



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Wednesday, February 6, 2019

MEMORANDUM FOR: CHIEF HUMAN CAPITAL OFFICERS

FROM: MARGARET M. WEICHERT
ACTING DIRECTOR

Subject: Eligibility of Land Management Employees in a Time-Limited
Appointment into the Competitive Service

This memorandum provides clarification on the eligibility of current and former land management employees to be considered for permanent appointment in the competitive service, as provided in the Land Management Workforce Flexibility Act (the "Act"), and amended by section 1135 of Pub. L. 114-328.

As amended, the Act allows a current or former employee at a land management agency who was initially hired under competitive procedures in a time-limited appointment (for the purposes of this memo, "a land management eligible"), to compete for a permanent appointment in the competitive service under certain circumstances where promotion and internal placement procedures are used (i.e., merit promotion procedures). A current or former employee of a land management agency who is considered a land management eligible under the provisions of the statute may apply and be considered for a permanent appointment at such land management agency when the agency is accepting applications from individuals within the agency's workforce. A current or former employee of a land management agency who is considered a land management eligible may apply and be considered for a permanent position at any hiring agency when such an agency is accepting applications from individuals outside its own workforce under merit promotion procedures.

Agencies must apply these provisions when advertising vacancies. A copy of the amendments to the Act is available at: <https://www.congress.gov/bill/114th-congress/senate-bill/2943/text>.

Note that previous guidance provided by the U.S. Office of Personnel Management (OPM) on December 29, 2015, is superseded and no longer applies.

If you have any questions or need additional information, please contact Michelle T. Glynn at michelle.glynn@opm.gov or on (202) 606-1571.

cc: Deputy Chief Human Capital Officers and Human Resources Directors