either before the employee’s separation for compensable injury or during his or her period of statutory restoration rights following such injury, and the employee’s separation for compensable injury occurred before the end of the time limits set forth in §315.701(c); (iii) The agency initiates the appointment within 6 months after cessation of compensation; and (iv) The employee performed 6 months of satisfactory service immediately before the date his or her position was brought into the competitive service in the civilian executive branch of the Government, unless OPM has excepted his or her particular type of case from this requirement.  

(b) Review of disapproved recommendations. Agencies shall establish procedures for reviewing disapprovals of recommendations for appointment under this section when such review is requested within 6 months after the date of disapproval.  

(c) Tenure on appointment. (1) Except as provided in paragraph (c)(2) of this section, a person appointed under paragraph (a) of this section becomes a career-conditional employee. (2) A person appointed under paragraph (a) of this section becomes a career employee when he has completed the service requirement for career tenure or is excepted from it by §315.201(c).  

(d) Acquisition of competitive status. (1) A person appointed under paragraph (a)(1) of this section acquires a competitive status automatically on appointment. (2) A person appointed under paragraph (a)(2) or (a)(3) of this section acquires a competitive status automatically on completion of probation. (33 FR 12418, Sept. 4, 1968, as amended at 43 FR 34428, Aug. 4, 1978; 54 FR 37092, Sept. 7, 1989; 66 FR 66710, Dec. 27, 2001)  

§315.605 Appointment of former ACTION volunteers.  

(a) Agency authority. An agency in the executive branch may appoint noncompetitively, for other than temporary employment, a person whom the Director of ACTION certifies as having served satisfactorily as a volunteer or volunteer leader under the Peace Corps Act (22 U.S.C. 2521 et seq.), or as a VISTA volunteer under the Economic Opportunity Act of 1964 (42 U.S.C. 2991 et seq.) or the Domestic Volunteer Service Act of 1973 (Pub. L. 93–113), or as a full-time community volunteer (including criminal justice volunteer, volunteer in justice, and VET REACH volunteer) under part C of title I of Pub. L. 93–113. To be qualifying under this section VISTA and community volunteer service must total at least 1 year. In addition, a community volunteer must have served prior to October 1, 1976.
(b) **Time limit.** An agency in the executive branch may make an appointment under this section only within 1 year after the person completes the qualifying service. (For Community volunteers who have completed their service before March 10, 1978, the 1-year period begins on March 10, 1978.) However, an agency may extend the period for 2 more years to a total of 3 years if the person, after the qualifying service, is:

1. In the military service;
2. Studying at a recognized institution of higher learning;
3. In another activity which, in the agency’s view, warrants extension.

(c) **Conditions.** Any law, Executive order, or regulation that disqualifies an applicant for appointment also disqualifies an applicant for appointment under this section.

(d) **Tenure on appointment.**

1. Except as provided in paragraph (d)(2) of this section, a person appointed under paragraph (a) of this section becomes a career-conditional employee.
2. A person appointed under paragraph (a) or this section becomes a career employee if excepted from the service requirement for career tenure by §315.201(c).

(e) **Acquisition of competitive status.** A person appointed under paragraph (a) of this section acquires competitive status automatically on completion of probation.

§315.606 Noncompetitive appointment of certain present and former Foreign Service officers and employees.

Subject to the conditions prescribed by OPM, an agency may appoint noncompetitively a present or former career officer or employee of the Foreign Service who was appointed under authority of the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.), or legislation that supplements or replaces that Act, if:

(a) He qualifies under the requirements set forth in Executive Order 11219, and

(b) OPM has concurred in his present or former agency’s plan, and substantive changes thereto, for noncompetitive entry of civil service employees into the Foreign Service positions of that agency.


§315.607 Noncompetitive appointment of present and former Peace Corps personnel.

(a) An agency in the executive branch may appoint noncompetitively, for other than temporary appointment, an individual:

1. Who has completed no less than 36 months of continuous service without a break in service of 3 days or more under section 7(a) of the Peace Corps Act (22 U.S.C. 2506) which pertains to the appointment of Peace Corps staff (not volunteers);
2. Whom the Director of the Peace Corps certifies as having satisfactorily served under such an appointment; and
3. Who meets OPM qualification standards—including any written test requirements—for the position in question.

(b) Time limitations.

1. An individual’s eligibility under this section extends through September 30, 1982, or until 3 years after separation from qualifying service with the Peace Corps, whichever is later.

2. An agency may not extend this period.

(c) **Conditions.** Any law, Executive order, or regulation which disqualifies an applicant for appointment in the competitive service also disqualifies an applicant for appointment under this section.

(d) **Tenure on appointment.**

1. Except as provided in paragraph (e)(2) of this section, a person appointed under paragraph (a) of this section becomes a career-conditional employee.
2. A person appointed under paragraph (a) of this section becomes a career employee if excepted from the service requirement for career tenure by §315.201(c).

(e) **Acquisition of competitive status.** A person appointed under paragraph (a) of this section acquires competitive status automatically upon completion of probation.