

**U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)**

<b>MD 10.13</b>	<b>SPECIAL EMPLOYMENT PROGRAMS</b>	<b>DT-20-06</b>
<i>Volume 10,</i>	Personnel Management	
<i>Part 1:</i>	Employment and Staffing	
<i>Approved By:</i>	Miriam L. Cohen Chief Human Capital Officer	
<i>Date Approved:</i>	June 3, 2020	
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<i>Issuing Office:</i>	Office of the Chief Human Capital Officer	
<i>Contact Name:</i>	Alison Tallarico	
<b>EXECUTIVE SUMMARY</b>		
Management Directive 10.13, “Special Employment Programs,” is revised to—		
<ul style="list-style-type: none"> <li>• Update organizational changes and delegations of authority;</li> <li>• Eliminate references to the Graduate Fellowship Program because it is no longer considered an employment program; rather, the Graduate Fellowship Program now is available only to current U.S. Nuclear Regulatory Commission (NRC) employees as a development program;</li> <li>• Clarify that the NRC may generally use its unique statutory hiring authority to provide for essentially the same or similar Governmentwide special employment programs and hiring authorities available to the competitive and excepted service;</li> <li>• Include provisions for paying student transportation and lodging; and</li> <li>• Eliminate reference to the Honor Law Graduate Program.</li> </ul>		

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## **I. POLICY**

It is the policy of the U.S. Nuclear Regulatory Commission (NRC) to establish and implement a variety of non-competitive special employment programs to facilitate the recruitment of highly qualified candidates from diverse backgrounds to fill a wide variety of positions and job training opportunities within the agency. Pursuant to its unique, statutory employment authority provided by Section 161d of the Atomic Energy Act of 1954, as amended, the NRC may adopt and adapt Title 5 non-competitive special employment programs that are available to the competitive and excepted service. The list of specific programs described in Handbook 10.13 is not all-inclusive; it merely represents the most common special employment programs used at the NRC.

## **II. OBJECTIVES**

- Establish provisions for implementing the special employment programs.
- Encourage the use of special employment programs to reach out to a more diverse pool of candidates for NRC positions.

## **III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY**

### **A. Executive Director for Operations (EDO)**

Encourages the use, when feasible, of special employment programs by NRC supervisors and managers.

### **B. Chief Human Capital Officer (CHCO)**

1. Prescribes the standards, requirements, and instructions for special employment programs.
2. Administers special employment programs on a day-to-day basis.
3. Provides policy guidance and technical assistance to office directors, regional administrators, and regional personnel officers on special employment program issues.

4. Delegates appropriate personnel management activities, as specified in a signed delegation agreement, to regional administrators to assist them in carrying out day-to-day operations of special employment programs.
5. Periodically evaluates the effectiveness of special employment.
6. Provides guidance in the integration of special employment programs in agency workforce planning and ensures that appropriate use of special employment programs is considered in developing specific strategies for addressing strategic human capital issues.
7. Prepares required reports, as appropriate.

### **C. Office Directors and Regional Administrators**

1. Encourage maximum use, to the extent feasible with ceiling, funding, and mission requirements, of special employment programs.
2. Evaluate the applicability of special employment programs to resolve human capital issues identified during strategic human capital planning.
3. Carry out any specific activities as identified in the handbook for individual programs.

## **IV. APPLICABILITY**

The policy and guidance in this MD apply to all NRC employees.

## **V. HANDBOOK**

Handbook 10.13 provides the criteria and procedures for special employment programs. Because eligibility varies considerably among the special employment programs, each program description in the handbook contains the criteria unique to that program. The absence of a Governmentwide special employment program in this handbook does not mean it may not be used at the NRC. The Office of the Chief Human Capital Officer (OCHCO) can provide advice regarding the appropriateness of using a particular, special employment program.

## **VI. REFERENCES**

### ***Code of Federal Regulations***

- 5 CFR 3.1, "Classes of Persons Who May Noncompetitively Acquire Status."
- 5 CFR Part 213, "Excepted Service."
- 5 CFR Part 307, "Veterans Recruitment Appointments."
- 5 CFR Part 308, "Volunteer Service."

5 CFR Part 315, "Career and Career-Conditional Employment."

5 CFR Part 316, "Temporary and Term Employment."

5 CFR Part 338, "Qualifications Requirements (General)."

5 CFR Part 340, "Other Than Full-Time Career Employment (Part-Time, Seasonal, On-Call, and Intermittent)."

5 CFR Part 362, "Pathways Programs."

### ***Executive Orders***

Executive Order 10450, "Security Requirements for Government Employment," April 27, 1953.

Executive Order 12125, "Competitive Status for Handicapped Federal Employees," March 15, 1979.

Executive Order 13124, "Amending the Civil Service Rules Relating to Federal Employees with Psychiatric Disabilities," June 4, 1999.

Executive Order 13473, "To Authorize Certain Noncompetitive Appointments in the Civil Service for Spouses of Certain Members of the Armed Forces," September 28, 2008.

### ***NRC Documents***

#### ***NRC Management Directives***

9.25, "Organization and Functions, Office of the Chief Human Capital Officer."

10.1, "Recruitment, Appointments, and Merit Staffing."

10.37, "Position Evaluation and Benchmarks."

10.42, "Work Schedules and Premium Pay."

10.62, "Leave Administration."

10.67, "General Grade Performance Management System."

10.72, "Awards and Recognition."

10.78, "Nuclear Safety Professional Development Program."

10.100, "Appeals from Adverse Actions."

10.101, "Employee Grievances."

12.3, "NRC Personnel Security Program."

NRC Memorandum to Miriam L. Cohen, Chief Human Capital Officer, from Mark A. Satorius, Executive Director for Operations, "Delegation of Authority to Issue Management Directives in Volume 10, Parts 1 through 4, and Part 5 Subpart B," May 22, 2015 ([ML15110A403](#)).

***United States Code***

Americans with Disabilities Act Amendments Act of 2008 (42 U.S.C. Chapter 126).

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

Benefits for Persons Disabled by Treatment or Vocational Rehabilitation (38 U.S.C. 1151).

Compensation for Work Injuries (5 U.S.C. Chapter 81).

Disabled Veterans; Noncompetitive Appointment (5 U.S.C. 3112).

Energy Policy Act of 2005, as amended (42 U.S.C. 1642a).

Energy Reorganization Act of 1974, as amended (42 U.S.C. 5801 et seq.).

Federal Employees Compensation Act (5 U.S.C. 8101 et seq.).

Federal Employees Part-Time Career Employment Act of 1978 (5 U.S.C. 3401).

Programs to Encourage Commuting by Means other than Single-Occupancy Motor Vehicles (5 U.S.C. 7905).

Rehabilitation Act of 1973, as amended (29 U.S.C. 705, 791-794 et seq.).

Rehabilitation Act Amendment of 1992 (Pub. L. 102-569).

Retirement (5 U.S.C. Chapter 83).

Tort Claims Procedure (28 U.S.C. Chapter 171).

Training and Rehabilitation for Veterans with Service-Connected Disabilities (38 U.S.C. Chapter 31).

Veterans Education and Employment Assistance Act of 1976 (38 U.S.C. 101 et seq.).

**U.S. NUCLEAR REGULATORY COMMISSION DIRECTIVE HANDBOOK (DH)**

<b>DH 10.13</b>	<b>SPECIAL EMPLOYMENT PROGRAMS</b>	<b>DT-20-06</b>
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<i>Contact Name:</i>	Alison Tallarico

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- Update organizational changes and delegations of authority;
- Eliminate references to the Graduate Fellowship Program because it is no longer considered an employment program; rather, the Graduate Fellowship Program now is available only to current U.S. Nuclear Regulatory Commission (NRC) employees as a development program;
- Clarify that the NRC may generally use its unique statutory hiring authority to provide for essentially the same or similar Governmentwide special employment programs and hiring authorities available to the competitive and excepted service;
- Include provisions for paying student transportation and lodging; and
- Eliminate reference to the Honor Law Graduate Program.

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## I. GENERAL INFORMATION

### A. Coverage

1. This handbook provides the procedures, practices, and criteria for the special employment programs listed below, which are designed to attract a diverse number of applicants to employment with the U.S. Nuclear Regulatory Commission (NRC). As discussed in Management Directive (MD) 10.1, "Recruitment, Appointments, and Merit Staffing," positions in the NRC are filled in accordance with veterans' preference requirements. Veterans' preference requirements do not apply to positions in the Senior Executive Service, Presidential appointments, or volunteers.
  - (a) Student employment programs,
  - (b) Student volunteers,
  - (c) Integrated University Program,
  - (d) Employment of persons with disabilities,
  - (e) Veteran appointing authorities,
  - (f) Military spouses, and
  - (g) Part-time career employment.
2. The program for entry level engineering and scientific developmental participants is described in MD 10.78, "Nuclear Safety Professional Development Program."

**B. General Employment Issues**

1. The following general employment issues outlined in Directive Handbook 10.1 apply to the NRC's special employment programs:
  - (a) Nondiscrimination,
  - (b) Citizenship,
  - (c) Veterans' preference (with the exception of those in the Integrated University Program),
  - (d) Nepotism,
  - (e) Conduct and suitability,
  - (f) Security investigations and clearances,
  - (g) Selective service registration, and
  - (h) Employment eligibility verification.
2. Additionally, sons and daughters of NRC employees (including stepsons and stepdaughters) or of any employee of other agencies assigned to the NRC may not be appointed to a student position unless an exception is approved by the Chief Human Capital Officer (CHCO) or designee.
3. Employees appointed under a special employment program, except for student volunteers, are subject to the requirements described in MD 10.67, "General Grade Performance Management System."
4. Employees appointed under a special employment program are covered by the policies outlined in MD 10.100, "Appeals from Adverse Actions," and either MD 10.101, "Employee Grievances," or the negotiated grievance procedures, as appropriate.

**II. THE NRC STUDENT EMPLOYMENT PROGRAMS****A. Description**

1. The two components of student hiring at the NRC are the Student Temporary Program, and the Student Cooperative Education Program (often referred to as the Co-op program), which includes what was formerly known as the "Student Career Experience Program" (see Sections II.G and II.H of this handbook, respectively). The Student Employment Programs—
  - (a) Provide students with exposure to public service and enhance their educational experience,
  - (b) Provide financial assistance to students to encourage and support their educational goals,
  - (c) Encourage partnerships between the NRC and educational institutions in developing effective school-to-work programs, and

- (d) Assist in the recruitment of well-educated graduates into the workforce.
- 2. The programs are covered by applicable provisions of Section 161d of the Atomic Energy Act of 1954 and, as adopted, Title 5 of the *Code of Federal Regulations*, "Administrative Personnel," (CFR) Part 213, "Excepted Service," and Part 338, "Qualifications Requirements (General)," as they relate to student employment programs.

### **B. Appointment Type**

- 1. Time limited appointments are used for both those in the student temporary and the student cooperative programs.
- 2. Students may be selected for these programs if they are pursuing any of the following educational programs:
  - (a) High school diploma or general equivalency diploma (GED),
  - (b) Vocational/technical certificate,
  - (c) Associate degree,
  - (d) Baccalaureate degree,
  - (e) Graduate degree, or
  - (f) Professional degree.
- 3. A "student" is an individual who is enrolled or accepted for enrollment as a degree-seeking (diploma, certificate, etc.) student and is taking at least a half-time academic, vocational, or technical course load in an accredited high school, technical or vocational school, 2-year or 4-year college or university, or a graduate or professional school.
- 4. The definition of "half-time" is provided by the school in which the student is enrolled. An individual who needs to complete less than the equivalent of half an academic, vocational, or technical course load in the class enrollment period immediately before graduating is still considered a student for purposes of this program.

### **C. Schedules**

- 1. Both programs are year-round, and appointments may be effected at any time during the year, including summer.
- 2. Students may work full-time or part-time schedules. There are no limitations on the number of hours a student can work per week, but the student's work schedule should not interfere with the student's academic schedule.
- 3. It is expected that students accepted into either of the Student Employment Programs will, at all times, either be working at the NRC, enrolled in classes, or both.

4. The NRC may use discretion in either approving or denying a break in schedule, which is time during which a program participant is neither attending classes nor working at the NRC. The CHCO should be consulted before approving or denying a break in program.

#### **D. Employment of Minors**

A participating student must be in conformance with Federal, State, or local laws and standards governing the employment of minors.

#### **E. Citizenship**

The NRC may appoint noncitizens to the Student Temporary Program or to the Student Cooperative Education Program provided that—

1. The student is lawfully admitted to the United States as a permanent resident or otherwise authorized to be employed, and
2. The NRC is authorized to pay aliens under the annual appropriations act ban and any agency-specific enabling and appropriation statutes.

#### **F. Training Expenses**

The NRC may use its training authority to pay all or part of student training expenses that are directly related to the student's official duties.

#### **G. Student Temporary Program**

1. Under this program, the nature of the duties does not have to be related to the student's academic or career goals.
2. A student may be appointed to a position for up to 1 year. An appointment may be extended in increments of up to 1 year if the appointee meets the definition of a student.
3. To continue in the program, a student must meet minimum academic requirements and on-the-job performance requirements (equivalent to fully successful performance under the NRC performance appraisal system), as established by the NRC.
4. A student may be eligible for noncompetitive conversion to an NRC career or Regular (Excepted) appointment or to a term appointment if the student meets the 640-hour work requirement, discussed in Section III.G.8 of this handbook. Additionally, a subsequent noncompetitive conversion from a term to an NRC Regular (Excepted) appointment may be effected.
5. The classification of a student's position is based on the occupational series for which the student is hired, and the grade level is set according to the occupational job evaluation criteria.
6. A student is evaluated under the NRC basic qualifications requirement guidelines for the position.

7. A student is eligible for promotion, annual leave (if the appointment is for at least 90 days), and sick leave but is generally ineligible for retirement coverage and other benefits.
8. A student may be noncompetitively converted to the Student Cooperative Education Program whenever he or she meets the requirements of that program and an appropriate position is available. Should a student convert to that program, work experience related to the student's academic program and career goals gained while under the Student Temporary Program may be credited towards the 640-hour work experience necessary for noncompetitive conversion to an NRC Regular (Excepted) appointment.

#### **H. The Student Cooperative Education Program**

1. This program provides experience that is either related to the student's educational program or career goals. Assignments developed under this program provide for a schedule of periods of attendance at an accredited school combined with periods of career-related work at the NRC.
2. An appointment is subject to all the requirements and conditions governing NRC career or career-conditional employment, including investigation to establish an appointee's qualifications and suitability.
3. A student is initially appointed to a 13-month term appointment and may be extended in appropriate increments (typically 1 year or less), for up to 120 days after the student's expected graduation.
4. A student may be noncompetitively converted to an NRC Regular (Excepted) appointment or to a term appointment when the student has—
  - (a) Completed, within the preceding 120 days, course requirements at an accredited school conferring a diploma, certificate, or degree;
  - (b) Completed at least 640 hours of career-related work before completion of, or concurrent with, the course requirements; and
  - (c) Been recommended for conversion by an NRC office or region and met the qualification standards for the targeted position to which the student is appointed.
5. A conversion must be to an appointment related to the student's academic training or career goals.
6. The Student Cooperative Education Program is a formally structured program and requires a written agreement between the NRC and student as to the—
  - (a) Nature of work assignments,
  - (b) Schedule of work assignments and class attendance, and
  - (c) Evaluation procedures and requirements for continuation and successful completion of the program.

7. The NRC and a student should agree on a formally arranged schedule of school and work to ensure that—
  - (a) Work responsibilities do not interfere with academic performance,
  - (b) Completion of the educational program (awarding of diploma, certificate, or degree) and completion of the Student Cooperative Education Program are accomplished in a reasonable and appropriate timeframe,
  - (c) The NRC is informed and prepared for the student's period of employment, and
  - (d) Requirements for noncompetitive conversion to an NRC Regular (Excepted) (Conditional) appointment or to a term appointment are understood by all parties. Additionally, a subsequent noncompetitive conversion from a term to an NRC Regular (Excepted, Conditional, or Career) appointment may be effected.
8. A student is classified as a student trainee, to the -99 series of the appropriate occupational group.
9. A student is evaluated and qualified by appropriate NRC qualifications requirements and is eligible for promotion.
10. A student earns sick and annual leave. With no prior service, or with less than 5 years prior civilian service, a student generally is covered by the Federal Employee Retirement System. A student is covered by life insurance and health benefits to the extent provided by regulation.
11. The NRC may use its training authority to pay all or part of the student's training expenses.
12. The NRC may provide scholarship support for a student enrolled in a technical curriculum that is related to the NRC's mission requirements, specifically science, health physics or radiation protection, and engineering disciplines.
  - (a) If the NRC provides scholarship support to the student as a Government employee, this support for education in a non-Government facility (college or university) cannot exceed 1 year in the student's first 10 years of Government service. A waiver may be granted to allow for an additional year of education if this action is taken in support of the agency's mission. However, graduate level education cannot be covered by this waiver. One year equates to three semesters of study.
  - (b) A subsidy is based on the NRC's need to develop expertise in technical disciplines. A subsidy must be recommended by an office director or regional administrator based on the student's work performance over two work periods.
  - (c) The NRC establishes agreements with participating colleges and universities and makes appropriate arrangements with the learning institution's program advisor.
  - (d) After the student has completed two work periods, an office director or regional administrator may recommend, in writing, to the CHCO that the student receive funding support for educational course work that is related to the NRC mission

requirements. Approval will be based on staffing requirements, the need to develop expertise in a technical discipline, the student's work performance, and the availability of funds.

- (e) Elective courses related to the student's primary technical field of study qualify for reimbursement.
- (f) The student is required to sign a continued service agreement providing for 1 month of Government service for each semester hour of credit subsidized (or 14 working days for each quarter hour). This service will begin upon receipt of a bachelor's degree.
- (g) For purposes of reduction-in-force, students in this program are in Tenure Group II and may qualify for severance pay if involuntarily separated from the NRC. This aligns with the Pathways Internship Program described in 5 CFR Part 362.

#### **I. Student Transportation and Lodging**

1. As permitted by the Energy Policy Act of 2005, the NRC may pay for certain transportation and lodging expenses for eligible students during periods of full-time employment.
2. To be eligible the student must—
  - (a) Perform scientific, professional, administrative, or technical work related to the student's field of study at an institution of higher education, as defined in Section 102 of the Higher Education Act of 1965.
  - (b) Reside at least 35 miles away from the workplace.
  - (c) Work full-time for at least 4 weeks during the period of employment. Payment of eligible expenses may continue when the student takes approved leave and the leave occurs within a period of full-time employment. Expenses will not be paid for students who are taking leave without pay between periods of full-time employment or working part-time.
3. Expenses that may be paid include—
  - (a) The student's transportation expenses at the beginning of the full-time employment period from the student's place of residence or study to the area in which they will work and the trip back to the student's place of residence or study at the end of the full-time employment period. Transportation expenses are either by common carrier (which must be arranged and purchased through the NRC's travel management system) and transportation to and from the common carrier terminals or by privately owned vehicle (POV), computed by multiplying the distance traveled (most direct route) by the Federal Government mileage rate. However, reimbursement for use of a POV may not exceed the cost of using a common carrier.

- (b) Up to \$750 per month for actual lodging expenses during the full-time employment period, subject to the student providing documentation of such expenses. Actual lodging expenses may be paid at the rate of \$25 per day when pro-rating is appropriate. For example, if a student pays expenses for 2 months and 15 days, the 15-day period may be reimbursed at \$25 per day.

### **III. THE NRC STUDENT VOLUNTEER PROGRAM**

#### **A. Description**

This program provides opportunities for students to explore career options and gain work experience at the NRC. The NRC generally follows the Office of Personnel Management's (OPM's) procedures and regulations for unpaid volunteer services from students. Work assignments intended for student volunteers should be distinct from work assigned to paid students, such as co-ops and temporary students. Each program has specific objectives and offices should avoid conflicts with these established student employment programs or create morale problems associated with paid and unpaid students engaged in very similar duties.

#### **B. Eligibility**

1. The student must be enrolled on at least a half-time basis in an accredited high school, trade school, technical or vocational institute, junior college, college, university, or other accredited educational institution.
2. Permission from the school is required for student participation in the program, and the volunteer service must be part of a program established to provide educational experience for the student (see Section III.C of this handbook for more information).
3. Volunteer service must not be used to displace any employee or to staff a position that is a normal part of the NRC's workforce.
4. No written test is required.
5. A student volunteer must satisfy both the academic and conduct standards of the school and work performance and minimum standards of conduct of the NRC. A student who fails to meet these requirements will be dropped from the program. A student may be terminated for lack of available work, as well as for unsatisfactory progress, interest, or conduct.

#### **C. School Affiliation**

1. Although a written agreement is not mandatory, it is recommended that a volunteer program be conducted through a written agreement with an educational institution or with a nonprofit organization officially designated by a school or board of education to coordinate the placement of students in nonpaid work assignments.

2. The agreement is a written document developed jointly between the school and the NRC to outline the responsibilities of each organization. Included in these agreements should be the method, mutually agreed upon by each organization, for maintenance of attendance and performance records, particularly if the career-related assignment is for course credit.
3. The administrative level at which an agreement is executed in the NRC resides with the office director or the regional administrator, with the concurrence of the CHCO.

#### **D. Duration of Volunteer Service**

1. Volunteer service typically lasts 3 to 4 months and generally should not exceed 5 months.
2. A student must demonstrate to the satisfaction of the NRC that he or she intends to pursue a course of study or training in the same or a different educational institution during the school term immediately after the period of volunteer service.

#### **E. Security Clearance**

1. The supervisor for whom the student volunteer is to work shall decide whether the student will have access to sensitive and/or classified information. If the student will have access to this information, the appropriate security clearance must be obtained before the student begins work.
2. If the student will not have access to sensitive and/or classified information, the Division of Facilities and Security (DFS), Office of Administration (ADM), will be informed in writing of the office's intent to use volunteer services and the circumstances under which they will be used. DFS may, at its discretion, authorize the student to work without a security clearance.

#### **F. Status of Student Volunteers**

A student volunteer is not considered to be a Federal employee for any purpose other than the following:

1. The provisions of the Federal Tort Claims Act apply. Claims arising because of student participation are to be administratively processed by the NRC in accordance with regulations of the Department of Justice.
2. Portions of 5 United States Code (U.S.C.) Chapter 81, "Compensation for Work Injuries," that relate to compensation for injuries sustained during the performance of work assignments apply. Claims related to injuries should be referred to the Office of Workers' Compensation Programs, U.S. Department of Labor, for adjudication.
3. Commuting provisions of 5 U.S.C., Section 7905, "Programs to Encourage Commuting by Means other than Single-occupancy Motor Vehicles," allowing for transportation subsidies, apply.

**G. Student Volunteer Service**

1. An office requesting a student volunteer should prepare a written request for the approval of the CHCO. A short, written description of the student's duties should be included.
2. The duties of a student volunteer will be to participate as a volunteer, through planned, educationally related work assignments, in work under the guidance of NRC personnel. The difficulties and responsibilities of the work will vary with the academic level of the volunteer.
3. Although a student volunteer is not a Federal employee, service, like any other type of volunteer service, may be creditable as related experience when applying crediting plans and/or selection criteria. Some participating schools that award course credit for volunteer service may require certification of volunteer periods of service. The servicing human resources (HR) specialist will coordinate activities dealing with volunteer service and will ensure that service is appropriately documented.
4. The servicing HR specialist will make every effort to inform student volunteers about employment opportunities within the NRC and the procedures to be followed to qualify for NRC career appointments.
5. The student's supervisor—
  - (a) Maintains records of the student's volunteer performance;
  - (b) Periodically evaluates the student volunteer, such as at the end of each semester; and
  - (c) Indicates the total number of hours worked during the period to the Student Volunteer Service Coordinator, OCHCO.
6. The Student Volunteer Service Coordinator will—
  - (a) Monitor the amount of volunteer service accepted from a specific individual, and
  - (b) Clearly communicate to the student that service with the agency during the school year will not ensure a job with the agency in the future.
7. Equal employment opportunity policies apply in the selection of a student volunteer even though a student volunteer is not deemed to be an employee.
8. Orientation for a student volunteer will include information on the protection of privacy in personnel records, standards of conduct, and availability of official information and disclosure.
9. OCHCO will periodically review student volunteer activities, including—
  - (a) Assessing the program in terms of its compliance with legal and regulatory provisions,
  - (b) Evaluating the program in terms of the goals and objectives of the NRC, and

- (c) Assessing improvement in relationships with students and schools with which the NRC has agreements.

#### **H. Compensation**

1. A student volunteer serves without monetary compensation, but may be eligible for transportation subsidies, pursuant to the Energy Policy Act of 2005, as amended.
2. A student volunteer is not entitled to benefits, including life or health insurance, retirement system eligibility, or participation in the Thrift Savings Plan.

### **IV. NRC SCHOLARSHIP AND FELLOWSHIP PROGRAM**

#### **A. Description**

1. Section 622 of the Energy Policy Act (EPA) of 2005 authorized the establishment of a combined program that is administered by the NRC, the Department of Energy, and the National Nuclear Security Administration and that supports scholarships, fellowships, trade school and community college scholarships, and faculty development grants.
2. The EPA of 2005 also authorized the NRC to establish and participate in partnerships with institutions of higher education, including Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities, to enhance their capacity to train students, including present or potential NRC employees, in fields that the NRC deems critical to its mission. Financial assistance grants to these educational institutions may be used for scholarships and fellowships.
3. Funding for scholarships and fellowships includes support for education in nuclear science and engineering, to develop a workforce capable of supporting the design, construction, operation, and regulation of nuclear facilities and the safe handling of nuclear materials, as well as other fields that the NRC deems critical to its mission. The NRC only awards grants directly to accredited U.S. institutions of higher education and does not award individual scholarships or fellowships. Individual students cannot apply directly to the NRC for scholarships or fellowships.
4. As a condition for receiving a scholarship or a fellowship, a recipient must demonstrate satisfactory academic progress in his or her field of study, as determined by the NRC. The nuclear education supported by this funding is intended to benefit the nuclear sector. Consequently, the NRC requires scholarship and fellowship recipients to serve 6 months in nuclear-related employment for each full or partial year of academic support. The employment may be with the NRC, other Federal agencies, State agencies, Department of Energy laboratories, nuclear-related industry, or academia in the recipients' sponsored fields of study. Failure to meet the terms of the service agreement may require the scholarship or fellowship recipient to repay some or all of the award. A waiver of this requirement may be granted in appropriate circumstances.

**B. Noncompetitive Appointment**

1. The NRC may appoint directly, with no further competition, public notice, or consideration of any other potential candidate, an individual who has—
  - (a) Received a scholarship or fellowship awarded by the NRC and
  - (b) Completed the academic program for which the scholarship or fellowship was awarded.
2. Appointments under this authority may be made for entry level or non-entry level candidates who meet the above eligibility criteria, regardless of when the support was received and when the candidate graduated.

**V. THE NRC PROGRAM FOR EMPLOYMENT OF PERSONS WITH DISABILITIES****A. Description**

This program promotes the hiring, placement, and advancement of persons with disabilities under Section 501 of The Rehabilitation Act of 1973, as amended, Executive Order (E.O.) 12125, "Competitive Status for Handicapped Federal Employees"; E.O. 13124, "Amending the Civil Service Rules Relating to Federal Employees With Psychiatric Disabilities"; and the appropriate sections of Title 5 of the CFR that cover the regulatory requirements for the employment of persons with disabilities, which the NRC generally follows.

**B. Eligibility**

1. For Federal employment, a disabled person is any individual who has a physical or intellectual impairment that substantially limits one or more of the person's major life activities, has a record of such impairment, or is regarded as having such impairment. Such individuals are afforded noncompetitive appointment authority. Specifically, the applicable section in 5 CFR Part 213, which the NRC follows, provides for noncompetitive appointment authority for individuals with a severe physical, psychiatric, or intellectual disability.
2. An intellectual disability means those disabilities that would have been encompassed by the term "mental retardation" in previous iterations of this regulation and the associated E.O. 12125.
3. The terms severe physical and psychiatric disabilities include, but are not limited to, any physiological disorder or condition, anatomical loss affecting one or more body systems, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, emotional illness, drug addiction, and alcoholism.
4. Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, communicating, and working.

5. A record of such a disability means that there is a history of the disability or that the employee has been classified (or misclassified) as having an intellectual or physical disability that substantially limits one or more major life activities.
6. A person who is regarded as having such a disability is defined as an individual who has one of the following:
  - (a) A physical or intellectual disability that does not substantially limit major life activities but is treated by the NRC as constituting such a limitation;
  - (b) A physical or intellectual disability that substantially limits major life activities only because of the attitude of others toward such impairment; or
  - (c) None of the disabilities previously defined but is treated by the NRC as having such a disability.
7. A qualified person with a disability is one who, with or without reasonable accommodation, can perform the essential functions of the position in question without endangering the health or safety of the individual or others and who, depending on the type of appointing authority being used, either meets the experience and/or educational requirements of the position in question or meets the criteria for appointment under one of the special appointing authorities for disabled persons.
8. For affirmative action program planning, disabilities specified by the Equal Employment Opportunity Commission (EEOC) for hiring targets should be emphasized. Focusing on these hiring targets does not eliminate the need for affirmative action for the employment of persons with other disabilities.

### **C. Program Coordinator**

1. The agency's program coordinator for the employment of people with disabilities is designated by the CHCO.
2. The coordinator is responsible for agencywide oversight including—
  - (a) Overseeing employment activities for headquarters offices,
  - (b) Providing coordination and guidance to the regions on overall program activities and practices,
  - (c) Evaluating the effectiveness of regional activities, and
  - (d) Providing agencywide reports and information on the status of the program.
3. Regional personnel officers are responsible for day-to-day activities dealing with the employment of people with disabilities in their regions as authorized under delegated personnel authorities.

**D. Reasonable Accommodation**

1. The NRC is required to make reasonable accommodation to the known physical or intellectual limitations of a qualified disabled applicant or employee, unless it can be shown that the accommodation would cause undue hardship to the NRC. Accommodation is not required for persons who are not qualified for the position. Qualified applicants with disabilities include those individuals meeting the qualifications of the position as determined by the NRC or as certified by a vocational rehabilitation counselor.
2. Reasonable accommodation, determined on a case-by-case basis, is a modification or adjustment to—
  - (a) A job application process that would enable a qualified disabled applicant to be considered for the position.
  - (b) The work environment, or the manner or circumstances under which the position held or desired is customarily performed, that would enable a qualified disabled individual to perform the essential functions of that position.
  - (c) Enable a qualified disabled NRC employee to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.
3. A reasonable accommodation may include such measures as—
  - (a) Modifying worksites, making facilities accessible, adjusting work schedules, reassigning individuals, restructuring jobs;
  - (b) Providing assistive devices, readers, interpreters, and personal assistants;
  - (c) Adjustment or modification of examinations, where appropriate; and
  - (d) Providing computer accessibility and use of telecommunications devices and other appropriate technology.
4. To determine the appropriate reasonable accommodation, it may be necessary for the NRC to initiate an informal, interactive process with the qualified disabled individual to identify an effective accommodation. Reasonable accommodation must be considered in recruitment, selection, placement, training, promotion, reassignment, and developmental assignments.
5. A reasonable accommodation imposes an undue hardship on NRC's operation when it results in significant difficulty or expense. Factors to be considered in determining whether an accommodation would impose an undue hardship include the following:
  - (a) Nature and net cost of the accommodation;
  - (b) Overall financial resources of the facility or facilities involved in making the accommodation;
  - (c) Overall financial resources of the NRC;

- (d) The NRC's type of operation, including the composition, structure, and functions of the workforce, and the geographic separateness and the administrative and fiscal relationship of the facility or facilities in question; and
  - (e) The impact of the accommodation on the operation of the facility.
6. A statement on accommodation may be required as part of the official appointment documentation.

#### **E. Appointments in General**

1. Many people with disabilities find employment in the Federal Government through normal competitive procedures. Assistance can be provided through special examining arrangements or through some of the measures previously noted.
2. For other people with disabilities, a variety of short-term and special appointing authorities can be used to facilitate their employment.
3. The type of appointment is dependent upon the nature of the disability and the nature of the job. Individuals with disabilities may be appointed to either temporary, term, or permanent positions.
4. Individuals hired under an appointing authority for the disabled are eligible for benefits if appointed to a permanent appointment. Once hired, the individuals are eligible for life and health insurance and for coverage under the appropriate retirement system. If the appointment is for at least 90 days, the individuals are entitled to earn leave.

#### **F. Certification Requirements**

1. A noncompetitive appointment of a person with a disability requires proof of an applicant's intellectual disability, severe physical disability, or psychiatric disability before appointment.
2. The NRC may accept as proof of disability appropriate documentation (e.g., records, statements, or other appropriate information) issued by a licensed medical professional (e.g., a physician or other medical professional duly certified by a State, the District of Columbia, or a U.S. territory, to practice medicine); a licensed vocational rehabilitation specialist (State or private); or any Federal agency, State agency, or an agency of the District of Columbia or a U.S. territory that issues or provides disability benefits.

#### **G. Appointments for Individuals with Intellectual, Severe Physical, and Psychiatric Disabilities, and for Readers, Interpreters, and Personal Assistants**

1. Applicable Requirements
  - (a) NRC Noncareer (Excepted) appointments may be used to appoint individuals with intellectual, severe physical, and psychiatric disabilities and to appoint readers, interpreters, and personal assistants.

- (b) Certification of disability and all supporting documentation must be obtained in writing.
  - (c) If the individual previously served on a temporary trial appointment, a statement must be obtained from the supervisor that recommends conversion to an Excepted appointment and documents that the person was given the temporary appointment during the 12-month period immediately preceding the recommendation.
2. Requirements for Conversion to Permanent Appointment
- (a) Individuals can be noncompetitively converted to NRC Regular (Excepted) (Conditional) status after 2 consecutive years of successful service in a permanent position, if the supervisor recommends this.
  - (b) None of the time served in a temporary position is applicable toward meeting the 2-year requirement.
3. Employment of Readers, Interpreters, and Personal Assistants
- (a) Conditions

Readers, interpreters, and personal assistants may be employed while the disabled employee is at his or her regular duty station, or while he or she is traveling on official business.
  - (b) Applicability

This section applies to all disabled NRC employees, as well as members of Federal advisory committees.
  - (c) Appointment
    - (i) The NRC has the administrative authority to assign regular employees to provide reading, interpreting, or personal assistance duties on a part-time or an "as required" basis. Supervisors may consider this service as "other duties as assigned," but if this service is performed on a regular basis, supervisors should incorporate it into the position description of the employee who provides the service.
    - (ii) Assistants who are not paid by the NRC (such assistants may serve as volunteers or may be paid by the disabled employee or a nonprofit organization) are given NRC Limited (Excepted) appointments. These employees may perform no other official duties.
    - (iii) Assistants who are paid by the NRC (and who are considered regular NRC employees) are given NRC Limited (Excepted) appointments.
    - (iv) Both paid and unpaid assistants may be appointed on a full-time, part-time, or intermittent basis, as appropriate.

(d) Assistants to Disabled Employees on Official Travel

- (i) For disabled employees traveling on official business, the NRC authorizes payment to an individual to accompany and/or assist the disabled employee for all or a portion of the travel period involved.
- (ii) Payment to such an assistant may be made either directly to that individual or by advancement or reimbursement to the disabled employee. Payment may include pay, travel expenses, and per diem allowances.
- (iii) Payment must not exceed those amounts that could be paid to an employee assigned to accompany the disabled traveler.
- (iv) A travel assistant should be considered an employee only for the purposes of the relevant portions of the U.S. Code that relate to compensation and tort claims (5 U.S.C. Chapter 81 and 28 U.S.C. Chapter 71, respectively).

(e) Establishing Positions

- (i) Positions are not limited to clerical assistance but should be designed to meet the special needs of the disabled employee to whom the assistance is provided.
- (ii) The appropriate occupational series for assistant positions should be determined according to the normal position evaluation guidance used by the NRC. OCHCO evaluates the grade level of assistant positions using MD 10.37, "Position Evaluation and Benchmarks."

(f) Benefits and Conditions of Employment

- (i) Paid assistants receive the same benefits and are under the same conditions of employment as other NRC employees under NRC Limited (Excepted) appointments with the same full-time, part-time, or intermittent tour of duty.
- (ii) Benefits and conditions of employment applicable to unpaid assistants are as follows:
  - An unpaid assistant's full-time or substantially full-time services become creditable for retirement if he or she later serves in an appointment subject to 5 U.S.C. Chapter 83, "Retirement."
  - Assistants receiving compensation from sources other than the NRC are ineligible for life insurance and health benefits and are not entitled to earn leave.
  - An unpaid assistant to a disabled NRC employee is subject to the requirement for a security clearance.
  - Unpaid assistants fall within the definition of an employee in 5 U.S.C. 8101 (1)(b), "Energy Reorganization Act of 1974, as amended," and, therefore, are entitled to compensation for injuries and are covered by regulations that relate to tort claims.

## H. Unpaid Work Experience

### Clients of State Vocational Rehabilitation Agencies

1. The purpose of unpaid work experience is to provide disabled individuals with an opportunity to receive on-the-job training and actual job experience that will be useful to them when applying for future employment.
2. Participants are not considered to be Federal employees or subject to the laws relating to Federal employment, including those laws relating to hours of work, rates of compensation, and employee benefits.
3. Injuries sustained while under Federal supervision should be reported to the Department of Labor, Office of Workers' Compensation.
4. Claims related to the Tort Claims Act should be referred to the Department of Justice.
5. The following procedures apply when setting up unpaid work experiences:
  - (a) OCHCO or the regional coordinator for employment of persons with disabilities should review various work locations with managers and supervisors to determine which areas would be suitable for program enrollees.
  - (b) The coordinator will contact the local office of the appropriate State vocational rehabilitation agency and request assistance in planning a program.
  - (c) With the assistance of the State vocational rehabilitation agency, the coordinator and appropriate supervisor(s) or manager(s) will determine which items should be specified in a working agreement or a letter of understanding.
  - (d) To be eligible for the unpaid work experience program, the disabled individual must be a client of a State vocational rehabilitation agency.
  - (e) The cost of necessary supplies, equipment, and on-the-job training will be the responsibility of the NRC.
  - (f) The duration of unpaid service is determined by the NRC and the disabled individual in accordance with the written agreement. An average work experience is from 3 to 4 months.

## I. Conversion

1. An individual employed in a position as a reader, an interpreter, or a personal assistant whose services are no longer needed and who has completed at least 1 year of satisfactory service under a non-temporary appointment may be converted noncompetitively to an NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointment. However, conversion can happen only when the individual meets the qualifications and other requirements of the position.
2. Employees with intellectual or severe physical or psychiatric disabilities are eligible for noncompetitive conversion to an NRC regular appointment upon successfully completing 2 years in a permanent position.

3. Veterans with a 30-percent or more disability rating from the U.S. Department of Veterans Affairs (VA) who are on a temporary appointment, other than a 30-day, special-need appointment, are eligible for consideration for noncompetitive conversion at any time during the employee's temporary appointment.

## **VI. VETERAN APPOINTING AUTHORITIES**

### **A. The NRC Veterans Recruitment Appointment (VRA) Program**

#### 1. Description

This program implements the continuing interest of the executive and legislative branches of the Federal Government in enhancing employment opportunities for veterans. The OPM provides regulatory guidelines that are generally followed by the NRC.

#### 2. Eligibility

An individual is eligible for a VRA if he or she--

- (a) Is a disabled veteran;
- (b) Served on active duty in the Armed Forces during a war, or in a campaign or expedition for which a campaign badge has been authorized;
- (c) Is a veteran, who, while serving on active duty in the Armed Forces, participated in a U.S. military operation for which an Armed Forces Service Medal was awarded; or
- (d) Was recently separated (within the last 3 years).

#### 3. Appointing Authority

- (a) Under VRA, the NRC can appoint qualified veterans to full-time, part-time, or intermittent positions at the GG-11 or equivalent, or lower grades.
- (b) Preference must be given to disabled veterans and others with veterans' preference over veterans who are not eligible for preference.
- (c) Appointments at the GG -1 or -2 level or equivalent may be made if employees are encouraged to compete for further promotion under merit competition procedures.
- (d) A veteran who is an applicant at grade level 3 or below or equivalent is considered qualified to perform the duties of the position based on the veteran's civilian and military service.
- (e) Any law, Executive Order (E.O.), or regulation that disqualifies an individual from an NRC Regular (Excepted) (Conditional) or Regular (Excepted) appointment also disqualifies a person from a VRA.
- (f) A VRA covers a period of 2 years.

#### 4. Work Assignments and Work Schedule

- (a) The supervisor should prepare a written training or education plan unless the veteran has 15 or more years of education.
- (b) A person serving under a VRA may move noncompetitively to other positions for which he or she is qualified.
- (c) An employee holding a VRA may be promoted above grade 11 level subject to merit competition procedures.

#### 5. Compensation

An employee appointed under a VRA is entitled to step increases and fringe benefits associated with non-temporary employment in NRC.

#### 6. Conversion

- (a) A VRA is converted to an NRC Regular (Excepted) (Conditional) or NRC Regular (Excepted) appointment within 30 days after the employee has completed 2 years of substantially continuous service under a VRA, provided such service has been satisfactory. Satisfactory service includes completion of the required training or education.
- (b) Temporary and term employment for a VRA eligible does not count toward the 2-year service requirement under the VRA authority for purposes of conversion.

### **B. Temporary Appointment of Veterans with 30% or More Disability**

- 1. Appointments for disabled veterans with a 30-percent or more disability require a disability rating from the VA or from the applicable military department. The VA disability rating must be dated within the previous year. Ratings from the applicable military department can be dated at any time.
- 2. Appointments may lead to an NRC Regular (Excepted) (Conditional), Regular (Excepted), or term appointment if employed in an NRC Temporary (Excepted) appointment not limited to 60 days or less. The disabled veteran must meet the applicable qualification requirements for the position.

### **C. Service-Disabled Veterans Eligible for Training Under the VA Vocational Rehabilitation Programs**

Through the Veterans Vocational Rehabilitation programs at the VA, veterans and service members with service connected disabilities may benefit from the Non-Paid Work Experience (NPWE) program. The NPWE provides eligible veterans and service members with training and practical job experience at no cost to Federal and other Government agencies. The purpose of the training or work experience is to qualify the veteran for employment.

1. The NRC hiring manager identifies job specific objectives. A VA vocational rehabilitation counselor (VRC) or employment counselor (EC) will help the NRC determine the need for training on a nonpay basis. This training may be all or part of a veteran's program of rehabilitation.
2. Successful completion of the training or work experience should place the veteran in an advantageous position for entry into the Federal service because the training is directly related to the requirements of the position and because the veteran may be noncompetitively appointed to the position.
3. Nonpaid or nominally paid trainees hired pursuant to 38 U.S.C. Chapter 31, "Training and Rehabilitation for Veterans with Service-Connected Disabilities," may not replace or be used instead of regular employees for whom funds and an FTE ceiling have been provided.
4. Veterans gaining work experience on a nonpay paid basis receive the same VA benefits and services as other disabled veterans in training and receive a subsistence allowance from the VA.
5. Veterans engaged in on-the-job training or in gaining work experience on a nonpay basis are not considered Federal Government employees and do not receive leave or other employee benefits, with one exception; they are eligible for compensation under the Federal Employees Compensation Act.
6. Veterans trained in Federal agencies to gain a 38 U.S.C. Chapter 31 work experience or a veteran engaged in unpaid on-the-job training may, upon completion of training, be appointed noncompetitively to a position, either in the NRC or in another Federal agency, for which the training has qualified them.

## **VII. NONCOMPETITIVE APPOINTMENTS OF CERTAIN MILITARY SPOUSES**

### **A. Description**

1. E.O. 13473, "To Authorize Certain Noncompetitive Appointments in the Civil Service for Spouses of Certain Members of the Armed Forces," dated September 28, 2008, authorized the noncompetitive appointment of certain military spouses.
2. This authority allows agencies to appoint certain military spouses without using traditional competitive examining procedures.
3. The authority does not entitle spouses to an appointment over any other applicant—it is used at the discretion of an agency. While not covered by this E.O., the NRC has adopted most provisions, except for the requirement for public notice.

### **B. Eligibility**

1. Consistent with regulations in 5 C.F.R. 315.612, the NRC may appoint noncompetitively three categories of military spouses--
  - (a) A spouse of a member of the armed forces serving on active duty,

- (b) A spouse of a 100 percent disabled service member injured while on active duty, or
  - (c) The un-remarried widow or widower of a service member who was killed while performing active duty.
2. Beginning on August 13, 2023, a previous provision is expected to be reinstated that will affect the first category listed in Section B.1(a) of this handbook. Unless the statute covering the first category in Section B.1(a) is extended or eliminated, as of August 13, 2023, active duty service members must have received a permanent change of station (PCS) order for their spouses to be eligible. The remaining two categories listed in Sections VII.B.1(b) and (c) of this handbook will not be affected.
  3. PCS orders for a retiring or separating service member are not qualifying for this noncompetitive appointing authority.
  4. Military spouses must submit documentation verifying active duty status, PCS orders as of August 13, 2023, or that the veteran spouse was killed while on active duty or is 100 percent disabled.

### **C. Appointment Types**

1. Military spouses may receive temporary, term, or permanent appointments.
2. There are no restrictions on the grade at which a military spouse may be appointed or to full performance levels assigned.

## **VIII. THE NRC PART-TIME CAREER EMPLOYMENT PROGRAM**

### **A. Description**

1. The NRC Part-Time Career Employment Program provides part-time career employment opportunities to the maximum extent feasible, subject to NRC workload, resources, and mission requirements, for positions in GG-1 through GG-15, and for any other career positions that do not exceed the equivalent of a GG-15.
2. The NRC recognizes the benefits that can be derived by both the NRC and those employed under the NRC Part-Time Career Employment Program from using this resource of skills and talents.
3. The NRC generally follows the OPM's implementing regulations on part-time career employment.

### **B. Eligibility**

1. Part-time career employees—
  - (a) Are regularly scheduled to work from 16 to 32 hours per week (or 32 to 64 hours during a biweekly pay period in the case of a flexible or compressed work schedule),

- (b) Serve under NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointments, and
  - (c) Became employed on a part-time basis on or after April 8, 1979.
2. These requirements do not apply to employees who were working on a permanent part-time basis before April 8, 1979, if they continue to work on a part-time basis.
  3. Office directors and regional administrators may authorize the employment of part-time career employees for fewer than 16 hours per week, as necessary, to carry out the NRC's mission.
  4. In no case will exceptions permit regular established tours of duty to exceed 32 hours per week for part-time career employees.
  5. Part-time employees that hold other types of appointments are not covered under the NRC Part-Time Career Employment Program.

### **C. Program Implementation**

The following criteria should be considered when establishing or converting positions for part-time career employment:

1. Personnel ceiling allowances and fiscal constraints;
2. Mission, resources, and occupational mix;
3. Workload fluctuations;
4. Size of the workforce, turnover rate, and employment trends;
5. Patterns of overtime utilization;
6. Current employee interest in part-time employment;
7. Past experience with part-time employment;
8. Potential for improving service to the public;
9. Affirmative action; and
10. Geographic dispersion.

### **D. Ceiling**

Part-time career employees will be counted in the "Other Than Permanent Full-Time" category against total FTE (full-time equivalent) ceiling authorizations in work hours.

### **E. Recruitment**

1. Reviewing Vacant Positions
  - (a) Selecting officials should review each position under their supervision as it becomes vacant to determine the feasibility of filling it on a part-time career basis, as required under the act.

(b) The criteria for determining feasibility for filling a vacancy on a part-time career basis will include, as a minimum, the criteria listed in Section VIII.C of this handbook.

2. Notifying the Public of Part-Time Vacancies

Part-time vacancies at the NRC will be announced and publicized in accordance with NRC merit staffing procedures.

3. Changing from Full-Time to Part-Time Career Employment

(a) An employee interested in changing from a full-time to a part-time schedule will consult with his or her immediate supervisor. The supervisor, in consultation with the OCHCO servicing HR Specialist or the regional personnel officer, will explain the effects that such a change would have on the employee's rights and benefits.

(b) If the employee wishes to make the change, the supervisor will decide whether to recommend to the office director or the regional administrator that the employee be changed in his or her current position, considering the criteria listed under Section VIII.C of this handbook.

(c) The office director or the regional administrator will decide based on the criteria if the employee may be changed in his or her position to part-time career employment.

(d) No full-time employee will be required to accept part-time employment as a condition for continued employment. Also, no full-time position occupied by an employee will be abolished for the sole purpose of making the duties of that position available for part-time career employment.

**F. Selection and Appointment**

1. Positions announced through competitive procedures will be filled in accordance with regular NRC merit selection procedures and practices.
2. Selections of part-time career employees will be made without regard to religion, race, color, national origin, marital status, sex, age, non-disqualifying physical or intellectual disability, sexual orientation, political or labor organization affiliation, or personal favoritism.
3. Individuals selected will be given NRC Regular (Excepted) (Conditional) or NRC Regular (Excepted) appointments.
4. The grade levels of positions to which part-time career employees are assigned are determined based on the level of difficulty and the responsibilities of the position.
5. Completion of the NRC trial period and completion of the 3 years required for conversion from NRC Regular (Excepted) (Conditional) to NRC Regular (Excepted) status are unaffected by conversion to a part-time schedule since they are computed based on calendar time.
6. The service computation date is not affected by part-time work.

7. Since part-time career employment constitutes a separate competitive level from full-time employment, part-time career employees compete only with other part-time career employees in a reduction in force.
8. Part-time experience is credited on a pro rata basis for meeting basic qualification requirements and crediting or selection factors according to the relation it bears to a full workweek.

#### **G. Work Schedules and Tours of Duty**

1. To be considered a part-time employee for purposes of this program, an employee must have a regular schedule, set in advance, of at least 1 hour in each administrative workweek in each biweekly pay period, except as provided for employees on flexible or compressed work schedules.
2. Tours of duty for employees on a flexible or a compressed work schedule may be set from 32 to 64 hours per pay period.
3. A tour of duty must be documented on a Standard Form (SF) 50, "Notification of Personnel Action."
4. New tours or temporary changes in tours of duty may be established to meet agency or employee needs but must be made in advance of the administrative workweek in which the change is to occur and must be approved by the designated authorizing official.
5. An increase above 32 hours per week is not permitted for more than two consecutive pay periods in keeping with congressional intent to limit regular part-time work schedules to no more than 32 hours per week.
6. It is contrary to merit principles to appoint an individual to work part-time with the intent to convert the employee to full-time status after a brief interval. This view does not preclude the NRC from changing the work schedule because of unexpected increases in workload. If such a change presents a hardship to the individual, the NRC will determine if the work can be accomplished in other ways within available resources.
7. No prohibition exists against an individual's holding two part-time positions either in the same or different agencies. The aggregate hours normally should not exceed 40 hours per week.

#### **H. Compensation**

##### **1. Base Pay**

Gross base pay is computed by multiplying the employee's hourly rate of pay by the total hours worked and the hours of paid leave used during the pay period.

##### **2. Within-Grade Increases**

The waiting period for within-grade increases is unaffected by a part-time schedule since the period is computed on a calendar basis.

### 3. Leave

- (a) Annual leave is earned on a pro rata basis at the rate determined by years in service. Maximum carryover at the end of a leave year is unaffected by a part-time schedule.
- (b) Sick leave is earned at the rate of 1 hour for every 20 hours in a pay status.
- (c) No leave is earned for time in excess of 80 hours in a pay period.
- (d) Additional, detailed guidance is contained in MD 10.62, "Leave Administration."

### 4. Life Insurance and Retirement

- (a) Deductions for life insurance and retirement are based on annual salary. The agency contribution is the same as for full-time employees.
- (b) A part-time schedule does not affect retirement eligibility as service is computed on a calendar basis.

### 5. Health Benefits

- (a) For part-time career employees with schedules of 16 to 32 hours per week, the agency contribution toward the cost of enrollment under the Federal Employee Health Benefits Plan (FEHBP) is prorated, based on comparing the number of hours per pay period in the part-time schedule with a full-time schedule.
- (b) For part-time career employees who work fewer than 16 hours per week, or 32 hours per pay period under a compressed work schedule, the agency contribution toward the cost of enrollment in FEHBP is computed the same as for full-time employees.

## I. Job Sharing

- 1. Job sharing is a form of part-time employment in which the tours of duty of two (or more) employees are arranged to cover a single, full-time position.
- 2. Job sharers each have separate position descriptions, which may or may not be identical. Evaluation of the grade of each position also may differ.
- 3. A job-sharing team may apply for a full-time position under NRC competitive procedures, but the qualifications of each job sharer must be evaluated individually. If both job sharers are among the best qualified, they should be referred to the selecting official as a team.
- 4. In situations in which the selecting official determines that job sharing would not be workable, the selecting official is free to select a single individual from the best-qualified (A) list.
- 5. Supervisors and managers are encouraged to inform the servicing HR specialist when positions may be filled by job sharers so that this information can be added to the vacancy announcement.