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CHAPTER 316. NON-PERMANENT EMPLOYMENT

(To Be Used With 5 CFR Part 316)

1. SCOPE

a. This chapter describes Department of Veterans Affairs (VA) policy and procedures for temporary and term employment. It supplements policy and regulations contained in 5 CFR, Part 316 and should be used in conjunction with that reference.

b. The policies and procedures contained in chapter 300, "Employment (General)," this part, are to be followed, where applicable.

c. Policy and regulations for temporary appointments in the excepted service (title 5, United States Code) are contained in 5 CFR Part 213.

d. This chapter does not apply to excepted service positions in the Veterans Health Administration filled under 38 U.S.C., Chapter 73 and 74 or to excepted positions in the Veterans Canteen Service filled under 38 U.S.C., Chapter 78.

2. POLICY

a. Temporary and term appointment authorities will be used only under conditions authorized by the Office of Personnel Management.

b. Temporary limited appointments may be used to fill positions not expected to last more than 1 year, seasonal positions, part-time and intermittent positions that are clearly not of a continuing nature, and continuing positions which are temporarily vacated for periods of less than 1 year.

c. Term appointments are made to positions which are expected to last more than 1 year but no more than 4 years and which are clearly of a project nature. Term appointments are often appropriate for persons employed to work on medical research projects. This authority, however, is not limited to research situations and may be appropriate for other positions which are of a project nature and which are expected to last from 1 to 4 years. There is no authority to extend term appointments beyond 4 years from the date of the initial term appointment.

3. TEMPORARY LIMITED APPOINTMENTS OUTSIDE THE REGISTER

a. The Office of Personnel Management has delegated to agencies the authority to make temporary limited appointments of 1 year or less to positions up to GS-12 (or equivalent) in the General Schedule and for all grades in the Federal Wage System. Field stations are authorized to make these appointments independently under outside-the-register selection procedures in 5 CFR, Part 333, subject to review for compliance with those procedures during VA and OPM personnel

management evaluation visits. Failure to follow correct procedures may result in the revocation of the station's authority to make temporary limited appointments.

b. Temporary limited appointments may be extended up to 2 years from the date of initial appointment. Only in rare and unusual situations would there be a need to extend an employee's service beyond this limit. Continuous employment longer than 2 years may only be approved by the central office of OPM upon recommendation of VA Central Office. Requests for extensions may be sent to the Customer Advisory and Consulting Group (051).

4. TERM APPOINTMENTS

a. Stations are delegated the authority for determining whether term appointments are appropriate for particular positions. Selections for term employment, however, must be made under applicable competitive or noncompetitive procedures.

b. Term appointments are appropriate for positions which are of a project nature. Authorization of term appointments, therefore, should be made on a project-by-project rather than a position-by-position basis. It is possible that a project could consist of only one position. Each authorization for term appointment should be thoroughly documented. Documentation should include the following information:

(1) The nature and purpose of the project.

(2) The anticipated length of the project.

(3) A listing of the project positions, by title and grade, which are authorized for term appointment.

(4) The signature of the facility Director as authorizing official and the date of the authorization.

c. Descriptions of positions authorized for term appointment should reflect the project-nature of the position. These position descriptions should accompany requests for certificates of eligibles for term appointments.

d. Use of this delegation of authority will be carefully reviewed during VA and OPM personnel management evaluation visits. Documentation of the authorization for term appointment should be maintained in accordance with VA records disposal schedules.