Office of Personnel Management

§ 212.101 Definitions.

In this chapter:
(a) Competitive service has the meaning given that term by section 2102 of title 5, United States Code, and includes:
(1) All civilian positions in the executive branch of the Federal Government not specifically excepted from the civil service laws by or pursuant to statute, by the President, or by the Office of Personnel Management, and not in the Senior Executive Service; and
(2) All positions in the legislative and judicial branches of the Federal Government and in the government of the District of Columbia specifically made

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§ 212.102 Authority to make determinations.

OPM determines finally whether a position is in the competitive service.

Subpart B (Reserved)

Subpart C—Competitive Status

§ 212.301 Competitive status defined.

In this chapter, competitive status means an individual’s basic eligibility for noncompetitive assignment to a competitive position. Competitive status is acquired by completion of a probationary period under a career-conditional or career appointment, or under a career executive assignment in the former executive assignment system, following open competitive examination, or by statute, Executive order, or the Civil Service rules, without open competitive examination. An individual with competitive status may be, without open competitive examination, reinstated, transferred, promoted, reassigned, or demoted, subject to conditions prescribed by the Civil Service rules and regulations.

§ 212.401 Effect of competitive status on position.

(a) An employee is in the competitive service when he has competitive status and is in a competitive position under a nontemporary appointment.

(b) An employee in the competitive service at the time his position is first listed under Schedule A, B, or C remains in the competitive service while he occupies that position.

PART 213—EXCEPTED SERVICE

Subpart A—General Provisions

Sec. 213.101 Definitions.

213.102 Identification of positions in Schedules A, B, or C.

213.103 Publication of excepted appointing authorities in Schedules A, B, and C.

213.104 Special provisions for temporary, intermittent, or seasonal appointments in Schedule A, B, or C.

Subpart B (Reserved)

Subpart C—Excepted Schedules

SCHEDULE A

213.3101 Positions other than those of a confidential or policy-determining character for which it is impracticable to examine.

213.3102 Entire executive civil service.

SCHEDULE B

213.3201 Positions other than those of a confidential or policy-determining character for which it is not practicable to hold a competitive examination.

213.3202 Entire executive civil service.

SCHEDULE C

213.3301 Positions of a confidential or policy-determining nature.

213.3302 Temporary transitional Schedule C positions.


SOURCE: 46 FR 20147, Apr. 3, 1981, unless otherwise noted.

Subpart A—General Provisions

§ 213.101 Definitions.

In this chapter:

(a) Excepted service has the meaning given that term by section 2103 of title 5, United States Code, and includes all positions in the executive branch of the Federal Government which are specifically excepted from the competitive service by or pursuant to statute, by the President, or by the Office of Personnel Management, and which are not in the Senior Executive Service.