Targeted Alternatives⁶

This category is the largest of the six categories described in this Part, although the 41 comments supporting elimination, considered together across Parts II.A through II.C, substantially exceed it. Comments in this category did not uniformly oppose elimination; several expressly supported repeal or stated that they did not oppose it and directed their recommendations to how elimination should be implemented rather than whether it should occur. Comment 0002 recommended targeted flexibility limited to technical, medical,

and scientific occupations rather than governmentwide elimination. Comment 0008 proposed a grade-banded TIG framework scaling from 6 months (GS–1 to GS–5) to 24 months (GS–13 and above), aligned with performance evaluation cycles, together with a narrow waiver process and mandatory pilot testing. Comment 0050 proposed allowing employees to compete for positions up to two grades above their current grade after two or three years in grade.

Comment 0072 proposed a “Competency-Based Accelerated Promotion Waiver” retaining the 52-week baseline with a 26-week waiver available only with the highest performance rating, an OPM-certified assessment, and independent review board approval, together with a 24-month phased implementation. Comment 0042 did not oppose revisiting TIG but requested baseline data on the scope of the problem, replacement safeguards, and comparison of graduated alternatives before governmentwide repeal. Comment 0030 did not oppose modernization but expressed concern about the loss of an objective, easily understood standard and recommended written promotion criteria, advance communication, and documentation. Comment 0068 generally supported elimination but recommended governmentwide best practices, promotion review boards, independent audits, and manager training.

Comment 0069 urged withdrawal or substantial revision, framing TIG as an objective, front-end constraint on rapid promotion that the proposed rule would remove without replacement, and recommended written accelerated-promotion standards, contemporaneous justification, objective evidence, HR or panel review, audits, and public reporting. Comment 0074 supported repeal while recommending that agency-specific criteria be objective, published, and consistently applied, with concise documentation and periodic aggregate review rather than a burdensome waiver process. Twelve additional comments (0013, 0014, 0023, 0046, 0054, 0061, 0062, 0063, 0064, 0067, 0071, and 0073) offered varying combinations of these recommendations, including written criteria, HR or classification review, budget review, pilot programs, phased effective dates, and monitoring for disparate impact. Comment 0036 opposed the change absent significant revisions to oversight and qualification-measurement mechanisms, citing HR capacity and structural conflicts of interest. Comment 0076 is discussed

primarily in Part II.C and in Parts III.E through III.G, III.I, and III.K. OPM addresses these recommendations in detail in Part III.B through III.D; addresses the effective-date and adjudicatory-capacity recommendations in Part III.A; and addresses the cost recommendations in Part III.I and Part V.D.

III. Section-by-Section Analysis and Response to Comments

A. General Comments on the Decision To Eliminate TIG

Comments supporting elimination as consistent with merit principles. As described in Parts II.A through II.C, 41 comments supported eliminating TIG. OPM does not treat these comments as expressions of preference only. Read together, they describe a consistent set of operational effects bearing directly on whether a uniform 52-week eligibility restriction remains necessary or appropriate: employees identified through competitive or structured selection processes as best qualified for higher-graded work whose promotions were nonetheless deferred solely because 52 weeks had not elapsed (Comment 0011); employees performed the duties of substantially higher-graded positions for extended periods, in some cases while receiving Quality Step Increases and special contribution awards, without becoming eligible for promotion to the grade of the work performed (Comments 0003, 0016, 0027, and 0060); a nominal 52-week period that, once position-processing and hiring-pipeline timelines are accounted for, regularly operates as 15 to 18 months or longer in practice (Comment 0040); and experience acquired through details, temporary promotions, military service, and professional certification that TIG does not credit was not considered because it was not accrued in a permanent appointment at the preceding grade (Comments 0041, 0056, and 0058). See, e.g., 5 CFR 300.605(a) (service while on detail is credited at the grade of the employee’s position of record, not the grade of the position to which detailed).

OPM finds these accounts probative. They are consistent with one another, they come from a range of agencies and occupational series, and they describe a mechanism inherent in TIG rather than incidental to how any particular agency administers it: because TIG measures elapsed time in grade and nothing else, it defers consideration of employees whom an agency has already determined, through job-related evaluation, to be prepared for higher-level work. OPM concludes that the

⁵ This group comprised 4 comments: 0025, 0033, 0034, and 0048.

⁶ This group comprised 23 comments: 0002, 0008, 0013, 0014, 0023, 0024 [counted in Part II.F, reflecting its primary focus], 0030, 0036, 0042, 0046, 0050, 0054, 0061, 0062, 0063, 0064, 0067, 0068, 0069, 0071, 0072, 0073, 0074, and 0076 (cross-referenced from Part II.C).

record in this rulemaking supports its determination that TIG imposes costs on agencies and employees that are not offset by a corresponding merit-protective benefit, for the reasons discussed in the responses that follow.

Comments arguing TIG remains necessary to prevent favoritism and protect merit-system integrity. Comment 0059 argued that the governmentwide qualification standards cited by OPM would provide no impediment to disparately fast-tracking favored employees, particularly where the same managers who make selection decisions also control how employees are groomed for advancement. Comment 0012 defends time-in-grade as a preventive structural safeguard—one that blocks improper promotions before they occur, rather than remedying them afterward. The comment contrasts that with prohibited personnel practice enforcement, which it characterizes as hard to prove, slow to adjudicate, and burdening the employee only after harm is done. It supports the point with a 2009 comment cautioning that promotion schemes built without objective criteria and adequate oversight have in fact produced favoritism, nepotism, and illegal discrimination. Comment 0007 similarly argued that TIG provides predictable, transparent career expectations and that removing it would place excessive discretionary authority in the hands of individual supervisors. Four additional comments (0024, 0031, 0048, and 0070) argued in briefer terms that eliminating the 52-week requirement would allow acceleration of unqualified, favored, or politically connected employees, or that the subjectivity of promotion decisions makes a uniform waiting period necessary.

OPM disagrees that TIG is the primary or most effective safeguard against favoritism in the promotion process. TIG determines only when an employee becomes eligible to be considered for promotion; it does not evaluate whether a candidate is qualified for a higher-graded position, does not identify the best-qualified candidate, does not rank candidates, and does not prevent a supervisor from favoring a particular employee once that employee has completed 52 weeks in grade. An agency's promotion decision remains governed by 5 CFR part 335. Section 335.103(b)(1) (Requirement 1) requires each agency to establish procedures for promoting employees that are based on merit and are available in writing to candidates, requires that those procedures be administered without regard to political affiliation or any other non-merit-based factor, and

requires that promotion actions be “based solely on job-related criteria.” Section 335.103(b)(3) (Requirement 3) requires that candidates meet the minimum qualification standards prescribed by OPM, that methods of evaluation for promotion be consistent with 5 CFR part 300, subpart A—which in turn requires that employment practices bear a rational relationship to performance in the position and be supported by a job analysis, *see* 5 CFR 300.103—and that due weight be given to performance appraisals and incentive awards. Section 335.103(b)(5) (Requirement 5) requires each agency to maintain a record of each promotion sufficient to allow reconstruction of the promotion action, including documentation of how candidates were rated and ranked. These requirements, together with OPM qualification standards, position classification requirements, and the merit system principles and prohibited personnel practices in 5 U.S.C. 2301 and 2302, provide substantive protection against improper promotion decisions in a way that a calendar requirement does not.

OPM also notes, as Comment 0037 and others acknowledged, that TIG does not apply uniformly across the Federal workforce: it does not apply to Federal Wage System employees, to pay-banded positions, to excepted service employees generally, to competitive service employees seeking positions through open, competitive examination, or—even within its own coverage—to advancement to positions up to GS-5 where the position to be filled is no more than two grades above the lowest grade the employee held within the preceding 52 weeks under the employee's latest nontemporary competitive appointment, *see* 5 CFR 300.604(c). OPM has considered promotion practices in those portions of the workforce that already operate without any time-in-grade restriction and is not aware of evidence, in the comments received or otherwise available to OPM, that promotion decisions in those settings are subject to materially greater rates of favoritism than promotion decisions covered by TIG. No comment identified such evidence.

OPM addresses separately the more specific contention that qualification standards cannot constrain favoritism because the same managers who select candidates also control the details, developmental assignments, and training through which candidates become qualified. OPM does not dispute that a supervisor may influence both. That influence, however, exists today and is unaffected by TIG: a supervisor

who directs developmental opportunities to a favored employee can do so during the 52-week period as readily as after it, and at the end of that period the favored employee is better qualified and the disfavored employee is not. TIG delays the promotion; it does not redistribute the opportunities that produced the disparity. The requirements that do reach that conduct are the requirement that promotion criteria be job-related and supported by job analysis, the requirement that agencies apply their merit promotion plans consistently, the prohibition on granting an unauthorized preference or advantage under 5 U.S.C. 2302(b)(6), and the classification requirements that permit promotion only where higher-graded work actually exists. For the same reason, OPM does not accept the characterization of TIG as preventive and of enforcement as merely reactive. TIG prevents nothing that a supervisor intent on favoritism cannot accomplish by waiting 52 weeks; what it reliably prevents is the timely promotion of employees who are ready.

OPM acknowledges that these requirements operate on the promotion decision rather than on the antecedent assignment of developmental work, and that a uniform 52-week waiting period imposes a delay that those requirements do not. OPM has weighed that consideration. OPM concludes that a delay applied to every employee in the competitive service, including the substantial majority as to whom no favoritism concern arises, is a poorly targeted means of addressing conduct that is already prohibited, that TIG does not prevent, and that the record does not show to be more prevalent in the portions of the workforce already operating without TIG.

The qualification requirements applicable to promotion likewise operate independently of TIG and are unaffected by this rule. Section 335.103(b)(3) (Requirement 3) provides that, to be eligible for promotion or placement, candidates must meet the minimum qualification standards prescribed by OPM, that methods of evaluation for promotion and placement must be consistent with 5 CFR part 300, subpart A, and that due weight must be given to performance appraisals and incentive awards. TIG, by contrast, measured only elapsed time: it provided that a candidate could not be advanced to a covered position unless the candidate had completed 52 weeks in a position no more than one grade lower—or, in two-grade-interval lines of work at GS-6 through GS-11, no more than two grades lower—than the position to be filled. *See* 5 CFR 300.604.

The governmentwide qualification standards have historically included a comparable one-year service period before an employee could be considered for promotion, so TIG largely duplicated a requirement imposed elsewhere. OPM is separately reviewing that requirement, and OPM's determination in this rule does not depend on its continuation. What the qualification standards require, and will continue to require, is that an employee actually be qualified for the position to which the employee is promoted and demonstrate that qualification through job-related evidence. Eliminating a tenure-based measure of qualification does not eliminate the requirement of qualification; it requires that qualification be shown directly rather than inferred from the passage of time.

Comment 0059 further argued that Federal positions were subject to qualification standards before enactment of the Whitten Amendment, that abuses nonetheless occurred, that those abuses are what prompted the Whitten Amendment, and that human nature has not changed in the interim. OPM does not agree that the comparison holds. The framework on which OPM relies in this rule did not exist in 1950. The governmentwide qualification standards now published in the OPM Operating Manual, Qualification Standards for General Schedule Positions—including the specialized-experience requirements that govern advancement between grades—postdate the Whitten Amendment, as do the merit promotion requirements in 5 CFR part 335, the merit system principles and prohibited personnel practices codified at 5 U.S.C. 2301 and 2302, the Office of Special Counsel, the Merit Systems Protection Board, and the Federal-sector equal employment opportunity complaint process. OPM made the same observation when it eliminated TIG in 2008. See 73 FR 66157, 66158 (Nov. 7, 2008) (“When the time-in-grade restriction was first implemented, procedures for redressing prohibited personnel practices had not yet been enacted, and OPM’s qualification standards did not exist.”). The relevant question is not whether favoritism existed before 1950, but whether a uniform waiting period adds protection to the framework that exists now. For all of these reasons, OPM concludes that it does not.

Comment 0059 also argued that the value of TIG lies not in any single promotion decision but in the aggregate: a bright-line rule is perceived as fair by the Federal workforce, and eliminating it would signal that seeking personal favor from managers can be rewarded,

with corrosive effects on morale and stability. Two additional comments (0007 and 0025) raised related concerns about predictability and perceived fairness. OPM takes the perception concern seriously. A promotion system that employees do not believe is fair will not retain them, whatever its formal properties. OPM does not agree, however, that a waiting period is what sustains that perception, and the record in this proceeding cuts the other way: 41 comments supported eliminating TIG, and a substantial number of them described TIG itself as a source of perceived unfairness, because it deferred the advancement of employees whose agencies had already evaluated them as ready and, in several instances, had already assigned them the higher-graded work. OPM concludes that perceived fairness is better served by requiring agencies to establish, publish, and consistently apply job-related promotion criteria under 5 CFR 335.103(b)(1) than by a rule that treats every employee identically without regard to qualifications.

Comments arguing that eliminating TIG will increase litigation and complaint activity. Comment 0059 argued that the principal practical advantage of TIG is its simplicity: because a bright-line rule is easy for selecting officials, human resources (HR) staff, and non-selected candidates alike to apply, a non-selected candidate who can verify that the selectee met TIG is less likely to challenge the selection. Removing that reference point, the comment argued, will generate additional equal employment opportunity and prohibited personnel practice litigation, particularly to the extent accelerated promotions correlate with protected characteristics. Comment 0076 raised a related concern that elimination could produce an increase in matters before the Office of Special Counsel and the Equal Employment Opportunity Commission that would be difficult to defend because each case would be highly fact-dependent, and that supervisors may face an increased documentation burden. Comment 0069 made a related argument concerning human capital workload, addressed in Part III.I.

OPM has considered these concerns and does not find them a sufficient basis to retain TIG. As an initial matter, TIG’s simplicity is a function of the fact that it measures nothing about the candidate. Verifying that a selectee completed 52 weeks in grade tells a non-selected candidate nothing about whether the selection was job-related, whether the selectee was better qualified, or whether the agency applied its merit promotion

plan consistently. OPM is not persuaded that the availability of that verification materially affects the volume of either meritorious or non-meritorious challenges.

More fundamentally, the standards against which promotion decisions are actually adjudicated are unchanged by this rule. A non-selected candidate’s claim under the equal employment opportunity statutes or 5 U.S.C. 2302 turns on whether the agency’s stated, job-related reasons for the selection are legitimate and consistently applied, not on whether the selectee had been in grade for 52 weeks. Because TIG operated only as an eligibility threshold, satisfying it was never itself a defense to a discrimination or prohibited personnel practice claim, and its removal therefore does not deprive agencies of a defense they previously had. Agencies that comply with 5 CFR 335.103—by establishing written, job-related promotion criteria, making them available to candidates in advance, applying them consistently to similarly situated employees, and maintaining records sufficient to reconstruct the action under § 335.103(b)(5)—will be better positioned to explain and defend a promotion decision than they would be by pointing to the passage of 52 weeks. OPM encourages agencies to use the existing part 335 framework for that purpose, as discussed in Part III.C, and notes that doing so also responds to the documentation concerns raised by three comments (0030, 0074, and 0076).

OPM also notes that this rule creates no entitlement to accelerated promotion and does not require any agency to promote any employee earlier than it otherwise would. Where an agency concludes that a job-related minimum period in grade is appropriate for particular positions or career ladders, it may adopt one under its merit promotion plan, as discussed in Part III.G.

Comments arguing that enforcement mechanisms for merit violations are presently inadequate. Comment 0013 argued that recent disruptions to the leadership and quorum of the Office of Special Counsel (OSC) and the Merit Systems Protection Board (MSPB) undermine OPM’s reliance on the merit system principles and prohibited personnel practices. The comment characterized TIG as the last uniform checkpoint remaining on promotion decisions. It recommended that OPM defer the effective date of this rule until it can certify that those bodies have sufficient capacity to adjudicate cases within statutory timeframes.

OPM does not agree that TIG is the only, or even the primary, safeguard

against improper personnel actions or that adjudicatory capacity at OSC or MSPB is a precondition to eliminating a non-merit, calendar-based eligibility restriction. As explained earlier in this Part III.A., the principal protections against improper promotions operate at the point of decision—through qualification standards, classification requirements, and merit promotion procedures—rather than through after-the-fact adjudication. OPM also notes that this comment's premise, which characterizes TIG as a uniform checkpoint, does not account for the fact that TIG does not apply to a substantial portion of the Federal workforce, as discussed previously in this section. OPM is not adopting a delayed or conditional effective date tied to the staffing or caseload of other Federal agencies or components, which OPM does not control and cannot reliably certify.

Comments requesting that OPM withdraw the rule and complete a broader review of pay, performance, and staffing before proceeding. Comment 0012 noted that OPM's 2008 final rule eliminating TIG, published at 73 FR 66157 (Nov. 7, 2008), was withdrawn at 74 FR 40057 (Aug. 11, 2009) pending a more comprehensive review of pay, performance, and staffing issues that was never completed. The comment argued that OPM should not proceed without either completing that review or explaining why it is no longer necessary.

Comment 0072 separately argued that OPM's reliance on the China Lake demonstration project is an invalid premise because demonstration projects operate under customized, locally supervised performance-appraisal matrices that cannot be extrapolated to the full 1.5-million-employee workforce, and that OPM has provided no new empirical data collected since the 2009 withdrawal to justify reversing its prior position, citing *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009).

OPM has explained in the proposed rule and in this final rule the basis for its current determination: governmentwide qualification standards and agency merit promotion procedures under 5 CFR part 335 provide the substantive framework for evaluating promotion decisions independent of TIG. OPM acknowledges Comment 0072's point that pay-banded demonstration projects operate under locally designed performance-appraisal and pay systems, and that outcomes observed in those projects cannot simply be extrapolated to the General Schedule workforce as a whole. OPM does not rely on demonstration-project

results as a predictive model of what will occur governmentwide. OPM relies on them, together with the Federal Wage System, pay-banded systems, the excepted service, and competitive examining, for the narrower proposition that substantial portions of the Federal workforce have long operated without any time-in-grade restriction and that neither the comment record nor OPM's oversight experience discloses documented, widespread promotion abuse in those settings. The absence of such evidence does not establish that abuse cannot occur; it does bear on whether a uniform, governmentwide waiting period is necessary to prevent it. No comment identified evidence to the contrary.

OPM notes that it is separately reviewing the service-period requirements contained in the governmentwide qualification standards. That review does not disturb the framework on which OPM relies here. The qualification standards will remain in effect and require that an employee be qualified for the position to which the employee is promoted. Part of this review will assess whether qualification is soundly measured by elapsed time or tenure rather than by demonstrated, job-related capability. The question whether tenure or qualifications should determine an employee's eligibility for promotion is the same question presented by this rule, and OPM's answer is the same: qualifications should be the determining factor.

Finally, OPM does not accept the premise that no evidence postdating the 2009 withdrawal informs this rulemaking. The comments received in this docket are themselves evidence developed since 2009, and they are substantial: 41 comments supported eliminating TIG, and a substantial number of them, submitted from a range of agencies and occupational series, described specific instances in which TIG deferred the promotion of employees whom their agencies had evaluated as qualified and prepared for higher-graded work, as summarized in Parts II.A through II.C. OPM's determination accordingly does not depend on extrapolating demonstration-project results to the Federal workforce as a whole; it rests on the continued operation of qualification standards, classification requirements, and merit promotion procedures, informed by the record developed in this proceeding and by the absence of documented, widespread promotion abuse in the substantial portions of the workforce that already operate without TIG. OPM does not agree that completion of a

separate, broader review of pay and staffing policy is a legal or practical precondition to finalizing this narrower rule addressing the TIG eligibility restriction.

OPM further acknowledges expressly that this rule adopts a position contrary to the one OPM took in 2009 and sets out its reasons for doing so. See *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009) (an agency changing course must display awareness that it is changing position and provide a reasoned explanation for the new policy but need not demonstrate that the new policy is better than the old one). Three features of the 2009 action bear on what that explanation requires here.

First, the 2009 withdrawal did not rest on a substantive determination that TIG is necessary to protect the merit system. OPM stated that it “would be more productive to consider the merits of the time-in-grade issue as part of a more comprehensive review of pay, performance, and staffing issues than to regulate this particular issue in piecemeal fashion.” 74 FR 40057 (Aug. 11, 2009). That was a judgment about sequencing, not a factual finding contrary to the findings OPM makes here, and it followed the governmentwide regulatory review directed by the memorandum of January 20, 2009, which caused OPM to delay the 2008 rule's effective date and reopen the record. See 74 FR 9951 (Mar. 9, 2009); 74 FR 21771 (May 11, 2009); 74 FR 23109 (May 18, 2009). Where an agency's prior position rested on a sequencing judgment rather than on contrary factual findings, the explanation required to depart from it is correspondingly less demanding.

Second, OPM's substantive position in 2008 was the position OPM adopts today. In the 2008 final rule, OPM concluded after notice and comment that qualification standards, merit promotion procedures, and the prohibited personnel practices provide the appropriate framework for evaluating promotion decisions, and that TIG is an eligibility factor measuring the passage of time rather than the ability to perform higher-graded work. 73 FR 66157, 66158 (Nov. 7, 2008). OPM had proposed the same result on three prior occasions. See 59 FR 30717 (June 15, 1994); 60 FR 2546 (Jan. 10, 1995); 73 FR 6857 (Feb. 6, 2008). This rule is therefore not a novel departure but a return, on a fuller record, to a conclusion OPM has reached repeatedly.

Third, OPM is not aware of, and no comment has identified, reliance interests that this rule would disrupt. TIG confers no entitlement and no

vested expectation; it confers eligibility. An employee who has completed 52 weeks in grade retains everything that period produced—the experience gained, the performance record established, and eligibility for consideration—and this rule takes nothing away from that employee. Cf. *Encino Motorcars, LLC v. Navarro*, 579 U.S. 211, 221–22 (2016) (an agency must provide a more detailed justification where its new policy rests upon factual findings contradicting those underlying its prior policy or where serious reliance interests are at stake).

OPM notes as well that several implementation questions OPM treated as outside the scope of the 2009 proceeding—including whether agencies retain the option to establish their own service requirements, and how elimination applies to career-ladder positions—are answered in Part III.C, Part III.G, and Part IV of this rule.

Comments arguing that eliminating TIG removes an objective, front-end constraint that after-the-fact enforcement cannot replace. Comment 0069 stated that it does not categorically oppose eliminating TIG and acknowledged that a 52-week period may prevent an agency from promoting an employee who has already demonstrated the knowledge, skills, judgment, and readiness required for higher-graded work. The comment argued, however, that OPM proposes to remove a longstanding objective eligibility constraint without replacing it with prospective, job-related standards governing when accelerated advancement is appropriate, and without explaining how agencies and OPM will monitor promotions across occupations, grades, and organizational units to verify that qualification and merit standards are being applied. The comment further argued that the merit system principles and prohibited personnel practices establish broad standards of conduct and after-the-fact remedies rather than ex ante criteria; that a prohibited personnel practice claim requires evidence that is typically in the agency's possession; and that subjective promotion criteria can reproduce hidden bias, citing Equal Employment Opportunity Commission guidance recommending that employers establish neutral and objective criteria.

The comment recommended that OPM either withdraw the rule or pair elimination with written accelerated-promotion standards, contemporaneous written justification, objective competency evidence beyond a supervisor's conclusory judgment, consistency requirements for similarly situated employees, panel or human

resources review, records identifying accelerated promotions, audits and public reporting, an express clarification regarding within-grade increases, and implementation guidance issued before the effective date. Comment 0069 also argued that OPM's account of the historical record is inaccurate because merit principles in Federal employment did not originate with the Civil Service Reform Act of 1978 but with the Pendleton Act of 1883 and subsequent civil service legislation.

OPM agrees with two of the premises underlying this comment. First, criteria applied at the point of decision are more effective than remedies available only after harm has occurred. Second, promotion criteria should be objective, job-related, established in advance, published, and consistently applied to similarly situated employees. OPM's disagreement is with where those criteria belong and with the characterization of what removing TIG actually changes.

The criteria this comment describes already exist, and they exist in 5 CFR part 335 rather than in the restriction OPM is removing. Section 335.103(b)(1) requires each agency to establish written promotion procedures based on merit, available in writing to candidates, administered without regard to political affiliation or any other non-merit-based factor, and based solely on job-related criteria. Section 335.103(b)(3) requires that candidates meet OPM's minimum qualification standards and that evaluation methods conform to 5 CFR part 300, subpart A, which requires that employment practices bear a rational relationship to performance in the position and be supported by a job analysis. See 5 CFR 300.103. Section 335.103(b)(5) requires records sufficient to allow reconstruction of each promotion action, including documentation of how candidates were rated and ranked. Section 335.103(d) preserves the right to file a complaint relating to a promotion action and confirms OPM's authority to investigate substantial violations of OPM requirements. Each of these requirements is prospective, job-related, and enforceable, and none is affected by this rule. By its own terms, the restriction OPM removes operated “in addition to the eligibility requirements for promotion in part 335 of this chapter.” 5 CFR 300.601. This rule therefore does not leave the promotion process without objective standards; it removes a calendar-based eligibility condition that sat on top of those standards without measuring anything about the candidate.

That allocation also answers the comment's principal recommendation. The safeguards Comment 0069 proposes—written accelerated-promotion standards, contemporaneous written justification, objective competency evidence, consistency requirements, review panels or human resources review, records identifying accelerated actions, and audit and reporting obligations—are all requirements about how agencies evaluate, document, and select candidates for promotion. If OPM were to impose them governmentwide, the appropriate vehicle would be an amendment to 5 CFR part 335, proposed and noticed as such, so that agencies and the public could comment on the specific requirements, their scope, and their cost. It would not be appropriate to adopt them in this final rule, which proposed only the removal of a separate calendar-based eligibility restriction in part 300 and did not give notice that governmentwide promotion procedures were at issue.

OPM accepts the comment's historical correction in part. OPM did not intend to suggest that merit principles in Federal employment originated in 1978. Congress rejected the spoils system in the Pendleton Act of 1883, and the Civil Service Commission administered merit-based examination, promotion, and classification requirements long before 1950. OPM's point is narrower, and OPM has revised the discussion in Part V.A to state it precisely: the specific framework on which this rule relies—the governmentwide qualification standards published in the OPM Operating Manual, the merit promotion requirements in 5 CFR part 335, the codified merit system principles and prohibited personnel practices at 5 U.S.C. 2301 and 2302, and the institutions that enforce them—postdate enactment of the Whitten Amendment.

OPM agrees with the comment's recommendation that a rating of record should not by itself be treated as sufficient evidence of readiness for advancement, and Part III.C describes evaluation methods that go beyond the rating of record. OPM also confirms, as the comment requested, that this rule does not alter the statutory and regulatory requirements governing within-grade increases, including waiting periods and acceptable-level-of-competence determinations under 5 U.S.C. 5335 and 5 CFR part 531, subpart D. See Part III.H. OPM addresses the comment's monitoring and reporting recommendations in Part III.D, its administrative-burden argument in Part III.I, and its request for implementation guidance in Part IV.

Finally, OPM does not agree that this rule should be evaluated on the basis of separate personnel-policy actions that are the subject of their own rulemakings and their own administrative records. This rule addresses whether a 52-week, calendar-based eligibility restriction remains necessary or appropriate. The 5 U.S.C. 2301 and 2302 prohibitions on making promotion decisions based on political affiliation or other non-merit factors continue to apply. This rule does not alter 5 CFR 335.103, which requires that promotion actions be based solely on job-related criteria and administered without regard to political affiliation; and it does not alter the classification requirements that permit promotion only where higher-graded work actually exists. OPM is not aware of a basis in this record to conclude that a 52-week waiting period, as opposed to those requirements, is what stands between the promotion process and the concerns the comment identifies. Comments directed to separate regulatory actions are addressed in Part III.L. OPM is not adopting the recommendation to withdraw this rule.

Comments identifying additional disadvantages of elimination. Comment 0025 identified several potential disadvantages of elimination, including increased perceived favoritism, reduced career-development time, budget pressure from faster promotions, loss of institutional knowledge at intermediate grades, and increased competition for advancement opportunities.

Two additional comments (0033 and 0034) submitted in substantially identical language, argued that removing TIG before agencies overhaul their promotion and competency-evaluation processes risks systemic underperformance.

OPM acknowledges these concerns but does not agree that they require retention of TIG. This rule does not compel rapid promotions; agencies may require additional development time, sustained performance, training, or a service period, and may promote only when higher-level duties and funding are available, as discussed further in Part III.B and III.G. Institutional knowledge and relevant experience may be considered through qualification standards and other job-related criteria. Existing merit promotion procedures, merit system principles, and prohibited personnel practices continue to protect fair and consistent treatment. OPM is not changing the proposed rule in response to these comments.

B. Comments Requesting Retention of TIG in a Modified Form (Grade-Banded, Graduated, or Waiver-Based Alternatives)

Comment 0008 proposed a phased, grade-banded TIG framework with minimums scaling from 6 months (GS–1 to GS–5) to 24 months (GS–13 and above), alignment of TIG with agency performance-evaluation cycles, a narrow waiver process for mission-critical exceptions, and mandatory pilot testing with outcome-data collection before any nationwide change. Comment 0050 proposed allowing employees to become eligible, after two or three years in grade, to compete for positions up to two grades above their current grade, arguing this would reduce promotion bottlenecks while still requiring a period of demonstrated experience before a significant grade jump. Comment 0072 proposed a competency-based accelerated promotion waiver retaining the 52-week baseline governmentwide but authorizing a waiver to 26 weeks only for employees who achieve the highest performance rating, pass an OPM-certified objective assessment, and obtain approval from an independent agency career ladder review board, together with a mandatory 24-month phased implementation. Comment 0002 recommended that OPM limit any elimination to specific technical, medical, and scientific occupations—citing cybersecurity, IT, software development, data science, VA clinical staff, and scientific research roles as examples where outside experience is most likely to exceed grade-level expectations—while retaining TIG for most other Federal positions, particularly those in HR, supervisory, budget, and policy functions. Comment 0042 also referenced a graduated TIG relief approach as a possible middle path, under which an employee could bypass one TIG interval with agency documentation of full qualification, while the following interval would remain fully applicable or only partially reduced.

OPM appreciates these detailed alternatives but is not adopting a grade-banded, graduated, occupation-limited, or waiver-based TIG framework in place of elimination. Each of these alternatives would retain time served as a governmentwide eligibility condition for at least some employees, some occupations, or some portion of the promotion process, which preserves the central defect OPM has identified: an administrative, calendar-based proxy that is not skills-based, does not itself measure competence, and that can

exclude an otherwise qualified employee for a reason unrelated to the employee's ability to perform higher-graded work.

The waiver-based framework proposed by Comment 0072, in particular, would recreate an approval process—with a fixed baseline, a review board, and a certified assessment tool—that would likely impose administrative burdens similar to, or greater than, the TIG-related exception and training-agreement approval processes OPM is eliminating in this rule. See 5 CFR 300.603(b)(6) through (b)(8). With respect to Comment 0002's occupation-limited approach, OPM does not agree that the problem identified in this rulemaking is confined to technical, medical, and scientific occupations; the comment record, including comments 0016, 0026, 0040, 0051, and 0056, documents comparable barriers in administrative, correctional, contract-negotiation, and other occupational contexts. OPM also does not agree that a fixed 24-month implementation delay, as proposed by two comments (0008 and 0072), is necessary; as explained in Part V.D, OPM's cost estimate accounts for the time agencies will need to update merit promotion plans and does not indicate that a multi-year transition is required.

OPM notes as well that one of these proposals would provide less flexibility than the restriction it would replace. Comment 0050 proposed permitting employees to compete, after two or three years in grade, for positions up to two grades above their current grade. Two-grade advancement is already available under the existing restriction after 52 weeks rather than two or three years: § 300.604(b)(1) already permits advancement to a position at GS–6 through GS–11 for a candidate who has completed 52 weeks in a position no more than two grades lower, where the position to be filled is in a line of work properly classified at two-grade intervals; § 300.604(b)(3) permits agencies to apply a one- or two-grade measure for mixed-interval promotion patterns; and § 300.604(c) imposes no time restriction on advancement to positions up to GS–5 where the position to be filled is no more than two grades above the lowest grade the employee held within the preceding 52 weeks under the employee's latest nontemporary competitive appointment. The existing restriction is therefore already graduated by grade and by classification pattern, as Comment 0076 observed in noting that the 52-week requirement limits advancement to a single grade except where the occupational series is structured to

support a two-grade progression. That structure has not prevented the barriers described in Parts II.A through II.C, which is a further reason OPM is not persuaded that a differently calibrated schedule of waiting periods would address them.

Comment 0024 recommended, as an alternative to elimination, that OPM add flexibility for high-performing employees to accelerate advancement while maintaining objective standards. OPM agrees with that objective and believes this rule serves it more directly than a high-performer carve-out would. The objective standards the comment seeks to preserve are the governmentwide qualification standards and the job-related promotion criteria required by 5 CFR 335.103(b)(1) and (b)(3), and this rule leaves both fully in force; what it removes is the calendar bar that prevented a demonstrably ready employee from being considered at all. A carve-out limited to high performers would, by contrast, require OPM to define a governmentwide performance threshold for promotion eligibility and would make the rating of record the gateway to advancement—an approach Comment 0069 specifically cautioned against. It would also leave in place, for every employee not meeting that threshold, the same non-merit waiting period OPM has determined is not justified. Agencies that wish to adopt an accelerated-advancement track for high performers may do so under their merit promotion plans, as discussed in Part III.G.

Agencies retain the discretion to adopt internal, job-related service periods, occupation-specific criteria, or progression criteria for their own career ladders (discussed further in Part III.G), which allow agencies that wish to retain a more gradual, banded, or phased internal approach to do so without a governmentwide mandate.

C. Comments Requesting Written, Objective, Job-Related Agency Promotion Criteria and Documentation

Comment 0030 did not oppose modernization or agency flexibility but expressed concern that removing “one of the few objective standards employees can easily understand” would shift the balance toward management discretion and recommended that agencies be required to establish clear written promotion criteria, communicate those standards to employees in advance, and document the reasons for promotion decisions. Comment 0063 recommended that any promotion made under this authority be supported by a written certification from the selecting official confirming

that the employee meets all qualifications, that the promotion is based solely on merit, and that the action complies with merit system principles, together with review and approval by a higher-level management official and a career human resources official.

Comment 0067 recommended that OPM provide implementation guidance and a template to help agencies establish minimum, job-related promotion criteria and document promotion decisions. Comment 0068 recommended that OPM identify best practices, consider career-level promotion review boards (citing a program-level model used in another part of the Federal Government), and require independent audit or higher-level review to ensure promotions are merit-based. Comment 0074 recommended that agency-specific prerequisites be objective, job-related, established in advance, published in merit promotion plans, and consistently applied to similarly situated employees, supported by concise, standardized documentation for any promotion completed before 52 weeks. Comment 0076 similarly recommended that OPM provide, in the final rule or in implementation guidance, a model merit promotion provision, minimum documentation expectations, and best-practice documentation guidance.

OPM agrees that promotion criteria should be job-related, consistently applied, and based on established agency procedures, and OPM does not disagree with the substance of these recommendations as a matter of sound personnel administration. OPM notes at the outset that much of what these comments recommend is already required. Section 335.103(b)(1) requires each agency to establish procedures for promoting employees that are based on merit, that are available in writing to candidates, and that are based solely on job-related criteria; the requirement that promotion criteria be written, job-related, and communicated to candidates in advance is therefore already governmentwide law. Section 335.103(b)(5) separately requires each agency to maintain a record of each promotion sufficient to allow reconstruction of the promotion action, including documentation of how candidates were rated and ranked. What these comments principally seek is not a new obligation but more specific governmentwide direction about how agencies satisfy obligations they already have. Agencies may, and OPM encourages agencies to, use this existing framework to specify objective, job-related criteria for promotions that

would previously have been governed by TIG, including required competencies, performance levels, training, or certifications, and to document how those criteria were applied.

OPM does not believe a new governmentwide template, mandatory certification, or review-board requirement is necessary or appropriate given the wide variation in occupations, missions, and workforce structures across the Federal Government, and is concerned that a one-size-fits-all documentation or review mandate could itself recreate significant elements of the administrative burden this rule is intended to reduce.

There is a further reason OPM does not adopt these recommendations in this rule. Requirements of the kind these comments propose—certifications, higher-level or panel review, standardized documentation, and prescribed evaluation criteria—would govern how agencies conduct promotion actions, and the regulations that govern how agencies conduct promotion actions are in 5 CFR part 335. Thus, if OPM determines that broader governmentwide changes to the promotion process are warranted, the appropriate vehicle is a rulemaking amending part 335. OPM will address implementation questions, including model criteria and documentation practices, through the implementation guidance described in Part IV, consistent with the recommendations in three comments (0067, 0074, and 0076).

Comment 0068 and Comment 0036 emphasized that the added discretion this rule confers will fall on human resources offices that may lack the capacity to absorb it and recommended that OPM pair the rule with investment in training, guidance, and oversight. Comment 0068 also observed that regulatory change without operational change produces uneven implementation. OPM agrees that implementation support matters and addresses it in Part IV. OPM does not agree, however, that agency human capital capacity is a reason to retain a restriction that applies to every covered employee, including the substantial majority as to whom no capacity concern arises. This rule removes an eligibility determination that agencies must currently make and document for every covered internal promotion action, together with the exception-approval processes associated with it; it does not add a determination. To the extent agencies choose to adopt more structured promotion criteria under their part 335 authority, OPM encourages them to scale those criteria

to the capacity of the offices that will administer them.

Consistent with 5 CFR 335.103(b)(3) and 5 CFR part 300, subpart A, an agency may consider the following methods for evaluating an employee's qualifications for promotion under part 335. These include an evaluation of the employee's demonstrated results, and training (with a specific focus on the outcomes of the performance and training and the extent to which they prepare the employee for the higher-level work); technical assessments; a structured interview; and appraisal of the employee's performance and/or assessment of the employee's potential. This last method goes beyond the employee's rating of record and includes judgments and observations of other supervisors, managers, and employees of the candidate's behavior. An assessment of the employee's potential relies on a determination or demonstration (based on observations or evaluation of work products) that the employee has demonstrated higher-level performance required for the higher-level work.

D. Comments Requesting Monitoring, Data Collection, and Public Reporting

Comment 0063 requested that agencies publish annual aggregate reports identifying the number and grade increases of promotions granted under this authority, occupational series, organizational component, and aggregate demographic, veteran, disability, and bargaining-unit data. Comment 0064 recommended that OPM establish a process to monitor promotion rates, demographic trends, retention, workforce mobility, grievances, and appeals during the initial years of implementation, and publish aggregate findings.

Comment 0069 recommended annual agency data collection and OPM review of promotions by agency, grade, series, career ladder, and organizational unit to identify patterns suggesting favoritism, politicization, discrimination, or grade inflation. Comment 0073 requested clear appeal and grievance mechanisms specific to employees passed over in favor of an early-promoted peer, together with agency audits. Comment 0074 recommended that OPM establish baseline promotion-timing data before implementation and conduct a formal three-year retrospective review examining promotion timing, retention, agency-specific waiting periods, administrative costs, and complaints or grievances.

OPM appreciates these recommendations and agrees that monitoring promotion outcomes can be

a useful management practice. OPM does not agree, however, that a mandatory governmentwide data collection, aggregate public reporting, or fixed retrospective-review requirement should be included in the regulatory text implementing this rule. As explained in Part III.C, requirements governing how agencies conduct and document promotion actions are beyond the scope of this rulemaking. Agencies already maintain personnel records, including SF-50 actions and the promotion records required by 5 CFR 335.103(b)(5), sufficient to allow OPM and other oversight bodies to analyze promotion patterns as needed, and OPM retains its ongoing authority to review agency personnel practices for consistency with the merit system principles and to investigate substantial violations of OPM requirements under 5 CFR 335.103(d). A new, standing governmentwide reporting requirement tied specifically to promotions completed before 52 weeks would itself function as an administrative burden similar in kind to the TIG-related tracking and approval processes this rule removes.

With respect to Comment 0073's request for new appeal or grievance mechanisms, OPM notes that existing complaint, grievance, and appeal rights under applicable law, including equal employment opportunity and prohibited-personnel-practice procedures and the complaint right preserved by 5 CFR 335.103(d), are unaffected by this rule and remain available where an employee believes a promotion decision was unlawful. OPM will address monitoring practices in the implementation guidance described in Part IV and may review implementation data in the course of its ordinary oversight of agency personnel management programs but declines to codify a specific data collection, reporting, or three-year review mandate in this rule.

E. Comments Regarding Veterans' Preference and the VEOA

Comment 0076 raised a concern that because current Federal "status" employees applying under VEOA are subject to TIG while non-status preference-eligible veterans separated from the armed forces after three or more years of continuous active service may compete for merit promotion positions without a TIG restriction, eliminating TIG could allow agencies to rapidly promote favored internal "status" employees in a way that disadvantages qualified external veterans competing for the same positions.

OPM has considered this comment carefully. This rule does not alter the statutory framework governing VEOA eligibility under 5 U.S.C. 3304(f), veterans' preference under 5 U.S.C. 2108, or the requirement that agencies conduct fair and open competition consistent with 5 CFR part 335 when filling positions subject to competitive procedures. Eliminating TIG affects only whether an internal candidate must wait 52 weeks in grade before being eligible for consideration for promotion; it does not change the substantive qualification standards, competitive procedures, or veterans' preference requirements applicable to any candidate, internal or external. OPM does not agree that removing an internal eligibility restriction on status employees creates unfairness to preference-eligible veterans competing under VEOA, because both status employees and VEOA-eligible veterans remain subject to the same qualification standards and the same merit promotion or competitive examining procedures for the vacancy in question. OPM will address the interaction between this rule and VEOA-based competition in the implementation guidance described in Part IV but is not making a substantive change to the final rule in response to this comment.

F. Comments Regarding Collective Bargaining Obligations

Comment 0030 and Comment 0076 noted that promotion procedures and eligibility criteria are frequently addressed in collective bargaining agreements and are subject to bargaining obligations under 5 U.S.C. chapter 71. They also requested that OPM address the interaction between this rule and agencies' bargaining obligations, including through a defined transition period of 90 to 180 days.

OPM acknowledges that agencies changing their internal promotion procedures in response to this rule may have bargaining obligations under 5 U.S.C. chapter 71 with respect to procedures and appropriate arrangements for bargaining unit employees affected by the change, to the extent those obligations apply under otherwise applicable law. This rule does not itself alter, expand, or diminish any agency's bargaining obligations, and OPM expects agencies to comply with applicable labor-relations requirements as they revise merit promotion plans and procedures following this rule's effective date. OPM does not agree that a fixed, governmentwide transition period must be prescribed in the regulatory text itself.

OPM has, however, adopted an effective date 90 days after publication, which falls within the 90- to 180-day range these comments recommended and which OPM expects will afford agencies sufficient time to revise merit promotion plans, satisfy any applicable bargaining obligations, and train supervisors and human resources staff. Agencies retain the ability to sequence implementation of internal policy changes, including through bargaining where required, and nothing in this rule requires an agency to make any accelerated promotion on or after the effective date. The 250-hour first-year estimate in Part V.D is an accounting convention for allocating one-time implementation cost to the first year following publication; it does not imply that an agency must complete its revisions before the effective date. Until an agency revises its merit promotion plan, the existing plan continues to govern, less the TIG eligibility restriction removed by this rule.

G. Comments Concerning Career Ladder Positions, Career Ladder Progression, Agency-Retained Time Requirements, and Training Agreements

Comment 0076 sought clarification that eliminating TIG permits, but does not require, accelerated promotion within career ladder (target-grade) positions, and that agencies retain authority to establish their own internal time-based or performance-based progression criteria for career ladders, noting that an agency relies heavily on GS-7/9/11/12 career ladders and that ambiguity on this point could be misread as prohibiting agency-set progression intervals.

OPM confirms that eliminating TIG removes the governmentwide 52-week restriction but does not require agencies to promote career-ladder employees on any particular schedule. Career-ladder promotions remain contingent on the employee meeting the qualification requirements for the target grade, sustained acceptable performance, the existence of higher-level work, supervisory determination of readiness, and the availability of funding, consistent with the position's classification and the agency's career-ladder structure as documented in the position's promotion potential.

Agencies may continue to establish and apply internal career-ladder progression intervals, including a specified minimum period in the lower grade, provided that any such requirement is job-related and consistently applied. This rule addresses the governmentwide TIG eligibility restriction in 5 CFR part 300,

subpart F; it does not compel agencies to alter properly established career-ladder promotion potential documented at the time of a position's announcement.

OPM addresses one consequence of the amendatory action that bears directly on this question. The express statement that “[a]n agency may expand on these restrictions consistent with the intent of this subpart or may adopt similar policies to control promotion rates of employees not covered by this subpart” appears at 5 CFR 300.606 and is removed along with the remainder of subpart F. Its removal does not withdraw the authority it described. An agency's authority to establish job-related conditions on promotion—including a minimum period of service in grade or in a career-ladder step—derives from 5 CFR 335.103(b)(1), which requires each agency to establish written, merit-based promotion procedures and leaves to the agency the definition of the job-related criteria those procedures apply.

What changes is the character of such a requirement: it now would be an agency requirement adopted through the agency's merit promotion plan and subject to the same conditions as any other promotion criterion—it must be job-related, established in advance, available in writing to candidates, and applied consistently to similarly situated employees—rather than an authorized expansion of a governmentwide floor. Agencies that presently rely on § 300.606 to support agency-specific service requirements should confirm that those requirements are documented in their merit promotion plans under § 335.103(b)(1) before the effective date of this rule.

Comments requesting transition guidance for existing training agreements. Comment 0076 supported removing the requirement for OPM approval of training agreements that provide for consecutive accelerated promotions but observed that the proposed rule does not address the disposition of agreements OPM has already approved. The comment recommended grandfathering or providing conversion guidance to avoid an administrative gap.

OPM agrees that this point warrants clarification. The provisions this rule removes are 5 CFR 300.603(b)(6)—which excepted advancement under a training agreement from the TIG restrictions, limited an employee to no more than two promotions in any 52-week period on the basis of one or more training agreements, and required OPM approval of any agreement providing for consecutive promotions at rates

exceeding those permitted by § 300.604—and the cross-reference to that provision at 5 CFR 410.307(a)(3). Both provisions exist only to interact with the TIG restrictions and have no independent operation once subpart F is removed.

Accordingly, on and after the effective date of this rule: no OPM approval of a training agreement is required; no OPM approval previously granted needs to be renewed, converted, or rescinded, and none will lapse by operation of this rule; and the limitation of two promotions in a 52-week period on the basis of one or more training agreements no longer applies. Existing agency training agreements remain valid agency documents, which agencies may continue, modify, or discontinue under their own authority.

The substantive authorities governing training that leads to promotion are unaffected: 5 CFR 410.307(a)(2) continues to authorize agencies to establish training programs that substitute intensive, directly job-related training for all or part of the experience required by OPM qualification standards, but not for education, licensing, certification, or other specific credentials; and 5 CFR 410.307(b) continues to require that an agency follow its competitive procedures under 5 CFR part 335 when selecting a non-temporary employee for training that permits noncompetitive promotion upon successful completion. Agencies should review existing training agreements against those requirements and against their merit promotion plans and should update any agreement provisions that recite the TIG restrictions, the two-promotion limitation, or the OPM-approval requirement. OPM will address this transition in the implementation guidance described in Part IV.

H. Comments Regarding Interaction With Within-Grade Increases, Quality Step Increases, and Other Pay-Setting Authorities

Comment 0004 argued that the proposed rule ignores Quality Step Increases (QSIs) as an existing, widely used mechanism for accelerating the career progression of top performers, and characterized the proposed rule as adding bureaucracy while suppressing earned salary progression. Comment 0054 discussed within-grade step increases and QSI authority under 5 U.S.C. 5336 and 5 CFR part 531, subpart E. The comment also expressed concern about an agency-specific authority for advancement and performance and about how changes to performance-rating distribution might interact with

the automatic pay progression in that authority if TIG is eliminated. Comment 0068 raised a related question, asking how OPM's separate proposal (now finalized) concerning the distribution of performance ratings would allow supervisors to use performance to determine when an employee is ready for promotion.

OPM clarifies that this rule addresses eligibility for promotion to a higher grade; it does not amend within-grade increase requirements under 5 U.S.C. 5335 and 5 CFR part 531, subpart D; Quality Step Increase authority under 5 U.S.C. 5336 and 5 CFR part 531, subpart E; or other agency-specific pay-recognition authorities. Those authorities operate independently of TIG and are unaffected by this rulemaking. OPM confirms, as Comment 0069 requested, that this rule does not alter the waiting periods or acceptable-level-of-competence determinations that govern within-grade increases. OPM appreciates the two comments (0004 and 0054) highlighting these provisions, but recommendations concerning QSI policy, within-grade increase administration, or performance-rating distribution are outside the scope of this rulemaking, which is limited to the TIG eligibility restriction in 5 CFR part 300, subpart F, and conforming amendments.

OPM addresses one point raised by two comments (0054 and 0068) that bears on how this rule will operate in practice. Those comments ask how supervisors are to use performance to determine readiness for promotion if OPM implements a standard distribution of ratings. Three points relevant to this rule should be noted. First, nothing in this rule makes a rating of record either necessary or sufficient for promotion. Section 335.103(b)(3) requires that due weight be given to performance appraisals and incentive awards, but qualification for a higher-graded position is established by the candidate's demonstrated experience, education, and job-related competencies measured against the applicable qualification standard—not by the rating alone.

Second, agencies may use evidence beyond the rating of record when assessing readiness, including the evaluation methods described in Part III.C. Nothing in this rule or in any separate OPM action requires an agency to treat a rating of record as the sole or controlling measure of an employee's readiness for higher-graded work.

Third, OPM expects that imposing a standardized distribution of the highest performance ratings will ensure that agency performance appraisal systems will more reliably distinguish and

identify high performers and help eliminate widespread ratings inflation across the Federal Government. That expectation rests on the reasoning OPM set out in the recently finalized appraisal rule. See Performance Appraisal for General Schedule, Prevailing Rate, and Certain Other Employees, 91 FR 41521 (July 7, 2026) (RIN 3206-AP06) (effective August 6, 2026). That rule removed the categorical prohibition, formerly codified at 5 CFR 430.208(c), on any method that would “limit or require the use of particular summary levels (*i.e.*, establish a forced distribution of summary levels),” and replaces it with authority for OPM to “establish, and refine as needed, a standardized distribution of some or all rating levels which agencies must apply when rating employees.” 5 CFR 430.208(c). The companion provision confirms that the method for deriving and assigning a summary level “may involve comparing, categorizing, and ranking employees or groups on the basis of their performance,” and that “[s]uch procedures may also be used, where otherwise authorized by law and regulation, to inform award determinations and promotion decisions.” 5 CFR 430.208(d).

OPM explained in that rulemaking why a standardized distribution is expected to yield more rigorous and more accurate ratings. Ratings under the prior framework were not meaningfully differentiated: the Government Accountability Office found that 99 percent of permanent, non-SES (Senior Executive Service) employees received ratings at or above “Fully Successful,” and agency-submitted data for fiscal years 2022 through 2024 show that only approximately 0.3 percent of non-SES employees under five-level programs received a Level 2 rating and approximately 0.1 percent received an “Unacceptable” rating. 91 FR at 41521–22, 41528, 41530. Only 42 to 51 percent of Federal employees report that their supervisors distinguish and recognize performance in a meaningful way. *Id.* at 41522. OPM concluded that this pattern reflects “leniency bias whereby supervisors arbitrarily issue inflated performance ratings to avoid confrontation,” *id.* at 41524, and that “the current degree of rating inflation has so egregiously undermined the credibility and accountability of performance appraisal systems that implementing a standardized distribution is the best alternative,” *id.* at 41525–26. OPM further explained that because “any human judgment is by nature comparative,” an appraisal method that makes the comparison

explicit “will more accurately and objectively measure individual performance than one that prohibits any comparative judgments between employees and requires that any measurement of employee performance be framed in absolute terms.” *Id.* at 41523. The distribution operates only after each employee has been appraised against established, job-related performance standards; it does not displace those standards; it is to be applied at the agency or department level rather than at the work unit level; and OPM has stated that it intends any standardized distribution to limit only the highest rating levels rather than to prescribe limits at or below Level 3. *Id.* at 41523–24, 41528, 41533; see 5 CFR 430.208(a)(1) (a rating of record “must be based only on the evaluation of actual job performance for the designated appraisal period”).

The consequence for promotion readiness, which is what the two comments (0054 and 0068) ask about, is direct. By “establishing a limit on the number of non-SES employees who can receive a rating above the fully successful level,” the appraisal rule is expected to produce “a clear distinction of the highest performers across an agency and the Federal Government.” 91 FR at 41536. That rule also confines the term “Outstanding” to a Level 5 rating. 5 CFR 430.208(e)(2)(iv), (e)(3). A rating of record will accordingly carry information about relative performance that it did not carry when nearly all employees were rated at or above “Fully Successful,” and a supervisor recommending an employee for higher-graded work will be able to point to a rating that reflects a considered judgment about how that employee's performance compares to the performance of others.

The requirement in 5 CFR 335.103(b)(3) that due weight be given to performance appraisals and incentive awards can do meaningful work only where ratings in fact distinguish among levels of performance. The two rules are therefore complementary rather than in tension: this rule removes a calendar-based barrier that delayed consideration of employees who are ready for higher-graded work, while the appraisal rule improves the quality of the performance information that agencies use, together with the qualification requirements and the evaluation methods described in Part III.C, to identify which employees those are. Neither rule, however, makes any particular rating of record a prerequisite to promotion or entitles an employee who receives a high rating to be promoted; promotion remains contingent on the existence of higher-

graded work, proper classification, and selection under the agency's merit promotion plan.

I. Comments Regarding Cost Estimates and Regulatory Analysis

Comment 0076 argued that OPM's proposed cost estimate—approximately 250 hours and \$39,075 per agency in the first year, or approximately \$3,126,000 governmentwide, to update merit promotion plans—understates the cost to large, decentralized departments with multiple components and bargaining units, citing its own decentralized merit promotion programs administered across multiple subordinate components with separate bargaining units as an example. Comment 0014 separately argued that OPM's cost analysis does not adequately address possible long-term compensation costs from faster promotions, grade compression, accelerated career-ladder movement, classification disputes, or grievances, and recommended fuller fiscal analysis before finalization.

OPM acknowledges that implementation costs will vary across agencies, and that large, multi-component departments with numerous subordinate organizations and bargaining units may experience higher first-year implementation costs than OPM's governmentwide average estimate reflects. OPM's cost estimate, consistent with the approach used in the proposed rule, is intended to represent an average per-agency cost across the Federal Government for the purpose of governmentwide regulatory analysis; it is not intended to represent the specific cost that any individual department will incur. OPM does not believe this variation warrants revising the governmentwide estimate methodology in this final rule. With respect to Comment 0014's concern regarding long-term compensation costs, OPM notes that promotion under this rule remains discretionary and contingent on the existence of higher-level work, proper classification, and available agency funding; this rule does not require agencies to promote any employee or to accelerate compensation growth, and OPM does not expect the rule, by itself, to produce a predictable or quantifiable increase in aggregate Federal payroll costs. Agencies remain responsible for managing promotion actions within their existing budgetary authority.

Comment 0069 raised a distinct objection to OPM's regulatory analysis: that OPM's assumption that removing a bright-line eligibility requirement will reduce administrative constraints is likely to prove wrong in practice.

Because TIG establishes an objective threshold below which a promotion request need not be entertained, the comment argued, its removal leaves no comparable limiting principle; human capital offices would face substantially more promotion requests to evaluate, more supporting documentation to review, and more requests for reconsideration, grievances, equal employment opportunity complaints, and prohibited personnel practice complaints when requests are denied. The comment further argued that agencies faced with that volume may adopt internal waiting periods that replicate TIG's function while producing inconsistent practice across Government and recommended that OPM evaluate the anticipated increase in promotion requests, human resources workload, review requirements, training needs, and litigation risk before finalizing. Comment 0076 raised a related concern about increased supervisor documentation burden, and Comment 0036 raised a related concern about human resources capacity.

OPM has considered these arguments but does not agree that they warrant withdrawing or delaying the rule for three reasons.

First, the premise that TIG limits the volume of promotion requests is only partly correct. TIG does not restrict what an employee may request or what a supervisor may recommend; it restricts what an agency may lawfully do. An agency that receives a request from an employee who has not completed 52 weeks may decline it quickly today, and after this rule takes effect an agency may decline it just as quickly on any other applicable ground—that no higher-graded position exists, that the position is not funded, that the employee does not meet the qualification standard, or that the agency's merit promotion plan requires competition for the vacancy. What changes is that the reason given will be a job-related reason rather than a calendar computation.

Second, this rule removes recurring administrative work as well as creating one-time implementation work. Under the prior regulations, agencies were required to determine and document TIG eligibility for covered internal promotion actions; to compute creditable service under § 300.605, including converting non-General Schedule service to an equivalent General Schedule grade by comparing the candidate's rate of basic pay to representative rates; and, where an exception was needed, to obtain agency-head approval under § 300.603(b)(7), OPM authorization under § 300.603(b)(8), or OPM approval of a

training agreement under § 300.603(b)(6). Those determinations, and the recordkeeping and internal appeals associated with them, are eliminated. OPM's cost estimate in Part V.D captures the first-year cost of revising merit promotion plans; it does not attempt to monetize this offsetting reduction in recurring administrative work, which OPM expects to be positive but cannot reliably quantify. The estimate is therefore conservative in that respect.

Third, OPM does not regard the possibility that some agencies will adopt their own job-related service requirements as an unintended consequence to be avoided. As explained in Part III.G, that outcome is permitted, and in some occupations it may be sound personnel administration. The difference between an agency-established requirement and the governmentwide restriction OPM is removing is consequential: the agency requirement must be justified as job-related for the positions to which it applies, must be published in the agency's merit promotion plan and available in writing to candidates under 5 CFR 335.103(b)(1), and may be revised by the agency when it no longer serves the agency's needs. Variation across agencies that reflects genuine differences in occupations and missions is a feature of a merit promotion system administered by agencies subject to governmentwide standards, not a defect in it.

OPM further observes that the substantial portions of the Federal workforce that already operate without a time-in-grade restriction have not produced the pattern of workload or litigation the comment anticipates, and no comment identified data showing otherwise. OPM will consider promotion-related workload and complaint activity in the course of its ordinary oversight of agency personnel management programs.

J. Comments Concerning Constitutional and Statutory Objections

Comment 0075 argued broadly that this rule violates the Pendleton Act of 1883 and multiple provisions of the U.S. Constitution, including the First, Fourth, Fifth, Seventh, Eighth, Ninth, and Fourteenth Amendments, by replacing the merit-based competitive examining system with a spoils system.

OPM disagrees. This rule is limited to removing 5 CFR part 300, subpart F, and making conforming amendments to cross-references to TIG in 5 CFR parts 315, 316, 352, and 410. It does not repeal or amend competitive examining (which is governed by 5 U.S.C. chapter

33), does not eliminate OPM qualification standards, does not remove agency merit promotion procedures under 5 CFR part 335, and does not affect classification requirements, probationary period requirements, personnel recordkeeping requirements, due process protections applicable to adverse actions, equal employment opportunity protections, the merit system principles in 5 U.S.C. 2301, or the prohibited personnel practices in 5 U.S.C. 2302. Comment 0075 has not identified a specific provision of this rule that would remove any of the statutory or constitutional protections referenced, and OPM is not aware of a basis for such a conclusion. OPM is not withdrawing the rule on this basis.

OPM addresses the Pendleton Act argument more fully in Part III.A, in response to Comment 0069, and accepts there that merit principles in Federal employment long predate the Civil Service Reform Act of 1978. OPM notes here the point specific to this rule: neither the Pendleton Act nor 5 U.S.C. chapter 33 prescribes a minimum period of service in grade as a condition of promotion. The TIG restriction is a regulatory requirement that the Civil Service Commission elected to retain after the underlying statutory restriction ceased to operate; removing it does not repeal a statutory merit protection because no statute imposes it.

K. Technical and Drafting Corrections

Comment 0076 identified technical inconsistencies between the proposed rule's preamble narrative and its amendatory regulatory text. OPM has reviewed these items, has separately reviewed the proposed rule for related drafting issues, and is making the corrections in this final rule, which include:

1. The proposed rule's preamble stated that the rulemaking would amend § 315.714(b)(4); however, the amendatory text proposed to revise paragraphs (b)(2) and (b)(3) of § 315.714 and remove paragraph (b)(4). This final rule removes paragraph (b)(4) and revises paragraphs (b)(2) and (b)(3). The preamble narrative in this final rule correctly reflects these changes.

2. The proposed rule's preamble referenced amending § 316.909(a) and (c)(iii); the amendatory text proposed to revise paragraphs (a) and (c) of § 316.909 in their entirety, and the proposed paragraph (c) did not contain a subparagraph (iii). The preamble in this final rule reflects that paragraphs (a) and (c) are revised in full.

3. The proposed rule's preamble referenced amending § 316.910(d)(iv), while the proposed amendatory text

revised paragraphs (b) and (c) of § 316.910 and removed paragraph (d) in its entirety. The preamble in this final rule correctly describes the revisions.

4. The proposed rule's preamble described the TIG restriction as requiring employees "in grades 5 and above" to serve 52 weeks in grade before becoming eligible for promotion "to the next grade level." That description, which OPM has used in prior rulemakings, is imprecise in two respects: the restriction operates by reference to the grade of the position to be filled rather than the employee's current grade, and it does not uniformly limit advancement to a single grade. See 5 CFR 300.604(b)(1) (permitting advancement to GS-6 through GS-11 after 52 weeks in a position no more than two grades lower, where the position to be filled is in a line of work properly classified at two-grade intervals); § 300.604(c) (no time restriction on advancement to positions up to GS-5 where the position to be filled is no more than two grades above the lowest grade held in the preceding 52 weeks under the latest nontemporary competitive appointment). The narrative in this final rule more accurately describes these provisions. This correction is descriptive only; the effect of the rule is unchanged.

5. The authority citations in this final rule reflect updates from other rules and other corrections, as well as amendments to conform to the requirements of 1 CFR part 21, subpart B.

OPM appreciates the specificity of Comment 0076's feedback and confirms that these are non-substantive corrections that do not change the scope or effect of the rule as proposed.

L. Comments Outside the Scope of This Rulemaking

Comment 0004 raised concerns regarding Quality Step Increases, addressed in Part III.H. Comment 0054 raised concerns regarding a separate OPM rulemaking on performance-rating distribution and agency-specific pay authorities, also addressed in Part III.H. Comment 0069 referenced Schedule Policy/Career, the Merit Hiring Plan, a separate proposed rule on performance appraisal, a proposed rule on Reduction in Force (RIF), and proposed rules on probationary and trial period appeals and RIF appeals.

OPM appreciates these comments but notes that they concern separate regulatory actions or authorities not addressed by this rulemaking, which is limited to the TIG eligibility restriction in 5 CFR part 300, subpart F, and conforming amendments. OPM is not

making changes in this final rule in response to those comments, but may consider those comments, as applicable, in connection with the separate rulemakings or policies to which they pertain.

IV. Implementation Considerations

This rule is effective 90 days after the date of publication in the **Federal Register**. OPM recognizes that agencies will need to revise merit promotion plans under 5 CFR 335.103, update internal policy guidance, satisfy any applicable collective bargaining obligations under 5 U.S.C. chapter 71 (see Part III.F), and train human resources staff and supervisors. Consistent with the comments addressed in Part III.B through III.D, OPM confirms that agencies may continue to apply TIG-like or other job-related time-based progression criteria within their own merit promotion plans and career-ladder structures during and after this transition, provided such criteria are job-related, established in advance, available in writing to candidates under 5 CFR 335.103(b)(1), and consistently applied.

OPM will issue implementation guidance to support agency implementation of this rule. OPM anticipates that the guidance will address, at a minimum: (1) the disposition of existing training agreements and the removal of the OPM-approval requirement, as described in Part III.G; (2) the documentation of agency-established, job-related service or progression requirements in merit promotion plans following the removal of § 300.606, as described in Part III.G; (3) model job-related promotion criteria and documentation practices, consistent with the recommendations in four comments (0030, 0067, 0074, and 0076) and as described in Part III.C; and (4) the application of this rule to career-ladder positions, as described in Part III.G. This responds to the recommendations in four comments (0067, 0069, 0074, and 0076) that OPM issue implementation guidance in connection with this rule.

V. Regulatory Analysis

A. Statement of Need

The current TIG requirement originated in the Whitten Amendment, section 1302 of the Supplemental Appropriation Act, 1951, Public Law 81-843, 64 Stat. 1044, 1066 (Sept. 27, 1950), enacted during the Korean conflict to prevent a permanent, uncontrolled buildup of higher-graded civil service positions. That statute expired on September 14, 1978. The

Civil Service Commission, OPM's predecessor, elected to preserve the TIG restriction in regulation notwithstanding the statute's expiration, and the restriction has been carried forward in successive recodifications, most recently at 56 FR 23002 (May 20, 1991). Nearly five decades later, OPM has concluded, consistent with Executive Order (E.O.) 14170 and OPM's Merit Hiring Plan, that governmentwide qualification standards, agency merit promotion procedures under 5 CFR part 335, classification requirements, and the merit system principles and prohibited personnel practices codified in the Civil Service Reform Act of 1978 provide a more direct and effective means of ensuring merit-based promotion than a uniform, calendar-based waiting period.

The comment record, summarized in Part II, confirms that TIG frequently operates to exclude employees who are otherwise qualified—based on demonstrated performance (Comments 0011, 0015, 0027, 0053, 0060), prior military or private-sector experience (Comments 0003, 0006, 0016, 0026, 0041, 0043, 0052, 0058), or specialized experience gained in a different occupational series (Comment 0056)—from consideration for promotion for reasons unrelated to their readiness to perform higher-graded work.

As Comment 0069 correctly observed, merit principles in Federal employment did not originate with the Civil Service Reform Act of 1978. Congress rejected the spoils system in the Pendleton Act of 1883, and the Civil Service Commission administered merit-based examination, promotion, and classification requirements well before 1950. OPM's point is narrower. The specific framework on which this rule relies—the governmentwide qualification standards published in the OPM Operating Manual, Qualification Standards for General Schedule Positions; the merit promotion requirements in 5 CFR part 335; the merit system principles and prohibited personnel practices codified at 5 U.S.C. 2301 and 2302; and the institutions that administer them, including the Office of Special Counsel, the Merit Systems Protection Board, and the Federal-sector equal employment opportunity complaint process—postdates enactment of the Whitten Amendment. It is the availability of that framework, rather than the absence of any merit principle in 1950, that supports OPM's conclusion that a uniform calendar-based waiting period is no longer necessary or appropriate.

B. Impact

OPM expects this rule to result in a more efficient, skills-based promotion process for General Schedule competitive service employees. Employees whose demonstrated qualifications, performance, and experience meet the requirements for a higher-graded position will be eligible for consideration without an additional, non-merit waiting period. Agencies will retain full authority to establish job-related promotion criteria, career-ladder progression standards, and documentation practices suited to their occupations and missions, as discussed in Part III.C and III.G. This rule is also expected to reduce administrative burden by eliminating the recurring determinations that TIG required: computation of creditable service under former § 300.605, including the conversion of non-General Schedule service to an equivalent General Schedule grade by comparison of representative rates; agency-head approval of exceptions to avoid hardship to an agency or inequity to an employee under former § 300.603(b)(7); OPM authorization of additional exceptions under former § 300.603(b)(8); and OPM approval of training agreements providing for consecutive accelerated promotions under former § 300.603(b)(6).

C. Regulatory Alternatives

OPM considered and rejected the following alternatives, each addressed in greater detail in Part III:

No-action alternative. OPM considered retaining the current TIG requirement without change. OPM rejected this alternative for the reasons explained throughout Part III and Part V.A.

Grade-banded or graduated TIG schedules (Comments 0008, 0042). OPM considered replacing the uniform 52-week requirement with a schedule of waiting periods that varies by grade level, or with a framework allowing a single accelerated promotion followed by a reduced but still-applicable waiting period. OPM rejected these alternatives for the reasons discussed in Part III.B.

Competency-based and high-performer waiver frameworks (Comments 0024, 0072). OPM considered retaining the 52-week requirement as a governmentwide baseline while creating a formal waiver process requiring the highest performance rating, an OPM-certified assessment tool, and independent review board approval for early promotion, and considered more generally adding a high-performer

flexibility to an otherwise retained TIG requirement. OPM rejected these alternatives for the reasons discussed in Part III.B.

Two- or three-year eligibility for multi-grade advancement (Comment 0050). OPM considered a proposal to make employees eligible to compete for positions up to two grades above their current grade after two or three years of service in grade. OPM rejected this alternative for the reasons discussed in Part III.B.

Occupation-limited elimination (Comment 0002). OPM considered limiting elimination to technical, medical, and scientific occupations while retaining TIG elsewhere. OPM rejected this alternative for the reasons discussed in Part III.B.

Mandatory governmentwide documentation, certification, review-board, and reporting requirements (Comments 0030, 0063, 0064, 0067, 0068, 0069, 0073, 0074, 0076). OPM considered requiring, as a condition of eliminating TIG, that agencies adopt standardized written promotion criteria, obtain higher-level or independent review of every promotion occurring before 52 weeks would otherwise have elapsed, certify compliance with merit system principles for each such promotion, and publicly report aggregate data on the use of this flexibility. OPM rejected mandating these requirements in the regulatory text for the reasons discussed in Part III.C and III.D, including that requirements governing how agencies conduct promotion actions belong in 5 CFR part 335 and were not proposed for amendment in this rulemaking.

Retaining TIG for VEOA-based competition only (Comment 0076). OPM considered retaining the TIG restriction solely as applied to current status employees competing for merit promotion positions for which preference-eligible veterans are also eligible to compete under 5 U.S.C. 3304(f). OPM rejected this alternative because it would reintroduce, for a subset of vacancies, the same calendar-based eligibility restriction OPM has determined is not merit-based, and because, as explained in Part III.E, status employees and VEOA-eligible veterans competing for the same vacancy remain subject to the same qualification standards and the same competitive procedures, so removing an internal eligibility restriction does not disadvantage the external candidate.

Delayed, phased, or conditional effective date (Comments 0008, 0013, 0030, 0072, 0076). OPM considered a longer or phased implementation period, a fixed governmentwide

transition window of 90 to 180 days or more prescribed in the regulatory text, a mandatory 24-month phased implementation, and an effective date conditioned on OPM certification regarding the adjudicatory capacity of other Federal agencies. OPM adopted an effective date 90 days after publication and rejected the remaining variants for the reasons discussed in Parts III.A, III.B, and III.F.

D. Costs

Consistent with the proposed rule, OPM estimates that agencies will need an average of 250 hours in the first year following publication of this final rule to review the rule and revise merit promotion plans, policies, and training materials, at an assumed fully loaded labor cost of \$156.30 per hour (based on the 2026 GS-14, step 5, Washington-DC locality rate, with total labor costs assumed at 200 percent of the base wage rate). This results in an estimated first-year implementation cost of approximately \$39,075 per agency and approximately \$3,126,000 governmentwide. OPM acknowledges, in response to Comment 0076, that large multi-component departments with numerous bargaining units may experience implementation costs above this governmentwide average but does not believe this warrants revising the estimate used for governmentwide regulatory analysis purposes. In response to Comment 0014, OPM notes that promotion actions taken under this rule remain subject to existing agency budgetary authority and funding availability, and this rule does not require agencies to promote any employee or to accelerate compensation growth.

OPM's estimate reflects one-time implementation cost and does not monetize the recurring administrative work this rule eliminates. As described in Part III.I and Part V.B, agencies will no longer determine and document TIG eligibility for covered internal promotion actions, compute creditable service under former § 300.605, or process exception approvals under former § 300.603(b)(6) through (b)(8). OPM expects the net effect on recurring administrative burden to be a reduction but does not have data permitting a reliable quantification and therefore does not claim a monetized cost saving. The estimate is conservative in that respect.

In response to Comment 0069, OPM acknowledges that it has not quantified any change in promotion-request volume, human resources workload, grievance activity, or litigation risk associated with this rule. OPM does not

possess data that would support a reliable estimate of those quantities, and the portions of the Federal workforce already operating without a time-in-grade restriction do not exhibit the pattern the comment anticipates. OPM will consider promotion-related workload and complaint activity in the course of its ordinary oversight of agency personnel management programs.

E. Benefits

This rule benefits agencies by allowing them to consider and promote qualified employees more quickly when higher-graded work, funding, and a properly classified position are available, improving agencies' ability to retain employees who might otherwise leave Federal service for faster-advancing opportunities elsewhere, consistent with the experience described in four comments (0009, 0040, 0045, and 0076). It benefits employees by ensuring that demonstrated performance, relevant experience, and qualifications—rather than the passage of a fixed calendar period—determine eligibility for consideration. It benefits the public by supporting a more efficient and merit-based Federal workforce.

VI. Regulatory Compliance

1. Regulatory Review

OPM has examined the impact of this rule as required by E.O.s 12866 and 13563, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if a regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public, health, and safety effects, distributive impacts, and equity). A regulatory impact analysis must be prepared for rules that have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. This rulemaking does not reach that threshold. It has nonetheless been designated a "significant regulatory action" under section 3(f) of E.O. 12866, as supplemented by E.O. 13563, and has been reviewed by the Office of Management and Budget (OMB). This rule is considered an Executive Order 14192 deregulatory action.

2. Regulatory Flexibility Act

The Director of the Office of Personnel Management certifies that this regulation will not have a significant impact on a substantial number of small entities because it applies only to Federal agencies and employees.

3. Federalism

This rule will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, no Federalism Assessment is required.

4. Civil Justice Reform

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988.

5. Unfunded Mandates Reform Act of 1995

Section 202 of the Unfunded Mandates Reform Act of 1995 requires that agencies assess anticipated costs and benefits before issuing any rule that would impose spending costs on State, local, or tribal governments in the aggregate, or on the private sector, in any 1 year of \$100 million in 1995 dollars, updated annually for inflation. That threshold is currently approximately \$206 million. This rulemaking will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, in excess of the threshold. Thus, no written assessment of unfunded mandates is required.

6. Congressional Review Act

OMB's Office of Information and Regulatory Affairs has determined this rule does not meet the criteria for a "major rule" as defined in 5 U.S.C. 804(2). In addition, this is a rule relating to agency management or personnel and does not come within the meaning of the term "rule" as used in 5 U.S.C. 804(3)(C). Therefore, the reporting requirement of 5 U.S.C. 801 does not apply.

7. Paperwork Reduction Act

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), unless that collection of information displays a currently valid OMB Control Number. This final rule does not create a new collection of

information and does not revise an existing one. The existing OMB-approved collection identified in the proposed rule, USAJOBS 3.0 (OMB Control Number 3206–0219), is unaffected, and OPM does not anticipate that implementation of this rule will increase the burden associated with that control number. This rule removes the OPM approval process for training agreements providing for consecutive accelerated promotions under former 5 CFR 300.603(b)(6).

List of Subjects

5 CFR Part 300

Freedom of information, Government employees, Reporting and recordkeeping requirements, Selective Service System.

5 CFR Part 315

Government employees.

5 CFR Part 316

Employment, Government employees.

5 CFR Part 352

Administrative practice and procedure, Government employees.

5 CFR Part 410

Education, Government employees.

Signing Statement

The Director of OPM, Scott Kupor, reviewed and approved this document and has authorized the undersigned to electronically sign and submit this document to the Office of the Federal Register for publication.

U.S. Office of Personnel Management.

Jerson Matias,

Federal Register Liaison.

For the reasons set forth in the preamble, the Office of Personnel Management amends 5 CFR parts 300, 315, 316, 352, and 410 as follows:

PART 300—EMPLOYMENT (GENERAL)

- 1. The authority citation for part 300 is revised to read as follows:

Authority: 5 U.S.C. 552, 2301, 2302, 3301, and 3302; E.O. 10577, 19 FR 7521, 3 CFR 1954–1958 Comp., p. 218, unless otherwise noted.

Subpart A also issued under 5 U.S.C. 7201, 7204, and 7701; E.O. 11478, 34 FR 12985, 3 CFR 1966–1970 Comp., p. 803; E.O. 13087, 63 FR 30097, 3 CFR 1998 Comp., p. 191; and E.O. 13152, 65 FR 26115, 3 CFR 2000 Comp., p. 264.

Subpart C also issued under 5 U.S.C. 3341 and E.O. 13562, 75 FR 82585, 3 CFR 2010 Comp., p. 291.

Subpart D also issued under 5 U.S.C. 1302(c).

Subpart E also issued under 5 U.S.C. 1103(a)(5).

Subpart F—[Removed and Reserved]

- 2. Remove and reserve subpart F, consisting of §§ 300.601 through 300.606.

PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

- 3. The authority citation for part 315 is revised to read as follows:

Authority: 5 U.S.C. 1302, 3301, and 3302; E.O. 10577, 19 FR 7521, 3 CFR, 1954–1958 Comp., p. 218; E.O. 14284, 90 FR 17729.

Secs. 315.601 and 315.609 also issued under 22 U.S.C. 3651 and 3652.

Secs. 315.602 and 315.604 also issued under 5 U.S.C. 1104.

Sec. 315.603 also issued under 5 U.S.C. 8151.

Sec. 315.605 also issued under 22 U.S.C. 2051, 42 U.S.C. 2991; E.O. 12034, 43 FR 1917, 3 CFR, 1978 Comp., p. 111.

Sec. 315.606 also issued under E.O. 11219, 30 FR 6381, 3 CFR, 1964–1965 Comp., p. 303.

Sec. 315.607 also issued under 22 U.S.C. 2506.

Sec. 315.608 also issued under E.O. 12721, 55 FR 31349, 3 CFR, 1990 Comp., p. 293.

Sec. 315.610 also issued under 5 U.S.C. 3304(c).

Sec. 315.611 also issued under 5 U.S.C. 3304(f).

Sec. 315.612 also issued under 5 U.S.C. 3330d and E.O. 13473, 73 FR 56703, 3 CFR, 2009 Comp., p. 241.

Sec. 315.613 also issued under 5 U.S.C. 9602.

Sec. 315.614 also issued under 5 U.S.C. 3115.

Sec. 315.710 also issued under E.O. 12596, 52 FR 17537, 3 CFR, 1987 Comp., p. 264.

Subpart I also issued under 5 U.S.C. 3321; E.O. 12107, 44 FR 1055, 3 CFR, 1978 Comp., p. 264.

Sec. 315.714 also issued under 5 U.S.C. 3116.

Subpart G—Conversion to Career or Career-Conditional Employment From Other Types of Employment

- 4. Amend § 315.714 by revising paragraphs (b)(2) and (3) and removing paragraph (b)(4). The revisions read as follows:

§ 315.714 Conversion based on service in a post-secondary student appointment under part 316, subpart I, of this chapter.

* * * * *

(b) * * *

(2) Have completed not less than 640 hours of current continuous employment in an appointment under § 316.902 of this chapter; and

(3) Meet the OPM qualification standards for the position to which the student will be converted.

* * * * *

PART 316—TEMPORARY AND TERM EMPLOYMENT

- 5. The authority citation for part 316 continues to read as follows:

Authority: 5 U.S.C. 3301, 3302, 3316. E.O. 10577, 19 FR 7521, 3 CFR, 1954–1958 Comp., p. 218; E.O. 14284, 90 FR 17729. 5 CFR 2.2(c).

Subpart I—Hiring Authority for Post-Secondary Students

- 6. Amend § 316.909 by revising paragraphs (a) and (c) to read as follows:

§ 316.909 Promotion.

(a) *Students on term appointments.* An agency may promote a student who was appointed for an initial period expected to last more than 1 year but less than 4 years provided the student meets the qualification requirements for the higher graded position, and the public notification for the position filled by the student stated the potential for promotion and specified a career ladder.

* * * * *

(c) *Promotions at the time of conversion.* Students (on temporary or term appointments) may be eligible for non-competitive promotions upon conversion if:

(1) The agency has established a career ladder or promotion potential for the position; and

(2) The public notification for the position filled by the student stated the potential for promotion and specified a career ladder.

- 7. Amend § 316.910 by revising paragraphs (b) and (c) and removing paragraph (d). The revisions read as follows:

§ 316.910 Conversion.

* * * * *

(b) Has completed not less than 640 hours of current continuous employment in an appointment under § 316.902; and

(c) Meets the OPM qualification standards for the position to which the student will be converted.

PART 352—REEMPLOYMENT RIGHTS

Subpart C—Detail and Transfer of Federal Employees to International Organizations

- 8. The authority citation for part 352, subpart C, is revised to read as follows:

Authority: 5 U.S.C. 3584, E.O. 11552, 35 FR 13569, 3 CFR 1966–1970 Comp., p. 954. Section 352.313 also issued under 5 U.S.C. 7701, *et seq.*

- 9. Amend § 352.311 by revising paragraph (d) to read as follows:

§ 352.311 Reemployment.

* * * * *

(d) The period of separation caused by the employment of the employee with the international organization and the period necessary to effect reemployment are creditable service for all appropriate civil service employment purposes (*e.g.*, tenure, service computation date, retirement). Employees, upon return, are also entitled to restoration of any sick leave.

* * * * *

PART 410—TRAINING

■ 10. The authority citation for part 410 is revised to read as follows:

Authority: 5 U.S.C. 1103(c), 2301, 2302, and 4101, *et seq.*; E.O. 11348, 32 FR 6335, 3 CFR, 1967 Comp., p. 275; E.O. 11478, 34 FR 12985, 3 CFR 1966–1970 Comp., p. 803, unless otherwise noted; E.O. 13087, 63 FR 30097, 3 CFR 1998 Comp., p. 191; and E.O. 13152, 65 FR 26115, 3 CFR 2000 Comp., p. 264.

Subpart C—Establishing and Implementing Training Programs

■ 11. Amend § 410.307 by revising paragraphs (a)(1) and (2) and removing paragraph (a)(3). The revisions read as follows:

§ 410.307 Training for promotion or placement in other positions.

(a) * * *

(1) Agency authority to modify qualification requirements in certain situations as provided in the OPM Operating Manual for Qualification Standards for General Schedule Positions; and

(2) Agency authority to establish training programs that provide intensive and directly job-related training to substitute for all or part of the experience (but not education, licensing, certification, or other specific credentials) required by OPM qualification standards. Such training programs may be established to provide employees with the opportunity to acquire the experience and knowledge, skills, and abilities necessary to qualify for another position (including at a higher grade) at an accelerated rate.

* * * * *

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OFFICE OF PERSONNEL MANAGEMENT**5 CFR Parts 351, 430, 451, 534, 537, 630, and 894**

[Docket ID: OPM–2025–0011]

RIN 3206–AO88

OFFICE OF MANAGEMENT AND BUDGET**5 CFR Part 1330**

RIN 0348–AB92

Managing Senior Professional Performance

AGENCY: Office of Personnel Management and the Office of Management and Budget.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) and the Office of Management and Budget (OMB) are issuing a final rule to strengthen the performance appraisal of senior-level (SL) and scientific or professional (ST) employees, collectively referred to as “senior professionals.” This final rule establishes a new subpart dedicated exclusively to senior professional performance appraisal that aligns more closely with Senior Executive Service (SES) performance appraisal regulations. The rule also eliminates senior professional appraisal programs, removes the prohibition of a standardized distribution of performance rating levels, and enhances oversight of the appraisal process.

DATES: Effective November 18, 2026.

FOR FURTHER INFORMATION CONTACT: Aaron Gottesman, Senior Advisor to the Director, 202–606–8046 or by email at SESpolicy@opm.gov.

SUPPLEMENTARY INFORMATION:**Background**

The Office of Personnel Management (OPM) is issuing this final rule to revise the performance appraisal framework applicable to senior-level (SL) and scientific or professional (ST) employees, collectively referred to as “senior professionals.” These positions are established under 5 U.S.C. 5376 and are classified above GS–15 and just below the Senior Executive Service (SES). Senior professionals serve in positions that require a high level of expertise and are expected to exercise significant responsibility and independent judgment in support of agency missions. As such, they play a critical role in advancing agency priorities and delivering mission

outcomes comparable in impact to those of SES members.

Although Congress has aligned the pay structure for senior professionals with that of the SES, including through the Federal Employees Pay Comparability Act of 1990¹ and the Senior Professional Performance Act of 2008, Public Law 110–372 (October 8, 2008), the performance management requirements applicable to senior professionals have remained governed by the general appraisal provisions in 5 CFR part 430, subpart B. These regulations have not been updated since the mid-1990s and were designed to meet the needs of a broad population of federal employees such as prevailing rate employees, seasonal employees, and employees across all grades and steps of the General Schedule. Over time, these regulations have become increasingly incompatible with OPM’s efforts to develop a dedicated modern senior professional performance appraisal system. Hence, OPM has determined that this misalignment between pay, responsibilities, and performance appraisal requirements warrants regulatory revision.

In the proposed rule published on February 24, 2026 (91 FR 8763), OPM explained that the current performance appraisal framework does not sufficiently support meaningful differentiation in performance among senior professionals. As noted in the proposed rule, despite prior efforts by OPM to curb ratings inflation through guidance,² Governmentwide data showed that, in fiscal years 2023 and 2024, approximately 90 percent of senior professionals received ratings at Levels 4 and 5, while less than a half of one percent of senior professionals received ratings below Level 3 (“Fully Successful”).³ Additionally, the 2024 Federal Employee Viewpoint Survey (FEVS) results showed that only 47% of federal employees agreed with the statement, “In my work unit, differences in performance are recognized in a meaningful way.”⁴ This was the lowest

¹ Enacted as Section 529 of the Treasury, Postal Service and General Government Appropriations Act, 1991 (Pub. L. 101–509, 104 Stat. 1427).

² See, *e.g.*, Off. of Pers. Mgmt., *Applying Rigor in the Performance Management Process and Leveraging Awards Programs for a High-Performing Workforce*, (July 12, 2019), available at www.opm.gov/chcoc/transmittals/2019/applying-rigor-performance-management-process-and-leveraging-awards-programs-high-performing_508_0.pdf.

³ SL and ST Governmentwide ratings data for fiscal years 2023 and 2024 were obtained from OPM’s Enterprise Human Resources Integration-Statistical Data Mart and are on file with OPM.

⁴ See *Federal Employee Viewpoint Survey*, U.S. Off. of Pers. Mgmt., www.opm.gov/fevs/reports/