

SEC. 303. The Administrator shall report to the President and to the Congress the results of the study conducted pursuant to this title, including such recommendations as he may deem appropriate for administrative and legislative action, within one year after the date of enactment of this title.

Report to
President and
Congress.

Approved October 11, 1967.

Public Law 90-105

AN ACT

To provide for the acquisition of career status by certain temporary employees of the Federal Government, and for other purposes.

October 11, 1967
[S. 1320]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter I of chapter 33 of title 5, United States Code, is amended by inserting immediately after section 3304 the following new section:

Federal em-
ployees, career
status.
80 Stat. 418.

“§ 3304a. Competitive service; career appointment after 3 years' temporary service

“(a) An individual serving in a position in the competitive service under an indefinite appointment or a temporary appointment pending establishment of a register (other than an individual serving under an overseas limited appointment, in the postal field service, or in GS-16, GS-17, or GS-18) acquires competitive status and is entitled to have his appointment converted to a career appointment, without condition, when—

“(1) he completes, without break in service of more than 30 days, a total of at least 3 years of service in such a position;

“(2) he passes a suitable noncompetitive examination;

“(3) the appointing authority (A) recommends to the Civil Service Commission that the appointment of the individual be converted to a career appointment and (B) certifies to the Commission that the work performance of the individual for the past 12 months has been satisfactory; and

“(4) he meets Commission qualification requirements for the position and is otherwise eligible for career appointment.

“(b) The employing agency shall terminate the appointment of an individual serving in a position in the competitive service under an indefinite or temporary appointment described in subsection (a) of this section, not later than 90 days after he has completed the 3-year period referred to in subsection (a) (1) of this section, if, prior to the close of such 90-day period, such individual has not met the requirements and conditions of subparagraphs (2) to (4), inclusive, of subsection (a) of this section.

“(c) In computing years of service under subsection (a) (1) of this section for an individual who leaves a position in the competitive service to enter the armed forces and is reemployed in such a position within 120 days after separation under honorable conditions, the period from the date he leaves his position to the date he is reemployed is included.

“(d) The Civil Service Commission may prescribe regulations necessary for the administration of this section.”

(b) The analysis of subchapter I of chapter 33 of title 5, United States Code, is amended by adding the following new item immediately below item 3304:

“3304a. Competitive service; career appointment after 3 years' temporary service.”

The postal field
service.
74 Stat. 610.

SEC. 2. (a) Chapter 43 of title 39, United States Code, is amended by inserting immediately after section 3302 the following new section:

“§ 3303. Career appointment after 3 years’ temporary service

“(a) Subject to section 3302 of this title, an employee serving in a position in the competitive service in the postal field service under a temporary appointment without a definite time limitation (other than an employee serving in a position of postmaster or rural carrier) acquires competitive status and is entitled to have his appointment converted to a career appointment by the Postmaster General when—

“(1) he completes at least 3 years of service in such a position during each of which he has been paid for at least 700 hours of work;

“(2) he passes a suitable noncompetitive examination;

“(3) the appointing authority (A) recommends to the Civil Service Commission that the appointment be converted to a career appointment and (B) certifies to the Commission that the work performance of the employee for the past 12 months has been satisfactory; and

“(4) he meets Commission qualification requirements for the position and is otherwise eligible for career appointment.

“(b) In computing years of service under subsection (a) (1) of this section for an individual who leaves a position in the competitive service in the postal field service to enter the armed forces and is reemployed in such a position within 120 days after separation under honorable conditions, the period from the date he leaves his position to the date he is reemployed is included.

“(c) The Civil Service Commission may prescribe regulations necessary for the administration of this section.”

(b) The analysis of chapter 43 of title 39, United States Code, is amended by adding immediately below item 3302 the following new item:

“3303. Career appointment after 3 years’ temporary service.”

U. S. permanent personnel,
limitations.
5 USC 3101
note.

SEC. 3. The first sentence of section 1310(a) of the Supplemental Appropriation Act, 1952, as amended (68 Stat. 1115), is amended to read as follows:

“The Civil Service Commission and the heads of the executive departments, agencies, and corporations shall make full use of their authority to require that initial appointments to positions in and outside the competitive service shall be made on other than a permanent basis in order to limit the number of permanent employees to that required for the efficiency of the Federal civil service: *Provided*, That any position vacated by a permanent employee called to military service or transferred to a national defense agency shall not be filled except on a temporary or indefinite basis.”

Effective
dates.

SEC. 4. (a) This section and section 3 of this Act shall become effective on the date of enactment of this Act.

(b) Subject to subsection (c) of this section, the first section and section 2 of this Act shall become effective on the one hundred and twentieth day following the date of enactment of this Act.

(c) For the purposes of the application of section 3304a(b) of title 5, United States Code, as enacted by this Act, in the case of an individual who, prior to the effective date prescribed by subsection (b) of this section, shall have completed the 3-year period referred to in such section 3304a(b), such individual shall be deemed to have completed such 3-year period on such effective date.

Approved October 11, 1967.