

FOREIGN SERVICE PERSONNEL MANAGEMENT MANUAL

Subchapter 100-2

Noncareer Limited Appointments

Section 1. Purpose. This subchapter establishes Department policy for noncareer limited appointments in the Foreign Service personnel system.

Section 2. Scope. All employees on noncareer limited appointments in the Foreign Service in the Department are covered.

Section 3. Appointments Policy.

.01 Noncareer limited appointments shall be used to meet overseas staffing requirements, only in those instances when it will not undermine the career structure of the Foreign Service personnel system. Noncareer limited appointments will be used sparingly, not routinely. Noncareer limited appointments may not be made domestically.

.02 An applicant for noncareer appointment must meet the qualification requirements for the position, including any language requirement, at the time of application.

.03 Initial noncareer appointments are normally to be made for two years plus orientation. Management may extend limited appointments, in increments of one year, to the statutory maximum of five years, under 22 U.S.C. § 3949(a), based on the needs of the Service.

.04 Training to acquire qualifications for the position to which a noncareer appointee is assigned is not permitted, since the employee must meet the qualifications of the position at time of application. However, short periods of training that will result in immediate, identifiable enhancement of the employee's job performance may be approved by the appointing authority.

.05 Employees on noncareer limited appointments who are initially appointed *after* the effective date of this policy, and who are later accepted into a Foreign Service career candidate program in the Department, will be given a new career candidate appointment not to exceed five years. Performance appraisals from the initial appointment will not be placed before the Commissioning & Tenure Board for Commissioning & Tenure purposes.

.06 Employees serving on noncareer limited appointments prior to the effective date of this policy, and who are later accepted into a Foreign Service career candidate program in the Department, will not be given a new career candidate appointment; however, their performance appraisals from the initial appointment will be placed before the Commissioning and Tenure Board for Commissioning and Tenure purposes.

.07 The appointing authority may terminate a noncareer appointment at any time in accordance with 22 U.S.C. § 4011. If the termination is for misconduct, the procedures followed must be in accordance with Section 610 of the Foreign Service Act of 1980.

Section 4. Pay Setting Policy.

.01 A Department of Commerce appointee who is given re-employment rights shall be converted to the Foreign Service salary schedule in accordance with subchapter 200-1 of this Manual.

.02 Other appointees shall not be assigned to a salary class higher than the class of the position the employee will occupy.

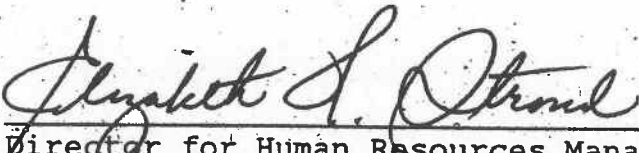
.03 An appointee from the private sector will normally be placed at the first step of the assigned salary class. If earnings statements support assignment to a higher step, and if such an assignment best serves the needs of the Service, the Director General or equivalent official may authorize an appointment to an advanced step. Such appointments may be to any step between step 1 and the lowest advanced step that equals or exceeds the most recent earned salary of the employee. Documentation supporting pay setting above the first step shall be retained in the employee's official folder.

Section 5. Reemployment Rights for Commerce Employees.

.01 Commerce employees who, with the consent of their operating unit head, accept a non-career limited appointment in the Foreign Service, shall be entitled to reemployment in accordance with section 3597 of title 5, United States Code. Employees who accept career candidacy do not get reemployment rights.


.02 The Office of Foreign Service Personnel, U.S. and Foreign

Commercial Service, shall obtain in writing the consent of a potential non-career limited appointee's operating unit head before making a limited appointment for a Commerce employee. The written consent shall be made a permanent part of the employee's Official Personnel Folder.



Director for Human Resources Management.

Approved:



Chief Financial Officer and
Assistant Secretary for Administration