

Justification for Temporary Limited Appointment

This form must be completed for all temporary limited appointments and extensions in the competitive service (except those under the civil service Summer Employment Program). When certification from the NIH temporary register is requested, a copy of this form must accompany Form NIH 2736-2, "Request for Certification of Eligibles for Temporary Limited Positions." Originals must be filed in temporary employees' Official Personnel Folders. See NIH Manual 2300-316-1, "Authorized Use of Temporary Appointments" for further instructions.

Justification for Temporary Limited Appointment

Authorized to meet legitimate nonpermanent staffing needs, when the need for the employee is temporary. Other use is not authorized. (See 5 CFR 316, Subpart D.)

Check one:

- ☐ Position is not expected to last more than one year.
- ☐ Part-time or intermittent position not clearly of a continuing nature.
- ☐ Seasonal position (involving recurring work expected to last less than six months each year).
- ☐ Future funding for vacancy/position uncertain.
- ☐ Future workload level uncertain.
- ☐ Vacancy/position currently under study for possible contracting out.
- ☐ Permanent position being filled temporarily in order to save it for eventual incumbency by a permanent employee expected to be displaced from another activity or organization.
- ☐ Permanent/continuing position temporarily vacated for periods of less than one year (i.e., current incumbent on maternity leave or leave-without-pay because of on-the-job injury or other appropriate reason).
- ☐ Position or vacancy is research oriented and not expected to last or continue for more than one year.
- ☐ Other appropriate reason. (Describe. See inappropriate circumstances as follows.)

For position being filled, list title, series, grade, and organizational location

Inappropriate Use of Temporary Limited Appointments

Inappropriate temporary appointment or extension denies employees civil service rights, benefits, and attainment of career status, and blurs distinctions between permanent and temporary employment. Examples include:

1. To circumvent ceiling restrictions.
2. To extend other temporary appointment.
3. To extend other non-permanent employment, including service fellowship and Special Expert appointments.
4. To use as a trial or unofficial probationary period prior to permanent appointment (except where specifically authorized for severely disabled or mentally restored employees).
5. To avoid the cost of permanent employee benefits.
6. To circumvent delays in the processing or approval of another appointment; or while certification or approval of a permanent appointment is pending; or because the individual cannot be appointed on a permanent basis (e.g., because the appropriate register is closed or the individual is not within reach).
7. To refill positions which, over the preceding four years, have been filled continuously on a temporary basis. Prohibitions include:
 - a. refilling positions with either the same or different temporary employee, even when there is a break in service between the first block of four years and any subsequent temporary refilling; and
 - b. creating successor temporary positions that replace and absorb the original positions. Successor positions include those that are upgraded, those transferred from one activity to another, and those with new titles or reporting relationships but no substantive change in duties.

Selecting Official's Signature

Date

Signature of Human Resource Officer (or designee)

I C

Date

Request for Certification of Eligibles for Temporary Limited Positions

For open requests, please submit original and one copy of this form, one copy of the position description and OF-8, and one copy of temporary justification (Form NIH 2736-1). For name requests, submit the above, plus a copy of SF 171 (and a copy of OPM 1170/17 or transcripts when applicable). Crediting plan numbers are to be submitted for all Federal Wage System positions.

Original applications of eligibles **not** selected for appointment should be attached and returned with appropriate documentation.

Send this form to: Division of Career Resources, OHRM
Building 31, Room B3C07

IC	IC Request No.	Date of Request	Certificate No.	Date Issued
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Number of Vacancies, Position Title, Series, Grade, Duty Location. List any selective factors.

Tour of Duty: ☐ F/T ☐ P/T

If P/T, number of hours per pay period: _____ and length of appointment (NTE) either: ☐ 1 year or ☐ _____

Signature of IC Human Resource Officer (or designee)
(Certifies that 5 CFR 316, Subpart D, and NIH Manual 2300-316-1 have been reviewed, and that all conditions and requirements governing the use and extension of temporary limited appointments have been met.)

Building/Room

Referral

The following list of eligibles is provided in response to the above request:

Action*	Veteran's Preference	Name	EOD Date

*Codes for "Action"

A — Selected (For each selection provide the expected date of appointment)
CR — Communication Returned Unclaimed
DD — Declined Until a Later Date
NS — Not Selected

NN — Not Selected/Not Contacted
DP — Declined for position certified only
DZ — Declined for other reasons
FR — Failed to Reply
DA — Declined Agency

DB — Declined Grade
DL — Declined Location
DX — Declined Further
Consideration for
Federal Employment

⇒ Original applications of eligibles NOT selected for appointment should be attached and returned with appropriate documentation.

Signature of Issuing Officer, Division of Career Resources, OHRM

Verification of Action: Signature of IC Human Resource Officer (or designee)

Employee's Statement of Understanding Regarding Temporary Appointment

This form must be completed for all temporary limited appointments and extensions (except those under the civil service Summer Employment Program). Originals must be filed in the Official Personnel Folder.

Authorized Use and Duration of Temporary Limited Appointments

Temporary limited appointments are used to meet legitimate nonpermanent staffing needs, when the need for the employee is expected to be temporary. When appropriately justified, temporary appointments may be made for periods of up to one year. When appropriate justification continues to exist, temporary appointments may be extended in the same position not to exceed one year or 24 months total.

A position that has been legitimately filled on a temporary basis for three years may not be refilled on a temporary basis. This prohibition applies to appointment of either the same or a different temporary employee. It also applies even if there is a break in service between one block of three years and any subsequent temporary refilling. Furthermore, a successor position, which replaces and absorbs the original position, may not be created and filled with a temporary employee. Successor positions include upgraded jobs, positions transferred from one activity to another, and positions with new titles or reporting relationships but no substantive change in duties. Additionally, temporary appointments may not be used to extend other non-permanent employment, including service fellowship (e.g., Staff or Senior Staff Fellowship, Clinical Associate [SF], etc.) and Special Expert appointments.

Employee's Statement of Understanding

I understand that temporary employees:

- serve under appointments limited to one year or less and are subject to termination at any time without use of adverse action or reduction-in-force procedures.
- are not eligible for promotion, reassignment, or transfer to other positions.
- do not acquire competitive status or eligibility to be noncompetitively converted to a career-conditional appointment.
- are not eligible for coverage under the Civil Service Retirement System, the Federal Employees Retirement System, or the Federal Employees Group Life Insurance Program (except that in certain cases employees may carry over such coverage when they move from covered positions to temporary appointments).
- are not eligible for coverage under the Federal Employees' Health Benefits Program until completion of one year of current, continuous service. Temporary employees obtaining health benefits on this basis must pay the full cost of coverage, including both the employee and government share. (Employees may carry over such coverage when they move from covered positions to temporary appointments).
- are not eligible for within-grade increases when serving in General Schedule positions, even when extended beyond one year. (Temporary employees serving in Federal Wage System positions *are* eligible for such increases, in certain cases.)
- are covered by Social Security and subject to federal, state, and local tax requirements.
- earn leave when appointed to a position with a regularly scheduled tour of duty (i.e., part time or full time). All regularly schedule temporary employees earn sick leave, and those whose appointments are made for more than 90 days earn annual leave.
- are covered by applicable performance management and appraisal requirements on the same basis as permanent employees.
- are eligible for consideration for incentive cash awards.

Signature of Employee

Date