

DEPARTMENT OF THE INTERIOR
DEPARTMENTAL MANUAL

Personnel

Part 370 DM Addition to FPM

Chapter 316 Temporary Employment

370 DM 316, 1.1

Subchapter 1. General Provisions.

1.1 Sources of Additional Information.

A. Secretarial approval for appointments, changes, separations, and removals, 370 DM 311.

B. An individual may not be appointed as a limited term appointee or as a limited emergency appointee without the prior approval of the exercise of such appointing authority by the Office of Personnel Management (OPM), (5 USC 3394) (See 370 DM 920).

C. Instructions for Form DI-530, 370 DM 295.

D. Excepted Appointment Authorities 370 DM 213.

1.2 Policy. The responsibility for taking actions under the authorities contained in this chapter has been delegated in 205 DM 8 except for those appointments, changes, separations, and removals which require Secretarial approval.

1.3 Requests For Prior Approval. Requests for the prior approval of OPM for the exercise of a limited term or a limited emergency appointing authority are prepared for the signature of the Director of Personnel.

1.4 Patent Regulations. Notice concerning patent regulations issued by the Secretary of the Interior (43 CFR Part 6) is not required to be given to employees appointed for short terms or intermittent duty, with the exception of consultants.

1.5 Hiring During Emergencies. Form DI-530, Revised, Notice of Emergency Employment and Time Sheet, may be used to expedite hiring during emergencies caused by sabotage, fire, flood, storm, or natural disasters where employment will not exceed 60 days.



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Subchapter 4. Temporary Limited Appointment.

4.1 Exemption from Security Requirements. The Department has been granted an exemption by OPM from the investigative requirements of Executive Order No. 10450 for various specific temporary positions. A National Agency Check and Investigation (NACI) is not required for appointments to nonsensitive positions lasting six months or less. A NACI is required for any appointment not limited to six months or less, for an extension of a temporary appointment beyond six months from the date of the original appointment, and for appointment to sensitive positions. This exemption does not excuse appointing officers from determining that the appointment of any employee is consistent with the interest of national security.

4.2 Temporary Employment in Key Positions. Appointments of individuals in temporary key positions require prior approval from the Assistant Secretary - Policy, Budget and Administration. Reference can be obtained in 370 DM 311.

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370 DM 316,6.1

Subchapter 6. Retention of Incumbents of Positions Brought Into the Competitive Service.

6.1 Public or Private Enterprise Taken Over By Federal Government. The Office of Personnel Management (OPM) and agencies may enter into agreements to allow for agency determinations when units of private or public enterprise are taken over by the Federal government, and when a position and its incumbent has thereby been brought into the competitive service. (5 CFR 316.701)

A. Authority Delegated - - National Park Service and Bureau of Reclamation. Under the terms of the Master Delegation Agreement effective June 20, 1980, between the Department and OPM, the Department is authorized to determine when it has taken over into the National Park Service and the Bureau of Reclamation a public or private enterprise unit, and when such action has thereby brought a position and its incumbent into the competitive service.

(1) This authority only applies to the National Park Service and the Bureau of Reclamation.

(2) The authority is restricted as indicated in 205 DM 8.2L.

B. OPM Determinations. For cases requiring OPM determinations, requests should be prepared for the signature of the Director of Personnel (PPM).

6.2. Excepted Positions Brought Into Competitive Service. OPM and agencies may enter into agreements which permit agency determinations concerning when an excepted position is brought into the competitive service. (5 CFR 316.702)

A. Authority Delegated - - FNP and LBR. The Department is authorized to determine when excepted positions in a public or private enterprise taken over into the National Park Service or the Bureau of Reclamation have been brought into the competitive service by statute or Executive Order, as provided in the Department's Master Delegation Agreement with OPM.

(1) This authorization does not include authority to take over revoked excepted positions, i.e., positions under Schedule A, B, or C, or positions for which statutory appointing authority still exists except when such a take-over is specifically required by statute.

(2) This authority is subject to the same limitations as provided in 370 DM 316, 6.1A(2) above.

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B. OPM Determinations. To obtain determinations on positions for which authority is not delegated, appropriate requests to OPM should be prepared for signature of the Director of Personnel (PPM).

6.3 Annual Report Requirement. A summary record of all actions taken under 370 DM 316,6.1A and 370 DM 316, 6.2A above must be maintained, and outline: the number of actions taken under each authority; significant problems encountered with each authority, if any; and benefits derived from each delegation. By February 1 of each year, Assistant Secretaries will report this information to the Assistant Secretary - Policy, Budget and Administration through the Office of Personnel (PPM). (This reporting requirement has been assigned Report Control Symbol 3-DOI-82-060.)