

**5-9. WAIVER OF QUALIFICATION REQUIREMENTS**

a. Qualification requirements may not be waived for any assignment which results in displacement.

**5-10. ADMINISTRATIVE ASSIGNMENT****a. Discretionary practices.**

(2) Competing employees in the competitive service in tenure group III are entitled to bump other employees in tenure group III

(3) Competing excepted service employees in tenure groups I and II with appointments under Schedule A or Schedule B are entitled to assignment rights in the second round of competition. Bumping rights are similar to the provisions in FPM Chapter 351, section 5-4 for competitive service employees except that an eligible employee is entitled to bump to an occupied position held by an employee appointed under the same authority (e.g., a IA Schedule A attorney may bump a IB Schedule A attorney, but not a IB Schedule A law clerk). Retreat rights are similar to the provisions in FPM section 5-5 for competitive service employees. No other assignment rights are permitted for excepted service employees.