



HUMAN RESOURCES

3.1 Employment

CRIMINAL INVESTIGATOR CERTIFICATION PROGRAM

A. Policy: Journey-level (GS-11) Criminal Investigators with a current fit assessment and a current performance rating of at least fully successful are eligible for promotion to a GS-12 Criminal Investigator position after serving three years in grade as a GS-11 and self-certifying and receiving certification from their supervisors or district managers that they a) have the broad range of experience and skills needed and b) have performed the types of duties listed here on a **regular basis** over the past 24 months.

B. Certification Process

1. The Criminal Investigator develops a range of experience and skills within five categories that are needed to perform successfully as a GS-12 Criminal Investigator. District managers and employees can use the examples that follow to determine the duties and experiences that qualify as grade 12 work.
 - a. **Plans, conducts, and/or coordinates complex warrant investigations:** Investigations typically involve determining the identities and locations of federal and international (Interpol) fugitives. The employee participates in the full range of investigative duties, which includes planning, fact-finding and reporting results. Investigative assignments are usually performed independently and often include the following conditions: working with fragmentary or cold evidence, witnesses who are reluctant to give information and suspects who are targets of media scrutiny. Another example is warrant assignments, such as fist, Operation Gunsmoke, Top 15, and state and local task forces.
 - b. **Writes or develops operational action plans for high-threat trials and/or judicial protection plans:** Plans, conducts and/or coordinates investigations of threats and allegations endangering the integrity of the judicial process. For example, investigations may involve the safety of federal judges, court officials, jurors and others designated by the Attorney General. Relevant experience may include performing advanced details and writing or developing operational plans and follow-up reports. The criminal investigator may also be involved with investigating and analyzing judicial threats, performing surveillance, and installing security and surveillance equipment.
 - c. **Develops and maintains working relationships with others (judiciary, media, public, and other federal, state and local law enforcement agencies):** Demonstrates significant personal resourcefulness and a constant regard for information sources. Maintains an effective working relationship with counterparts (both within and outside the service) in the investigation, apprehension and conviction of offenders. Typically, this requires a broad knowledge of the laws, policies and procedures of local, county, state and federal agencies.
 - d. **Displays leadership skills by supervising investigative details and programs and/or assisting peers and lower-grade employees:** May serve as the point person within the district or suboffice for monitoring, coordinating, and directing the assigned investigation or program. Assists district managers in formulating and implementing policies, programs and procedures and may contribute to nationwide policy development. Examples may include planning and leading details and coordinating and providing guidance to lower-level Criminal Investigators for complex law enforcement activities.

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- e. **Develops facts and evidence using a broad range of investigative techniques:**
This may include interviewing, examining evidence, analyzing hard copy and computer records, using technical investigative aids and surveillance methods, working undercover, and developing and using informants and other confidential sources. (Employees can gain this experience in areas such as special operations, seized assets, debt collection, complex service of process, and/or criminal investigations.)
2. Once a Criminal Investigator approaches three years as a GS-11, he/she should document and certify his/her experience in each of the five categories and submit it to the supervisor or district manager. A sample format for documenting experience is attached to these procedures.
3. The supervisor or district manager will decide if the experience meets the criteria listed above.
 - a. If the experience meets the criteria, the supervisor or district manager will certify the document by signing it. He or she will then submit the document and an SF-52 requesting that the employee be promoted to grade 12.
 - b. If the experience does not meet the criteria, the supervisor or district manager will promptly return the document to the employee with a written explanation. The supervisor or district manager will provide suggestions on how the employee might meet the criteria and set a reasonable target date for resubmission of the amended experience statements. The employee has the right to appeal the supervisor's decision using established procedures.
4. The district's servicing personnel specialist clears the promotion through the Office of Investigations and the Employee and Labor Relations Branch, checks for a current fit assessment (dated within the past six months) and then processes the SF-52. The SF-52 and attached duties/experience statement are placed in the official personnel folder.
5. This policy does not supersede a manager's responsibility to assign work to the appropriate personnel. But when higher-level assignments are made available to GS-11 employees, managers must establish a method for equitably distributing opportunities, such as a rotation system for task forces and special assignments.
6. If an employee transfers from another agency to the USMS as a GS-1811-11 Criminal Investigator without a year in grade at the GS-11 level, the certification process is the same as outlined previously.

The requirements are slightly different for employees who transfer from other agencies to the USMS **with at least one year of GS-1811-11 experience**. Their previous time in grade (at least a year) as GS-1811-11s allow them to be eligible for promotion after two years. These employees are eligible for promotion to a GS-12 position after performing, on a regular basis, the USMS duties outlined previously for at least 24 months.

All GS-1811-11 lateral transfers from other agencies must serve at least two years with the USMS before they are eligible for promotion to GS-12 positions under the certification program.

7. Employees who have questions about their individual experience or duties that meet the criteria for grade 12 certification should discuss them with their supervisors or district managers.
8. Supervisors or district managers who need clarification on the experiences that meet the criteria should contact their servicing personnel specialist.

Questions & answers for implementation:

Q. Is my promotion to grade 12 automatic after three years?

A. No. The following conditions must also be met:

1. The most recent performance appraisal (dated within the past 12 months) must be fully

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successful or higher.

2. A current FIT assessment (dated within the past six months).
3. Both the supervisor and the employee must certify that the employee is performing grade 12 duties on a regular basis over the past 24 months.
4. Once a promotion request is submitted to the district's servicing personnel specialist, it must also clear the Office of Investigations and the Employee and Labor Relations Branch.

Q. What if I do not have an experience example for each of the five categories within the three years as a grade 11?

- A. Three years is the minimum amount of time you have to gain these experiences. There is no maximum time limit. Once you meet the duties/experience criteria, you are eligible to receive the promotion at any time after the three years.

Q. How does a district request my promotion to a grade 12?

- A. The district must complete an SF-52, Request for Personnel Action. Under Part A, requesting office, complete block number 1 with "Reclassification/Accretion of duties." The promotion request must include a signed statement summarizing the employee's duties/experience that justifies a grade 12.

Q. What format do I need to use to complete the duties/experience statement?

- A. Documentation must include:

1. name and signature of employee
2. name and signature of supervisor
3. entry-on-duty date for employee
4. date of promotion to grade 11 as a criminal investigator
5. date of last fit assessment
6. at least five experience statements, with a minimum of one for each of the five experience categories
7. date of submission by employee
8. date of submission by supervisor

Q. May I include military experience or former law enforcement experience in my duties/experience statement?

- A. No. This position is based on your current duties.

Q. How many examples do I need to give for each of the five categories?

- A. You must include at least one example for each of the five categories.

Q. Can I submit multiple experience items for each of the five categories?

- A. Yes, but if you have a broad range of experience, limit your submission to three examples per category.

Q. What information do I need to include in my experience statements?

- A. Experience statements must be specific, and should include information such as: Date(s); Location (e.g., in-district, special assignment); and Detailed description of the experience (e.g., Case names or numbers,

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detail names, investigative procedure used, results of employees actions, etc.)

Q. Who will process my promotion?

A. Your supervisor will submit the SF-52 and the signed duties/experience statement to your district's servicing personnel specialist at headquarters.

Q. What happens if my supervisor is new or is not available to certify my experience and submit my request?

A. Your second-line supervisor can sign the SF-52.

Q. What happens if the full range of grade 12 duties is not available in my district?

A. Grade 12 duties do not necessarily have to occur within your home district. An employee can gain them through regular and recurring special assignments, details, working with nearby headquarters offices, etc. Your supervisor may be able to help you identify assignments that will meet the grade 12 experience categories. When grade 12 experiences are available, it is the responsibility of the district to equitably provide employees with the opportunity to participate in them.

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