DoD Cyber Excepted Service (CES) Personnel System

Leaders Orientation

DoD CIO
Agenda

• Introduction
• Cyber Excepted Service Overview
• Key Roles
• Implementation
• Closing Remarks
Cyber Exected Service Overview
Cyber Mission Imperatives

Human Capital Challenges:

- Increasing Cyber Threats
- Multi-Faceted Cyber Domains
  - Unstable Mission Scope
  - Inconsistent Workforce Identification
- Hyper-Competition for Top Talent
- Disparate Workforce
  - Geographic Location
  - Personnel Systems
  - Disjointed Approaches for Professional Development
Cyber Mission Imperatives

Imperatives for Change:

• Cyber Excepted Service Personnel Authorities
  – Section 1107 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92)
  • Section 1599f of Title 10, Chapter 81, United States Code
• DoD Cyber Strategy, 2018
• DoD Cyber Workforce Strategy, 2013
• DoDD 8140.01 Cyberspace Workforce Management, 2015
• Federal Cybersecurity Workforce Assessment Act of 2015
CES History

- DoD Directive 8140.01 Cyberspace Workforce Management
- Personnel Authorities Section 1599f of Title 10, U.S.C
- CES Implementation Plan Submitted to Congress Jun 2016
- Interim Title 5 Cyber Personnel Authorities...
  NDAA FY2017 Section 1643
- Publish Initial CES Policies Aug 2017
- CES Phase II Implementation
  - DISA
  - Service Cyber Components
  2018 - 2024

- NDAA FY2016 Section 1107 PL 114-92
- Cyber Workforce Recommendations Report Submitted to SECDEF Mar 2016
- Cyber Workforce Action Plan Section 1108 Report Submitted to SECDEF
- CES Phase I Implementation Aug 2017 - March 2018
  - U.S. Cyber Command
  - JFHQ DoD Information Networks
  - DCIO Cybersecurity

- CES Phase III Implementation 2024 - Beyond TBD

Cyber Workforce Action Plan Section 1108 Report Submitted to SECDEF

Cyber Workforce Action Plan Section 1108 Report Submitted to SECDEF

CES Phase I Implementation Aug 2017 - March 2018
  - U.S. Cyber Command
  - JFHQ DoD Information Networks
  - DCIO Cybersecurity

CES Phase III Implementation 2024 - Beyond TBD
Cyber Exempted Service (CES)

• A mission-focused personnel system, aligned to both Title 10 and Title 5 provisions, that supports the human capital lifecycle for civilian employees engaged in or in support of a cyber-related mission
• Promotes a culture that is based upon mission requirements and employee capabilities
• Offers flexibilities for the recruitment, retention, and development of cyber professionals across DoD
• Further advances the strategic goals of the Office of the DoD Chief Information Officer, Principal Cyber Advisor, and U.S. Cyber Command

An Enterprise approach for managing the DoD cyber workforce...
CES Design Concepts

• Enterprise Perspective
• Consistency and Flexibilities Across the Enterprise
• Mission Requirements
• Employee Capabilities
• Performance Based Recognition
• Competitive Compensation
CES Scope and Applicability

• CES applies to:
  DoD positions that perform, manage, supervise, or support functions necessary to execute the responsibilities of the United States Cyber Command, pursuant to Section 1599f of Title 10, U.S.C.

• CES does not apply to:
  – Defense Civilian Intelligence Personnel System, Federal Wage System, non-appropriated fund employees, foreign national, and employees employed under authority other than the CES
  – Employees in CES-designated cyber positions who declined the voluntary opportunity to convert to the CES
  – Employees in cyber positions that are not CES-designated or are under other personnel authorities
  – Senior Executive Service, senior level, scientific and professional, and equivalent positions, unless specifically addressed in the CES policies

Scope: CES Designated Organizations
Phase I: U.S. Cyber Command, Joint Force HQ DoD Information Networks, DCIO Cybersecurity
Phase II: Defense Information Systems Agency, Service Cyber Components
CES Policies

Personnel Authorities: Section 1599f of Title 10, Chapter 81, United States Code

• Initial Personnel Policies for CES Implementation:
  – Title 10 DoD Instruction 1400.25:
    • Volume 3001, Introduction
    • Volume 3005, Employment and Placement
    • Volume 3006, Compensation Administration
    • Volume 3007, Occupational Structure
  – Title 5 Provisions will continue for:
    • Performance Management
    • Disciplinary and Adverse Actions
    • Employee Grievances
    • MSPB Appeal Rights
    • Collective Bargaining

The CES Policies Completed:
- DoD Directives Issuance Website
- USD(P&R) Signature
- DoD Security and Pre-Publication Review
- Final DoD Office of General Counsel Legal Sufficiency Review
- OPM Coordination
- OGC Pre-Legal Sufficiency Review (LSR)
- Union National Consultation Rights (NCR)
- DoD Component CES Policy Familiarization Sessions
Key CES Attributes

- **One common occupational structure for DoD Cyber professionals**
  - Mission-focused position design and classification

- **Agile recruitment sourcing flexibilities**
  - Source candidates by any legal merit-based means
  - USA Jobs is not required, but remains an option

- **Enhanced Pay-Setting Flexibilities**
  - Job Offers up to step 12

- **Veterans Preference**
  - CES does not apply 5 or 10-point veterans’ preference
  - Only preference-eligible candidates with a Military Service-connected disability of 30 percent or more will be specifically identified and documented

- **Qualification-based professional development and advancement opportunities**
  - No time-in-grade or equivalency requirements
  - Quality of specialized experience and/or competencies is assessed

- **Probationary Periods**
  - New Hires: Must complete a 3-year probationary period
  - Current Employees: Finish 2-years in accordance with original conditions of employment
  - New Supervisors/Managers: Must complete 1-year probationary period

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*Facilitates voluntary employee conversions from the competitive to excepted service*
What is NOT changing?

- CES Does NOT Change...
  - Rights of Employees, Unions, or Management
  - Attained Career Status
  - Current Grade and Salary
  - With-In Grade Step Waiting Periods
  - Completed Probationary Periods
  - Protections
  - Appeal Rights
  - Federal Benefits
  - Retirement
  - Leave Accrual
  - Performance Management DPMAP
  - Retirement
What CES is Not?

- Defense Civilian Intelligence Personnel System (DCIPS)
- National Security Personnel System (NSPS)
- Rank-in-Person
- Pay Bands
- Pay for Performance
  - Employee base pay is not aligned to performance
- Non-Competitive Promotions
- Adjustment–In-Force
- A mechanism to circumvent due process
- Intelligence Community Joint Duty Assignments
Key Roles and Responsibilities

- HR Practitioners
- Managers/Supervisors
- Employees
- Leaders
Cyber Excepted Service Leaders
CES Leaders

• The successful implementation of CES requires that you:
  – **Prepare** your staff for the changes brought by CES
  – **Support** the effort by providing adequate resources for CES implementation
  – **Encourage** open communication about CES
  – **Lead** the change by modeling your commitment as a leader and advocate of CES
Preparing for CES

• Solicit Feedback From Your Staff
  – Engage in two-way dialogue as frequently as possible
  – Monitor the quality of communications among employees and supervisors
  – Identify misconceptions or incorrect information quickly
  – Communicate and reinforce the *right* messages
  – Bridge any gaps in information and/or understanding
  – Determine the level of support and training necessary to move forward

• Encourage Your Staff to Remain Informed
  – Offer timely and accurate information
  – Promote open communication to minimize confusion
  – Provide access to resources that will inform and educate employees on CES
  – Make yourself available to answer questions and address concerns as they arise
Supporting the CES

• It is Essential that You:
  – Share what you learn with your staff
  – Attend CES engagements and training
  – Utilize all available resources to stay informed
  – Encourage employees and supervisors to attend all training courses
  – Allow adequate time for your organizational and servicing HR Office to prepare for CES implementation
Leading the CES

• Be a CES Champion by:
  – Modeling behaviors consistent with performance excellence
  – Providing reliable and consistent information to all employees
  – Assisting managers and supervisors with developing their communication skills

• Make Sure Your Staff Understands the Key Benefits of CES:
  – Empowering them to ownership of their own careers
  – Ensuring that all successful performance is recognized throughout the year
  – Promoting professional development and advancement opportunities
# CES Employee Implications

**CES will not change:**
- Current Salary
- Attained Competitive Service Career Status
- Completed Probationary Periods
- Temporary Promotions
- Federal Benefits, Retirement, and Leave Accrual Rate
- Protections, Appeal Rights, and Collective Bargaining
- Performance Management (DPMAP)

**CES provides opportunities:**
- Qualification-Based (no time-in-grade) Requirements for Promotion and Professional Development
- Promotions and Quality Step Increase Awards Up to step 12 (with justification)
- DoD Cyber Interchange Agreement
  - (facilitates non-competitive movement between the CES and Competitive Service)
- Future Compensation Initiatives
- Future Career Management Program
- Future Rotational Assignments across the DoD Cyber Community

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**CES is a tool for managing your career...**
CES Supervisor/Manager Implications

- Streamlines Hiring Procedures to Quickly Acquire Talent
  - Greater Options for Sourcing Candidates (USA Jobs is not required)
- Mission-Focused Position Classification
- Enhanced Pay-Setting Flexibilities
- Qualification-Based Employee Professional Development and Advancement Opportunities
  - No Time-In-Grade; No Automatic Salary Increases
- Maintains Protections, Appeal Rights, and Collective Bargaining
- One Performance Management Program - DPMAP
Cyber Excepted Service Implementation
## CES Implementation Schedule

<table>
<thead>
<tr>
<th>ORGANIZATIONS</th>
<th>PROJECTED TIMELINE</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td><strong>Phase 1:</strong></td>
<td></td>
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<tr>
<td>U.S. Cyber Command</td>
<td>Aug 2017 - Mar 2018</td>
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<tr>
<td>Joint Force HQ DoD Information Networks</td>
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<tr>
<td>DCIO Cybersecurity</td>
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<tr>
<td><strong>Phase 2:</strong></td>
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<tr>
<td>Defense Information Systems Agency</td>
<td>Sept 2018 - 2024</td>
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<tr>
<td>Service Cyber Components</td>
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<tr>
<td><strong>Phase 3:</strong></td>
<td></td>
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<tr>
<td>Other DoD Organizations</td>
<td>2025 – Beyond (TBD)</td>
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</table>

(TBD)
CES Implementation Timeline

Phase 1: August 2017 - March 2018

<table>
<thead>
<tr>
<th>Aug</th>
<th>Sept</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Jan 18</th>
<th>Feb 18</th>
<th>Mar 18</th>
</tr>
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<tbody>
<tr>
<td>Policy Development and Issuance</td>
<td>Develop &amp; Coordinate CES Policies July 2016- August 2017</td>
<td>Issue Policies 15 August</td>
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<tr>
<td>Strategic Communications</td>
<td>Develop Products June- August</td>
<td>Release Products August - September</td>
<td>CES Road Show Engagements August - November</td>
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<tr>
<td>Training</td>
<td>Course Design and Development April – August</td>
<td>Testing July</td>
<td>Instructor Preparation June – August</td>
<td>Union Review August</td>
<td>CES Phase I Training Delivery September - October</td>
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<tr>
<td>HR Planning</td>
<td>Develop CES Implementation Guide June- October</td>
<td>Release HRO Toolkit October</td>
<td>Servicing HRO Planning and Implementation October – January</td>
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<tr>
<td>Position Alignment</td>
<td>Conduct Position Reviews</td>
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<tr>
<td>CES Conversions</td>
<td>Map GS positions to CES Occupational Elements</td>
<td>Complete CES Position Description Cover Sheets</td>
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<tr>
<td></td>
<td>Convert Vacant Positions to CES</td>
<td>Release CES Offer Letters to Current Employees (optional and mandatory)</td>
<td>Process Conversion Personnel Actions</td>
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CES Conversion Process

**DoD Cyber Mission**

**Cyber Exempted Service Organizational Designation**
- Section 1599f of Title 10
- DoD Tri-Chair Approval
- DoD Component Validation

**Strategic Communications and Training**
- Awareness
- Inform
- Sustain

**Position Alignment to CES Occupational Structure**
- GG Pay Plan Level
- Mission Category (TBD)
- Work Category
- Work

**Employee Offer Letters**
- Vacant Positions & New Candidates
- Current Employees (Optional & Mandatory)

**DCPDS Position and Employee Record Changes**
- CES Position
- CES (accept) or DoD Cyber (decline)

**Process Personnel Action**
- Appointments
- Conversions or No Action

**Lessons Learned**
- Reporting

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**PHASE I**
- U.S. Cyber Command
- JFHQ-DODIN
- DCIO CS

**PHASE II**
- DISA
- Service Cyber Components

**PHASE III**
- TBD

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Continuous Engagements with Labor Relations Throughout
CES Recruitment and Staffing

• **Appointments**
  - Permanent, Indefinite, Temporary, Term, Direct Hire, “On the Spot” Appointments

• **Flexible Recruitment Sourcing**
  - Source candidates by any legal merit-based means
  - USA Jobs is not required, but remains an option

• **Veterans Preference**
  - CES does not apply 5 or 10-point veterans’ preference
  - Only preference-eligible candidates with a Military Service-connected disability of 30 percent or more will be specifically identified and documented

• **Qualifications**
  - No time-in-grade or equivalency requirements
  - Quality of specialized experience and/or competencies is assessed

• **Probationary Periods**
  - New Hires: Must complete a 3-year probationary period
  - Current Employees: Complete 2-years in accordance with original conditions of employment
  - New Supervisors/Managers: Must complete 1-year probationary period

• **Movements**
  - Facilitates non-competitive & competitive lateral movements (qualifying equivalent work levels work categories, grades) across the DoD Cyber Community
Note: In accordance DoDI 1400.25, Volume 3007, CES will be implemented based on a graded rank-in-position structure. Any DoD Component seeking to transition to a non-graded banded structure or a rank-in-person construct must forward the fully supported mission rationale and proposed implementing guidance, to the USD(P&R) for approval prior to implementation.
CES Compensation

Basic Pay = Base Pay +

Local Market Supplement (LMS)
OR
Targeted Local Market Supplement (TLMS)

- **Current Employee CES Conversions:**
  - No change in pay; Documented career –ladders will continue

- **Promotions:**
  - Qualification-based (no time-in-grade); Up to step 12 (with justification)
  - Temporary promotions

- **Pay Setting for New CES Appointments (Hires):**
  - Qualification-based; Up to step 12 (with justification)

- **With-In-Grade Increases:**
  - Waiting periods and procedures equivalent to GS (up to step 10)

- **Awards:**
  - Quality Step Increase (up to step 12)
Labor & Employee Relations

• Your Labor and Employee Relations Practitioners are key resources for your leaders and workforce
  – Contact them when you have questions or issues

• Recognize labor and employee situations early and react appropriately before they become issues in your workplace

• Know your collective bargaining agreement (CBA) provisions
  – Make sure you are referring to the correct CBA(s) for your employees

• Your role is to lead the organization in keeping with the agreements set forth in the CBA(s)

Motivate, educate, and empower employees...
DoD Performance Management and Appraisal Program (DPMAP)

- Policy: DoDI 1400.25, Volumes 430 and 431
- Single Appraisal Cycle: April 1\textsuperscript{st}- March 31\textsuperscript{st}
- Minimum 90-days of Performance
- Continuous Supervisor-Employee Discussions
  - Supervisors \textit{must} allow employees to provide input into their performance elements and standards
  - Minimum of 3 formal face-to-face discussions
- Recognition and Awards throughout the Performance Cycle
  - Monetary and Non-monetary
- Automated DoD Appraisal Tool “My Performance”

Three-Level Rating Pattern

- Outstanding (5)
- Fully Successful (3)
- Unacceptable (1)

\textit{Fair} – \textit{Credible} – \textit{Transparent}
CES Implementation Support

- DoD CIO HR Team Advisement
- Component CES Implementation Lead
- CES Policies
- DoD Component HR Implementing Guidance
- DCPAS Cyber One Stop Website
- CES Training Courses
- CES Engagements
  - DoD Component Leadership Briefs
  - HR Governance Community
  - CIO Governance Community
# CES Training Courses

<table>
<thead>
<tr>
<th>AUDIENCE</th>
<th>COURSE</th>
<th>OBJECTIVES</th>
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</thead>
<tbody>
<tr>
<td>Component Trainers &amp; HR Practitioners</td>
<td><em>Train the Trainers</em>&lt;br&gt;Delivery: Power Point and Interactive Modules Course (~16.00hrs)</td>
<td>-Provide Component Trainers and HR Professionals with the knowledge and tools to deliver the CES Courses at their organizations: <em>CES HR Elements; CES Leaders Orientation, and CES Workforce Orientation</em></td>
</tr>
<tr>
<td>HR Practitioners</td>
<td><em>CES HR Elements</em>&lt;br&gt;Delivery: Interactive Module-Based Course (~12.00hrs)</td>
<td>-Provide HR professionals with the knowledge and tools to operationalize CES policies and procedures&lt;br&gt;-Notification process and conversion actions&lt;br&gt;-Equip HR professionals with the requisite knowledge to serve as a CES advisor for leaders, managers/supervisors, and employees in their organizations</td>
</tr>
<tr>
<td>DoD Leaders</td>
<td><em>CES Leaders Orientation</em>&lt;br&gt;Delivery: Executive Power Point Brief and Q&amp;A (~2.00hrs)</td>
<td>-Familiarize leaders with the core tenets of CES&lt;br&gt;-Labor obligations responsibilities&lt;br&gt;-Equip leaders with the requisite knowledge for CES implementation in their organizations</td>
</tr>
<tr>
<td>General Workforce</td>
<td><em>CES Workforce Orientation</em>&lt;br&gt;Delivery: Comprehensive Power Point Presentation and Q&amp;A (~3.00hrs)</td>
<td>-Familiarize employees with the core tenets of CES&lt;br&gt;-CES conversion opportunities&lt;br&gt;-Explain the CES organizational and workforce implications</td>
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</tbody>
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Questions
Background
# CES Scope and Phasing Plan

<table>
<thead>
<tr>
<th>Phase</th>
<th>Organization</th>
<th>Projected Timeframe for HR Implementation</th>
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</thead>
</table>
| Phase I | US Cyber Command  
Joint Forces Headquarters DoD Information Networks  
DCIO Cybersecurity | ~Mar 2017-Aug 2017 |
| Phase II | DISA HQ(Ft. Meade)  
Service Cyber Components:  
24th AF/Air Force Cyber Command  
10th Fleet/ Navy Fleet Cyber Command  
Marine Corps Network Operations and Security Center  
Marine Forces Cyber Command  
Marine Corps Cyberspace Warfare Group  
2ND Army (NETCOM)  
Army Cyber Command | ~Aug 2017- Aug 2019 |
| Phase III | Other DoD Organizations:  
-Additional DoD Organizations and Selected Positions (e.g., additional DISA elements; 4th Estate organizations; and other cyber /IT positions, as appropriate) | ~Jan 2019- Dec 2020 |
## Phase I - CES Training Schedule

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>COURSE</th>
<th>TRAINING LOCATION</th>
<th>INSTRUCTORS</th>
<th>PROJECTED TRAINING DATES</th>
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*Consolidated Training Sessions*