

NIH Policy Manual

2300-213-1 - Interns and Fellows Appointed through Schedule A

Issuing Office: OD/OM/OHR/CPD **Phone:** [\(301\) 496-0377](tel:3014960377)

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Transmittal Notice

1. **Explanation of Material Transmitted:** This chapter outlines the NIH policy for appointing interns and fellows through the use of Schedule A hiring authority under 5 CFR 213.3102(r). This revision is restructured for clarity and contains updates to issuing office information and hyperlinks.

2. **Filing Instructions:**

Remove: NIH Manual 2300-213-1, dated 09/30/2008.

Insert: NIH Manual 2300-213-1, dated 09/22/2017.

PLEASE NOTE: For information on:

- Content of this chapter, contact the issuing office listed above.
- NIH Policy Manual, contact the Division of Management Support (DMS), OMA on 301-496-4606, or enter this URL: <https://oma.od.nih.gov/DMS/Pages/Manual-Chapters.aspx>

A. Purpose

This chapter outlines the NIH policy for appointing interns and fellows through the use of Schedule A authority under 5 Code of Federal Regulations (CFR) 213.3102 (r), an excepted service hiring authority developed to help agencies fill positions established in support of fellowship and similar programs.

B. References

1. [5 CFR Part 302 - Employment in the Excepted Service](#)
2. [5 CFR Part 213.3102 \(r\) - Excepted Service, Schedule A](#)
3. [NIH/OHR SOP - Setting Pay at an Advanced Rate based upon Superior Qualifications and Special Needs \(Formerly ATM\)](#)

4. [NIH Performance Management Appraisal Program](#)
5. [NIH Manual Chapter 1500 - Travel Policies and Procedures](#)
6. [NIH Ethics Information](#)
7. [Title 5 United States Code, Chapter 41, Training](#)

C. Policy

1. Appointments and Conversions:

5 CFR 213.3102 (r) provides for excepted service time-limited appointments not to exceed 4 years. Employees hired under this authority count against the appropriate full time equivalent (FTE) ceiling.

Service under a 5 CFR 213.3102 (r) appointment confers no rights to further Federal employment in either the competitive or excepted service upon expiration of appointment. Interns/fellows may not be non-competitively converted to another appointment within the Federal Government after their appointment ends.

2. Recruitment and Selection:

Public notice requirements do not apply. Positions are filled from limited applicant pools as determined between the hiring organization and the non-Federal organization.

3. Qualifications:

Because interns/fellows are appointed into the excepted service, NIH is not required to adhere to the United States Office of Personnel Management's (OPM) competitive service qualification standards. Qualification requirements must be established by the Office of Human Resources (OHR) and the coordinating program office prior to the start of the recruitment and selection process and must meet the provisions of 5 CFR 302.202-203. The qualifications of an intern/fellow must be fully documented in writing and retained in the individual's Official Personnel Folder (OPF).

4. Compensation:

Annual salary will be commensurate with the intern's/fellow's qualifications and experience. Typically, the individual will be hired at the first step of the grade for which he/she is selected unless his/her superior qualifications and salary history justify a "Setting Pay at an Advanced Rate based upon Superior Qualifications and Special Needs (Formerly ATM)" appointment. Initial pay setting and all subsequent pay adjustments must be fully documented in writing and made a permanent part of each intern's/fellow's OPF.

5. Promotions:

Under certain internship/fellowship programs, participating individuals may receive promotions dependent on program requirements, the availability of work, and the intern's/fellow's ability to perform at the higher grade level. This does not confer entitlement to promotion. There is no limit on promotion potential.

6. Within-Grade Increases:

Upon completion of the required waiting period, an intern/fellow whose initial appointment is for 13 months or more may be granted a within-grade increase (WGI) dependent on acceptable performance. Interns/fellows whose initial appointment is for 12 months or less are not eligible to receive WGIs.

7. Benefits:

An intern/fellow appointed for more than 12 months is entitled to the same benefits as competitive civil service employees.

Employees on temporary appointments, employees on seasonal schedules of less than six months per year, and intermittent employees who are expected to work 130 hours per month or more for at least 90 days will be eligible to enroll in a Federal Employees Health Benefits (FEHB) plan with a full government contribution. Additionally, these employees are eligible to enroll in a Healthcare Flexible Spending Account through FSAFEDS. They are also eligible to apply for coverage in the Federal Long Term Care Insurance Program (FLTCIP).

8. Work Schedule:

An intern/fellow appointed under Schedule A can work a schedule that accommodates the needs of both the individual and supervisor.

9. Performance Assessment:

Interns/fellows appointed under this authority are covered by the NIH Performance Management Appraisal Program (PMAP).

10. Awards:

As employees, interns and fellows are eligible for all awards that can be given to competitive service employees, including honorary and monetary awards. Managers should follow all applicable policies and requirements when giving awards. The approval of awards must be consistent with the NIH personnel delegations of authority.

11. Training:

As Federal Government employees, interns and fellows are eligible for the same training that is available to competitive civil service employees under the Government

Employees Training Act.

12. Travel:

Interns/fellows are entitled to travel allowances or transportation and per diem while travelling on official business during the term of their appointments. Refer to the Federal travel regulations and NIH Manual Chapter 1500, "Travel Policies and Procedures" for further information.

13. Termination of Appointment and Disciplinary Actions:

An appointment may be terminated before the expiration date for misconduct, lack of satisfactory performance, or for administrative reasons. Administrative reasons may include, but are not limited to, programmatic changes or budgetary constraints.

Actions based on performance or conduct must follow legal and regulatory requirements. In all cases, performance or conduct issues must be addressed with the OHR, Workforce Relations Division, Employee and Labor Relations Branch.

14. Ethics:

Interns/fellows appointed under this authority are responsible for complying with ethics statutes, the U.S. Office of Government Ethics Standards of Ethical Conduct and the Department of Health and Human Services Supplemental Standards; avoiding conflicts of interest; and refraining from participation in any activities that conflict or appear to conflict with their official duties. For additional information regarding ethics at NIH, please contact your [Institute or Center \(IC\) Deputy Ethics Counselor](#).

15. Reasonable Accommodation:

An intern/fellow with a disability who requires accommodation following selection should submit a request for reasonable accommodation to the supervisor of record or the next level supervisor or manager in the employee's chain of command.

D. Scope

1. Interns/fellows may be appointed to any series and grade level, provided that they meet the established qualification requirements.
2. Interns and fellows appointed under this authority must be U.S. citizens.
3. Appointments under this Schedule A authority include:
 - a. internships or fellowships that provide developmental or professional experiences to individuals who have completed their formal education;
 - b. training and associateship programs designed to increase the pool of qualified candidates in a particular occupational specialty;
 - c. professional/industry exchange programs that provide for a cross-fertilization between the agency and the private sector to foster mutual understanding, to

- exchange ideas, or to bring experienced practitioners to the agency;
- d. residency programs through which participants gain experience in a Federal clinical environment; or
- e. programs that require a period of Government service in exchange for educational, financial, or other assistance.

One example of a fellowship program using the Schedule A authority is the American Association for the Advancement of Science (AAAS) Science and Technology Policy Fellows.

E. Responsibilities

2. **The Office of Human Resources (OHR) is Responsible for:**
 - a. Ensuring that all applicable regulations and the provisions of this Plan are adhered to.
 - b. Serving in an advisory capacity to the IC Program, assisting Program representatives with technical Human Resources (HR) functions.
 - c. Classifying position descriptions for interns/fellows, offering positions, and processing appointments.
3. **Participating ICs (or the NIH Office of the Director, if applicable) are Responsible for:**
 - a. Managing internship and fellowship programs in coordination with sponsoring offices, as applicable.
 - b. Coordinating and participating in interviews for potential interns/fellows.
 - c. Completing and forwarding a hiring package for each selected intern/fellow with requisite paperwork including a proposed or previously classified position description.
 - d. Providing day-to-day oversight of hired interns/fellows, which includes maintaining timecards in the Integrated Time and Attendance System; processing and funding travel for training; reviewing and approving promotions (when applicable).
 - e. Developing and implementing PMAP plans for interns/fellows.
 - f. Providing FTE (as applicable) and the requisite funding for all intern/fellow positions within their organizations.

F. Records Retention and Disposal

All records pertaining to this chapter must be retained and disposed of under the authority of [NIH Manual 1743](#), "Keeping and Destroying Records," Appendix 1, "NIH Records Control Schedules" (as amended). These records must be maintained in accordance with current NIH Records Management and Federal guidelines. Contact your [IC Records Liaison](#) or the NIH Records Officer for additional information.

G. Internal Controls

The purpose of this manual issuance is to provide policy for the use of Schedule A hiring authority under 5 CFR 213.3102(r).

1. **Office Responsible for Reviewing Internal Controls Relative to this Chapter:** OHR
2. **Frequency of Review:** Ongoing
3. **Method of Review:** OHR shares accountability for adherence of merit system compliance with IC managers. This responsibility is accomplished through internal quality review processes and by providing advisory services to managers that incorporate all appropriate HR flexibilities as well as potential consequences for management decisions outside of merit-based parameters. The results of such advisory services will be documented as necessary to provide data for assessment and follow-up during audits and reviews.
4. **Review Reports are sent to:** The NIH Deputy Director for Management and the Director, OHR. Reports should indicate that controls are in place and working well or indicate any internal management control issues that should be brought to the attention of the report recipient(s).