



The Director

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

Bipartisan Infrastructure Law Schedule A Hiring Authority Frequently Asked Questions

We know agencies need to hire now and quickly to fill positions in support of the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act of 2021. To help expedite this hiring, OPM is authorizing the use of excepted service Schedule A appointments under 5 CFR 213.3102(i)(3).

This hiring authority is the latest support offered to agencies to recruit and hire a diverse and talented workforce drawn from all segments of society.

Q1: What is the Bipartisan Infrastructure Law Schedule A Hiring Authority?

This is an “excepted service” hiring authority that allows agencies to bring on temporary employees to support implementation of the BIL.

Q2: What positions can be filled under this authority?

Federal agencies can use this authority to fill any positions below Senior Executive Service (SES) that involve performing work directly associated with BIL efforts.

Q3: For people hired under this authority, how long are their appointments?

Initial appointments are for up to one year, and agencies can extend those appointments for one additional year.

Q4: How does this Schedule A authority compare with the regular competitive hiring process?

- ✓ Unlike the competitive hiring process, no public notice (posting on USAJOBS.gov) is required for these jobs; however, agencies have the discretion to advertise and conduct other appropriate recruiting activities.
- ✓ Like the competitive hiring process, agencies must apply veterans' preference and pass over procedures, when using this authority. In addition, agencies must follow excepted service procedures.

Q5: Are individuals hired under this authority eligible for Federal benefits?

Yes. Employees hired under this authority may be eligible for the following benefits:

- ✓ Federal Employees Health Benefits
- ✓ Federal Long-Term Care Insurance
- ✓ Flexible Spending Accounts

Agency Benefits Officers can confirm eligibility for specific positions.

Q6: When can agencies use this Schedule A authority?

- ✓ Agencies can make appointments starting now through September 30, 2027. No new appointments may be made after that date.
- ✓ Appointments made prior to September 30, 2027, may be extended beyond that date.

Q7: How do agencies use this Schedule A authority?

- ✓ Agencies should use this authority in the same manner that they would use any other excepted service authority using the procedures in [5 CFR 302](#).
- ✓ Agencies must have excepted service policies in place prior to using this or any expected service authority, which governs the process for receiving/processing applications; making qualification determinations; making selections; and the application of veterans' preference (including pass overs).
- ✓ These hires are subject to the same suitability/background investigation process as other applicants.
- ✓ Agencies cannot use this authority to fill any position for which OPM has granted direct hire authority in support of the BIL; any agency-specific direct hire authority, or governmentwide direct hire authority.

Q8: What other resources does OPM offer to assist agencies in implementing IJJA?

OPM's [Talent Surge Playbook](#) and [Talent Surge Hiring Authorities Fact Sheet](#) include information on various applicable hiring authorities, such as the recently implemented authorities for post-secondary students and recent graduates, the expansion of the military spouse authority, and the streamlined process for rehiring former federal employees.