

U.S. NUCLEAR REGULATORY COMMISSION

DIRECTIVE TRANSMITTAL

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To: NRC Management Directives Custodians

Subject: Transmittal of Directive 10.13, "Special Employment Programs"

Purpose: Directive and Handbook 10.13 are being revised to update organizational changes, discuss the use of Optional Form 612 in lieu of Standard Form 171, and add the responsibilities of the Deputy Executive Director for Management Services. Program changes have been made to include the Summer Employment Program into the Student Educational Employment Program and to add the Honor Law Graduate Program (Part VIII of this handbook).

Office and Division of Origin: Office of Human Resources

Contact: Pam Easson, 415-7082

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Part: 1 Employment and Staffing

Directive: 10.13 Special Employment Programs

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Office of Administration
Michael T. Lesar, (301) 415-7163
Christy Moore, (301) 415-7086

Special Employment Programs

Directive
10.13

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U. S. Nuclear Regulatory Commission

Volume: 10 Personnel Management

Part: 1 Employment and Staffing

HR

Special Employment Programs Directive 10.13

Policy (10.13-01)

It is the policy of the U.S. Nuclear Regulatory Commission to establish and implement a variety of special employment programs to facilitate the recruitment of highly qualified candidates from diverse backgrounds to fill a wide variety of positions and job training opportunities within the agency.

Objectives (10.13-02)

- To establish provisions for implementing the special employment programs. (021)
- To encourage the use of special employment programs to reach out to a more diverse pool of candidates for NRC positions. (022)

Organizational Responsibilities and Delegations of Authority (10.13-03)

Executive Director for Operations (EDO) (031)

Encourages the use, when feasible, of special employment programs by NRC supervisors and managers.

Organizational Responsibilities and Delegations of Authority

(10.13-03) (continued)

Deputy Executive Director for Management (DEDM) (032)

- Provides guidance in the integration of special employment programs in agency workforce planning. (a)
- Evaluates the effectiveness of special emphasis programs in reaching a more diverse pool of candidates for NRC positions. (b)

Director, Office of Human Resources (HR) (033)

- Prescribes the standards, requirements, and instructions for special employment programs. (a)
- Administers special employment programs on a day-to-day basis. (b)
- Provides policy guidance and technical assistance to office directors, regional administrators, and regional personnel officers on special employment program issues. (c)
- Delegates appropriate personnel management activities, as specified in a signed delegation agreement to regional administrators to assist them in carrying out day-to-day operations of special employment programs. (d)
- Periodically evaluates special employment programs and prepares required reports. (e)

Organizational Responsibilities and Delegations of Authority (10.13-03) (continued)

Director, Office of Human Resources (HR) (033) (continued)

- Ensures that appropriate use of special employment programs is considered in developing specific strategies for addressing issues identified in the HR strategic plan. (f)

Office Directors and Regional Administrators (034)

- Encourage maximum use, to the extent feasible with ceiling, funding, and mission requirements, of special employment programs. (a)
- Evaluate the applicability of special employment programs to resolve issues identified in the HR strategic plan and identifies specific uses, by fiscal year, in plan updates. (b)
- Carry out any specific activities as identified in the handbook to this directive for individual programs. (c)

Applicability (10.13-04)

The policy and guidance in this directive and handbook apply to all NRC employees.

Handbook (10.13-05)

Handbook 10.13 provides the criteria and procedures for the seven special employment programs. Because eligibility varies

Handbook

(10.13-05) (continued)

considerably among the special employment programs, each program description in the handbook contains the criteria unique to that program.

References

(10.13-06)

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

“Benefits for Persons Disabled by Treatment or Vocational Rehabilitation” (38 U.S.C. 1151).

Code of Federal Regulations—

5 CFR Part 308, “Volunteer Service.”

“Compensation for Work Injuries” (5 U.S.C. Chapter 81).

Comptroller General Decision B-201528, General Accounting Office, 60 Comp Gen 456, May 11, 1981.

“Definitions” (5 U.S.C. 8101 (1) (b)).

Energy Reorganization Act of 1974, as amended (42 U.S.C. 5801 et seq.).

Executive Order 10450, “Security Requirements for Government Employment,” 27 April 1953.

Fair Labor Standards Act of 1938, Pub. L. 94-502 (29 U.S.C. 201 et seq.).

Federal Employees Compensation Act (5 U.S.C. 8101 et seq.).

References

(10.13-06) (continued)

Federal Employees Part-Time Career Employment Act of 1978
(5 U.S.C. 3401).

Federal Tort Claims Act (28 U.S.C. 2671-2680).

NRC Management Directives—

10.11, "Visiting Fellows Program."

10.37, "Position Evaluation and Benchmarks."

10.42, "Hours of Work and Premium Pay."

10.62, "Leave Administration."

10.67, "Non-SES Performance Appraisal System."

10.72, "Incentive Awards."

10.78, "NRC Intern Program."

10.100, "Appeals From Adverse Actions."

10.101, "Employee Grievances."

10.146, "Distinguished Engineers and Scientists Program."

"Overtime rates; computation" (5 U.S.C. 5542).

Rehabilitation Act of 1973, Section 501, as amended, Pub. L.
93-112 (29 U.S.C. 791 et seq.).

"Retirement" (5 U.S.C. Chapter 83).

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References

(10.13-06) (continued)

“Training and Rehabilitation for Veterans With Service-Connected Disabilities” (38 U.S.C. Chapter 31).

SECY 90-281, “NRC Graduate Fellowship Program for Health Physicists and Engineers” (August 10, 1990).

Veterans Education and Employment Assistance Act of 1976, Pub. L. 94-502 (38 U.S.C. 101 et seq.).

Special Employment Programs

Handbook
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Part I General Information

Coverage (A)

This handbook provides the procedures, practices, and criteria for the following special employment programs, which are designed to attract a diverse number of applicants to employment with NRC: (1)

- Student educational employment program (a)
- Graduate fellowship (b)
- Student volunteer (c)
- Employment of persons with disabilities (d)
- Veterans readjustment appointments (e)
- Part-time career employment (f)
- Honor law graduate program (g)

The programs for interns, visiting fellows, and distinguished engineers and scientists are described in the following Management Directives (MDs): (2)

- 10.78, "NRC Intern Program" (a)
- 10.11, "Visiting Fellows Program" (b)
- 10.146, "Distinguished Engineers and Scientists Program." (c)

Nondiscrimination (B)

No discrimination will be permitted toward an applicant for employment because of race, color, religion, sex, disability, age, marital status, political affiliation, sexual orientation, or national origin.

Nepotism (C)

A public official in NRC may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement in NRC any individual who is a relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a position in NRC if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over NRC, who is a relative of the individual. (1)

An individual appointed, employed, promoted, or advanced in violation of this section is not entitled to pay, and money may not be paid from the Treasury as pay to an individual so appointed, employed, promoted, or advanced. (2)

The terms "public official" and "relative" are defined as follows: (3)

- **Public Official.** An individual in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals, or to recommend individuals for appointment, employment, promotion, or advancement, in connection with employment in NRC. (a)
- **Relative.** An individual who is related to the NRC official as one of the following: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,

Nepotism (C) (continued)

brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister. (b)

This section shall not be construed to prohibit the appointment of an individual who is preference eligible (veterans' eligibility for preference) in any case in which the passing over of the individual certified to a selecting official would result in the selection for appointment of an individual who is not preference eligible. (4)

When necessary to meet urgent needs resulting from an emergency posing an immediate threat to life or property, relatives of NRC public officials may be appointed to meet those needs under temporary appointments for a period not to exceed 1 month. These appointments may be extended for a period not to exceed an additional month if the emergency need still exists. (5)

No employee shall be retained in a position under the administrative direction or supervision of any relative. No person shall be selected for or retained in a position in which he or she will exercise administrative direction or supervision over a relative. (6)

Sons and daughters of NRC employees (including stepsons and stepdaughters) or of any employee of other agencies assigned to the NRC may not be appointed to a student educational employment position. (7)

Exceptions to the above requirements may be granted by the Director, Office of Human Resources, for students who are members of families with a total family income at or below the federally established poverty level, as described by the Office of Personnel Management, or who qualify under appropriate Federal regulations, or when employment involves cases in which severely physically or mentally retarded students have traumatic difficulties

Nepotism (C) (continued)

related to worksite adjustments, transportation to and from their duty station, and where these disabilities make it unlikely that they will be able to obtain suitable employment. (8)

Security (D)

All applicable NRC employment clearance and access authorization requirements must be met.

Part II

The NRC Student Educational Employment Program

Description (A)

The two components of this program are the Student Temporary Employment Program, which includes what was formerly known as the "NRC Stay-In-School Program," and the Student Career Experience Program, which includes what was formerly known as the "Cooperative Education Program" (see Sections (G) and (H) of this part, respectively). The Student Educational Employment Program— (1)

- Provides students with exposure to public service and enhances their educational experience (a)
- Provides financial assistance to students to encourage and support their educational goals (b)
- Encourages partnerships between the NRC and educational institutions in developing effective school-to-work programs (c)
- Assists in the recruitment of well-educated graduates into the workforce (d)

The program is covered by applicable provisions of Section 161d of the Atomic Energy Act of 1954 and, as adopted, 5 CFR Parts 213 and 338 as they relate to student educational employment programs. (2)

Appointment Type (B)

The two types of appointments are the student temporary employment appointment and the student career experience appointment. (1)

Appointment Type (B) (continued)

Students may be selected for appointments if they are pursuing any of the following educational programs: (2)

- High school diploma or general equivalency diploma (GED) (a)
- Vocational/technical certificate (b)
- Associate degree (c)
- Baccalaureate degree (d)
- Graduate degree (e)
- Professional degree (f)

"Student" is an individual who is enrolled or accepted for enrollment as a degree-seeking (diploma, certificate, etc.) student and is taking at least a half-time academic, vocational, or technical course load in an accredited high school, technical or vocational school, 2-year or 4-year college or university, or a graduate or professional school. (3)

"Half-time" is the definition provided by the school in which the student is enrolled. An individual who needs to complete less than the equivalent of half an academic, vocational, or technical courseload in the class enrollment period immediately before graduating is still considered a student for purposes of this program. (4)

Schedules (C)

Both types of appointments are year-round and may be made at any time during the year, including summer. (1)

Schedules (C) (continued)

Students may work full-time or part-time schedules. There are no limitations on the number of hours a student can work per week, but the student's work schedule should not interfere with the student's academic schedule. (2)

It is expected that students accepted into the Student Educational Employment Program will at all times either be working at the NRC, enrolled in classes, or both. (3)

The NRC may use discretion in either approving or denying a break in schedule, which is a period of time when a program participant is neither attending classes nor working at NRC. The Director, Office of Human Resources (HR) should be consulted before approving or denying a break in program. (4)

Employment of Minors (D)

Participation must be in conformance with Federal, State, or local laws and standards governing the employment of minors.

Citizenship (E)

NRC may appoint noncitizens to the Student Temporary Employment Program or to the Student Career Experience Program provided that— (1)

- The student is lawfully admitted to the United States as a permanent resident or otherwise authorized to be employed. (a)
- NRC is authorized to pay aliens under the annual appropriations act ban and any agency-specific enabling and appropriation statutes. (b)

Training Expenses (F)

NRC may use its training authority to pay all or part of student training expenses that are directly related to the student's official duties.

Student Temporary Employment Program (G)

Under this program, the nature of the duties does not have to be related to the student's academic or career goals. (1)

Students are appointed to a position not to exceed 1 year. Appointments may be extended in 1-year increments as long as the appointee meets the definition of a student. (2)

Students must meet minimum academic requirements and on-the-job performance requirements (equivalent to fully successful performance under NRC performance appraisal system), as established by NRC, for continuation in the program. (3)

Students are not eligible for noncompetitive conversion to an NRC career or Regular (Excepted) appointment. (4)

Classification of students is based on the occupational series for which they are hired and grade level is set according to the occupational job evaluation criteria. (5)

Students are evaluated under NRC basic qualifications requirement guidelines for the position. (6)

Students are eligible for promotions and for annual and sick leave, but are generally ineligible for retirement coverage and other benefits. (7)

Student Temporary Employment Program (G) (continued)

Students may be noncompetitively converted to the Student Career Experience Program whenever they meet the requirements of that program and an appropriate position is available. Should a student convert to this program, work experience related to the student's academic program and career goals gained while under the Student Temporary Employment Program may be credited towards the 640-hour work experience necessary for noncompetitive conversion to an NRC Regular (Excepted) appointment. (8)

Student Career Experience Program (H)

This program provides experience that is directly related to the student's educational program and career goals. Assignments developed under this program provide for a schedule of periods of attendance at an accredited school combined with periods of career-related work at NRC. The work experience with NRC must be related to the student's academic and career goals. (1)

Appointments are subject to all the requirements and conditions governing NRC career or career-conditional employment, including investigation to establish an appointee's qualifications and suitability. (2)

Students may be noncompetitively converted to an NRC Regular (Excepted) appointment when they have: (3)

- Completed within the preceding 120 days course requirements at an accredited school conferring a diploma, certificate, or degree (a)

Student Career Experience

Program (H) (continued)

- Completed at least 640 hours of career-related work before completion of, or concurrently with, the course requirements (b)
- Been recommended by NRC office or region in which the career-related work was performed, and met the qualification standards for the targeted position to which the student is appointed (c)

Conversions must be to an appointment related to the student's academic training and career-related work. (4)

The Student Career Experience Program is a formally structured program and requires a written agreement (see Exhibit 1 as the model for the written agreement) by all parties (NRC, school, and student) as to the: (5)

- Nature of work assignments (a)
- Schedule of work assignments and class attendance (b)
- Evaluation procedures, and requirements for continuation and successful completion of the program (c)

NRC, participating educational institutions, and students should agree on a formally arranged schedule of school and work to ensure that— (6)

- Work responsibilities do not interfere with academic performance. (a)
- Completion of the educational program (awarding of diploma, certificate, or degree) and completion of the Student Career

Student Career Experience

Program (H) (continued)

Experience Program are accomplished in a reasonable and appropriate timeframe. (b)

- NRC is informed and prepared for the students' periods of employment. (c)
- Requirements for noncompetitive conversion to an NRC Regular (Excepted) (Conditional) appointment are understood by all parties. (d)

Students are classified as student trainees, to the -99 series of the appropriate occupational group. (7)

Students are evaluated and qualified by appropriate NRC qualifications requirements and are eligible for promotion. Generally, students are covered by Management Directive 10.67, "Non-SES Performance Appraisal System." (8)

Students earn sick and annual leave. With no prior service, or with less than 5 years prior civilian service, they are generally covered by the Federal Employee Retirement System. They are covered by life insurance and health benefits to the extent provided by regulation. (9)

NRC may use its training authority to pay all or part of the students' training expenses. (10)

NRC may provide scholarship support for students enrolled in a technical curriculum that is related to the NRC's mission requirements, specifically science, health physics or radiation protection, and engineering disciplines. (11)

- If NRC provides scholarship support as a Government employee, this support for education in a non-Government

Student Career Experience

Program (H) (continued)

facility (college or university) cannot exceed 1 year of education support in the student's first 10 years of Government service. A waiver may be granted to allow for an additional year of education if this action is taken in support of the agency's mission. However, graduate level education cannot be covered by this waiver. One year equates to three semesters of study.

(a)

- Subsidies are based on NRC's need to develop expertise in the technical disciplines mentioned in Section (H)(11) of this part. Subsidies must be recommended by an office director or regional administrator on the basis of the student's work performance over two work periods. (b)
- NRC establishes agreements with participating colleges and universities and makes appropriate arrangements with the learning institution's program advisor. Once accepted by the NRC, the student becomes an NRC employee, and during the period of full-time schooling, he or she is placed in a leave-without-pay status. (c)
- After the student has completed two work periods, an office director or regional administrator may recommend in writing to the Director, HR, funding support for educational course work that is related to the NRC mission requirements. Approval will be based on staffing requirements, the need to develop expertise in a technical discipline, the student's work performance, and availability of funds. (d)
- Scholarship support is provided to eligible students through use of an approved "Training Request and Authorization" (NRC Form 368). Elective courses related to the student's primary technical field of study qualify for reimbursement. (e)

Student Career Experience

Program (H) (continued)

- The student is required to sign a continued service agreement (see Exhibit 2) providing for 1 month of Government service for each semester hour of credit subsidized (or 14 working days for each quarter hour). This service will begin upon receipt of a Bachelor's degree. (f)
- NRC may pay for other expenses directly related to training, such as travel and transportation between duty station and school, for participants in this program only. (g)
- For purposes of reduction-in-force, students in this program are in Tenure Group II and may qualify for severance pay if involuntarily separated from NRC. (h)

Part III

The NRC Graduate Fellowship Program

Description (A)

This program is intended to— (1)

- Attract, recruit, and retain individuals to move into highly specialized technical backgrounds in designated disciplines through a program that combines an initial period of work at the NRC with a subsequent graduate education assignment and a permanent return to NRC (a)
- Build a research-based pool of potential experts in health physics and specialized engineering disciplines (b)
- Prevent erosion of expertise in designated disciplines (c)

This program is established under the authority of SECY 90-281, dated August 10, 1990. (2)

Eligibility (B)

At the time the fellowship begins, the awardee must— (1)

- Hold a bachelor's degree in the physical sciences, life sciences, mathematics, or engineering from an accredited institution (a)
- Be accepted into an appropriate graduate program as a full-time, regular graduate student (b)
- Be eligible for an NRC security clearance (c)

Eligibility (B) (continued)

The program is not established for study through the doctorate level. Although it is not precluded, doctoral study will be an exception rather than the rule and will be determined on a case-by-case basis. (2)

School Affiliation (C)

The institution of higher learning must— (1)

- Be accredited (a)
- Have appropriate graduate degree programs that are well defined and ongoing (b)
- Have programs that meet specific NRC curricula criteria (c)
- Be cleared with the Office of Human Resources (HR) program officials (d)

HR Graduate Fellowship Program Coordinator maintains a list of the participating universities that are currently approved. Participating universities receive an annual cost of education allowance for each student. (2)

Appointment Type and Duration (D)

Graduate fellowship positions are charged against full-time equivalent (FTE) staff ceilings in the office that accepts them. (1)

NRC graduate fellows are given permanent NRC Regular (Excepted) (Conditional) appointments. (2)

Recruitment (E)

Recruitment for graduate fellowship positions includes college visits and a comprehensive advertising campaign. (1)

NRC Graduate Fellowship Program announcements (program descriptions) are published and circulated by the NRC through its program manager and through NRC regular university recruitment program visits. It is expected that the academic departments of participating universities will inform undergraduate students in mathematics, sciences, and engineering that the graduate fellowship is available. (2)

NRC employees, including applicable cooperative education students, are informed of the program through the NRC announcement system. (3)

Application Procedures (F)

External applicants forward applications to HR or its designated agent listed on the announcements. HR or its designated agent can provide the application forms and additional information to interested individuals. Student applications normally consist of the NRC Graduate Fellowship Program application form, undergraduate and graduate transcripts, confidential references, an academic and career goal statement, and graduate record examination (GRE) test scores. (1)

Official transcripts must be sent directly from the university to the address listed in the announcement for receipt of applications. (2)

Faculty members and other references should send their forms directly to HR or its designated agent using the forms provided by the agent or HR. (3)

Application Procedures (F) (continued)

Applicants should designate HR or its designated agent as listed in the announcement as the score report recipient for GRE scores. (4)

NRC applicants forward applications to the HR Graduate Fellowship Program Coordinator, through the office director or the regional administrator. Applications should include all of the above, plus a résumé, updated Optional Form (OF) 612 or other approved application form, a copy of the latest performance appraisal, if available, and a supervisory or managerial recommendation. (5)

Applicants must indicate a first and second choice of NRC-designated participating university programs. University preferences cannot be changed or transferred after the application has been evaluated and approved by the review panel except with the permission of the NRC program coordinator. (6)

Initial Screening and Selection (G)

HR and its designated agent jointly develop student evaluation criteria. Criteria address elements such as transcripts, GRE scores and grade point averages (GPAs), the core courses essential to the specific desired disciplines, and so forth, as well as awards, references, work history, and extracurricular activities. (1)

HR performs basic eligibility screening. (2)

Fellowship consideration does not guarantee acceptance as a graduate student by the university. (3)

Applicants are rated and ranked by a panel appointed by the Executive Director for Operations (EDO). The panel also interviews the prospective fellows and forwards its selection recommendations to the EDO for approval. (4)

Initial Screening and Selection (G) (continued)

The EDO is the deciding official for selections for the NRC Graduate Fellowship Program, and NRC reserves the right to reject any applicant to the program. (5)

Work Assignments and Work Schedules (H)

Graduate fellows must satisfactorily complete a minimum of 9 months of work at NRC before beginning graduate work. This period is necessary to orient the fellow to the NRC and the environment that he or she will work in, and the different kinds of work in which he or she will be involved. It also allows NRC management the opportunity to observe the fellow to ensure compatibility between the agency, its staff, its work, and the fellow. (1)

Graduate fellows work full time during the initial work orientation period and full time upon completion of graduate education. (2)

Graduate fellows must apply to the approved institution of higher learning upon selection for the program. (3)

Graduate fellows will be in a leave-without-pay (LWOP) status while attending graduate school. (4)

Specialized training and field experience during nonacademic periods such as summer breaks are integral components of the program if the academic and research schedules of the fellows permit. During the lengthy summer break, a participant is expected to return to NRC unless his or her program requires that he or she either remains at school or relocates to another facility to perform research. Reinstatement to full pay status is made during these assignments if the fellow returns to work at NRC. However, participants are under no obligation to return to NRC to work during routine academic year school breaks such as spring break or Thanksgiving. (5)

Work Assignments and Work Schedules (H) (continued)

Training assignments during the work orientation period will be established by the sponsoring office and should be specified in each fellow's work plan. All graduate fellows should attend the following orientation-type courses: "NRC and Its Environment," "NRC-What It Is and What It Does," "Nuclear Reactor Concepts," and "The Regulatory Process." Other courses may be desirable, depending on the fellow's area of study. Work plans should be updated to reflect changes as they occur. (6)

Graduate fellows may pursue outside work while studying at a university, but certain provisions apply: (7)

- Any outside work requires the approval of HR. (a)
- A graduate fellow may not work for the university in the department in which the graduate studies are associated. This restriction is applied to prevent imposed teaching and research assistant assignments from interfering with studies during the same time NRC is providing funding to the university in support of the studies. (b)
- No NRC employee may be employed by companies regulated by or otherwise connected to NRC to ensure that no conflict-of-interest questions are raised. Any request for outside employment will be cleared through NRC's Office of the General Counsel to ensure compliance with NRC and Government rules and regulations and applicable statutes. (c)

Service Obligation (I)

For every academic year of education sponsored by NRC, the selectee must agree to a contract that specifies a service obligation of 2 calendar years to NRC (see Exhibit 3, Graduate Fellowship Program Agreement to Continue in Service). (1)

Service Obligation (I) (continued)

Participants are required to sign a continued service agreement (Exhibit 3) before commencing their fellowship. The obligated service period is generally 4 years and does not begin until the participant has completed his or her degree requirements. (2)

Failure to fulfill this obligation will require the individual to pay back all tuition, fees, and stipends paid by the Government in the percentage amount corresponding to the amount of time left unserved with the NRC after completion of the fellowship. (3)

Compensation (J)

Graduate fellows are normally hired at the GG-7 pay level on the appropriate pay scale. (1)

Full tuition and fees will be paid directly to the participating university. The cost of books and all other **required** expenses also will be covered. (2)

A monthly stipend adjusted for economic changes will be paid to the graduate fellow during the academic periods. (3)

Health insurance benefits will continue during the academic periods, with the employee paying his or her share of the cost and the NRC paying the Government share until the employee reaches 365 days in a LWOP status. Enrollment will terminate when the total time on LWOP reaches the 365-day limit, unless the participant returns to work for at least 4 consecutive months. (4)

Since participants are responsible for paying their share of the cost of enrollment, they may make payments to the NRC Payroll Office while on LWOP. If participants do not make these payments, NRC will recover the cost from their salary when they return to work. (5)

Compensation (J) (continued)

When enrollment terminates, graduate fellows should procure health insurance benefits through another source. If health insurance coverage is elected through the university, the cost will be included with programmatic expenses paid by NRC. (6)

Federal Employees Group Life Insurance basic and optional insurance continues without cost to the graduate fellow for up to 12 months. If the employee has at least 4 consecutive months during which he or she receives some pay in each pay period after a period of nonpay status, the graduate fellow is entitled to begin a new 12-month period of continuation of enrollment. (7)

Graduate fellows do not pay into the retirement system while on LWOP. However, they do receive credit towards length of service for LWOP taken for up to 6 months in 1 calendar year. Any LWOP in excess of 6 months is lost service. (8)

If the graduate fellow is participating in the Thrift Savings Plan (TSP), deductions will stop when he or she begins LWOP. Employees cannot contribute to TSP while on LWOP. (9)

Leave (K)

The graduate fellow earns annual and sick leave while in a duty status. (1)

Fellows continue to earn leave until LWOP totals 80 hours (2 weeks). Any unused annual or sick leave will be carried over while participants are on LWOP. (2)

Fellows are in an LWOP status during full-time academic study periods. (3)

LWOP in excess of 30 calendar days extends the service date for permanent tenure by that number of days. (4)

Travel and Transportation (L)

Required travel is reimbursed and fellows are in a duty status during periods of official travel. (1)

NRC is not authorized to pay expenses associated with seeking a new residence at the university of choice. (2)

If a graduate fellow returns to work during school breaks, he or she will be authorized transportation to and from the work site, plus a reduced rate of per diem when local lodging is indicated (usually after 2 weeks). During this time, the fellow will receive full pay and benefits in lieu of the stipend. The stipend will be prorated, depending upon when the fellow returns to full duty. (3)

If the fellow remains at school or moves to another facility to conduct research during school breaks, he or she will be authorized transportation expenses to and from the facility, will remain on the stipend, and will not receive per diem. (4)

Promotion (M)

The initial grade level promotion after initial appointment will not occur until all degree requirements have been satisfactorily completed. The graduate fellow is responsible for providing documentation of satisfactory completion to HR.

Performance Appraisal (N)

Graduate fellows are covered by MD 10.67, "Non-SES Performance Appraisal System." (1)

Graduate fellows also are covered by NRC trial period requirements, which they begin when they enter on duty. During this period, the fellow's ability to perform work will be reviewed. Performance that is less than fully successful during the trial period may become the basis for ending the fellow's employment with NRC. (2)

Performance Appraisal (N) (continued)

If the graduate fellow should go on LWOP before completing the trial period, the trial period may be extended. More than 22 workdays of LWOP during this trial period extends the trial period by that number of days. (3)

The office director may determine whether or not an individual is performing at a fully successful level 7 months into the work assignment based on a generic performance standard. (4)

Placement (O)

Upon satisfactorily completing training, fellows are assigned to an NRC position by the EDO on the basis of information from appropriate office directors and regional administrators.

Part IV

The NRC Student Volunteer Program

Description (A)

This program provides opportunities for students to explore career options and gain work experience at NRC. NRC generally follows the Office of Personnel Management procedures and regulations for unpaid volunteer services from students.

Eligibility (B)

The student must be enrolled in school on a part-time basis, at least, in an accredited high school, trade school, technical or vocational institute, junior college, college, university, or other accredited educational institution. (1)

Permission from the school is required for student participation in the program, and the volunteer service must be part of a program established for the purpose of providing educational experience for the student (see Section (C) of this part for more information). (2)

Volunteer service must not be used to displace any employee or to staff a position that is a normal part of the NRC's workforce. (3)

No written test is required. (4)

Student volunteers must satisfy both the academic and conduct standards of the school and work performance and minimum standards of conduct of the NRC. Students who fail to meet these requirements will be dropped from the program. Students may be terminated for lack of available work, as well as for unsatisfactory progress, interest, or conduct. (5)

School Affiliation (C)

Although written agreements are not mandatory, it is recommended that volunteer programs be conducted through written agreements with educational institutions or with nonprofit organizations officially designated by schools or boards of education to coordinate the placement of students in nonpaid work assignments. (1)

The agreement is a written document developed jointly between the school and NRC to outline the responsibilities of each organization. Included in these agreements should be the method, mutually agreed upon by each organization, for maintenance of attendance and performance records, particularly if the career-related assignment is for course credit. (2)

The administrative level at which agreements are executed in NRC resides with the office director or the regional administrator, with the concurrence of the Director, Office of Human Resources (HR). (3)

Duration of Volunteer Service (D)

Volunteer service cannot exceed 5 months. (1)

Students must demonstrate to the satisfaction of NRC that they intend to pursue a course of study or training in the same or a different educational institution during the school term immediately after the period of volunteer service. (2)

Security Clearance (E)

The supervisor for whom the student volunteer is to work shall make a determination as to whether the student will have access to sensitive and/or classified information. If the student will have access to this information, the appropriate security clearance must be obtained before the student begins work. (1)

Security Clearance (E) (continued)

If the student will not have access to sensitive and/or classified information, the Division of Facilities and Security (DFS), Office of Administration (ADM), will be informed in writing of the office's intent to utilize volunteer services and the circumstances under which they will be used. DFS may, at its discretion, authorize the student to work without a security clearance. (2)

Status of Student Volunteers (F)

Student volunteers are not considered to be Federal employees for any purposes other than the following:

- The provisions of the Federal Tort Claims Act apply. Claims arising as a result of student participation are to be administratively processed by the NRC in accordance with regulations of the Department of Justice. (1)
- Portions of 5 U.S.C. Chapter 81 that relate to compensation for injuries sustained during the performance of work assignments apply. Claims related to injuries should be referred to the Office of Workers' Compensation Programs, U.S. Department of Labor, for adjudication. (2)

Volunteer Service (G)

Offices requesting a student volunteer should submit an SF 52 (which may be accessed through the online forms filler software) to the Student Volunteer Service Coordinator, HR. A short written description of the student's duties should be attached. (1)

HR or the regional personnel office must prepare an SF 50, "Notification of Personnel Action." (2)

The duties of student volunteers will be to participate as a volunteer, through planned, educationally related work

Volunteer Service (G) (continued)

assignments, in work under the guidance of NRC personnel. The difficulties and responsibilities of the work will vary with the academic level of the volunteer. (3)

Although student volunteers are not Federal employees, their service, like any other type of volunteer service, may be creditable as related experience when applying crediting plans and/or selection criteria. Some participating schools that award course credit for volunteer service may require certification of volunteer periods of service. The Student Volunteer Service Coordinator, HR, will coordinate activities dealing with volunteer service and will ensure that service is appropriately documented. The coordinator will serve as the point of contact with schools and other institutions interested in assigning students to nonpaid internships. (4)

The Student Volunteer Service Coordinator will make every effort to inform student volunteers about employment opportunities within the NRC and the procedures to be followed in order to qualify for NRC career appointments. (5)

Supervisors of student volunteers are responsible for initiating the SF 52 to request or to terminate volunteers. In addition, supervisors— (6)

- Maintain records of the student's volunteer performance (a)
- Periodically evaluate the student volunteer, such as at the end of each semester (b)
- Indicate the total number of hours worked during the period to the Student Volunteer Service Coordinator, HR (c)

The coordinator will monitor the amount of volunteer service accepted from a specific individual to avoid situations that imply that service with the agency during the school year will ensure a job in the future with the agency. (7)

Volunteer Service (G) (continued)

Equal employment opportunity policies apply in the selection of student volunteers even though student volunteers are not deemed to be employees. (8)

Orientation of student volunteers will include information on the protection of privacy in personnel records, standards of conduct, and availability of official information and disclosure. (9)

HR will periodically review student volunteer activities, including— (10)

- Assessing the program in terms of its compliance with legal and regulatory provisions (a)
- Evaluating the program in terms of the goals and objectives of the NRC (b)
- Assessing improvement in relationships with students and schools with which the NRC has agreements (c)

Compensation (H)

Student volunteers serve without monetary compensation. (1)

Student volunteers are not entitled to benefits, including life or health insurance, retirement system eligibility, or participation in the Thrift Savings Plan. (2)

Comptroller General Decision B-201528, dated May 11, 1981, determined that travel, subsistence expenses, quarters, and other reimbursements may not be provided to student volunteers. (3)

Part V

The NRC Program for Employment of Persons With Disabilities

Description (A)

This program promotes the hiring, placement, and advancement of persons with disabilities under—

- Section 501 of The Rehabilitation Act of 1973, as amended (a)
- The appropriate sections of Title 5 of the *Code of Federal Regulations* that cover the regulatory requirements for the employment of persons with disabilities, which the NRC generally follows (b)

Eligibility (B)

For the purpose of Federal employment, a disabled person is any individual who has a physical or mental impairment that substantially limits one or more of the person's major life activities, has a record of such impairment, or is regarded as having such impairment. (1)

A physical or mental impairment includes— (2)

- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organ, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin and endocrine (a)

Eligibility (B) (continued)

- Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities (b)

The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism. (3)

Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (4)

A record of such an impairment means a history of, or has been classified (or misclassified) as having, a mental or physical impairment that substantially limits one or more major life activities. (5)

Regarded as having such an impairment means an individual has one of the following: (6)

- A physical or mental impairment that does not substantially limit major life activities but is treated by NRC as constituting such a limitation (a)
- A physical or mental impairment that substantially limits major life activities only as a result of the attitude of others toward such impairment (b)
- None of the impairments previously defined but is treated by NRC as having such an impairment (c)

Eligibility (B) (continued)

A qualified disabled person is one who, with or without reasonable accommodation, can perform the essential functions of the position in question without endangering the health or safety of the individual or others and who, depending on the type of appointing authority being used, either meets the experience and/or educational requirements of the position in question or meets the criteria for appointment under one of the special appointing authorities for disabled persons. (7)

For affirmative action program planning, disabilities specified by the Equal Employment Opportunity Commission (EEOC) for hiring targets should be emphasized. Focusing on these hiring targets does not eliminate the need for affirmative action for the employment of persons with other disabilities. (8)

Program Coordinator (C)

The agencywide program coordinator for the employment of people with disabilities is designated by the Director, Office of Human Resources (HR). (1)

The coordinator is responsible for agencywide oversight, including employment activities for headquarters offices, for providing coordination and guidance to the regions on overall program activities and practices, for evaluating the effectiveness of regional activities, and for providing agencywide reports and information on the status of the program. (2)

Regional personnel officers are responsible for day-to-day activities dealing with the employment of people with disabilities in their regions as authorized under delegated personnel authorities. (3)

Reasonable Accommodation (D)

NRC is required to make reasonable accommodation to the known physical or mental limitations of a qualified disabled applicant or employee, unless it can be shown that the accommodation would cause undue hardship to NRC. Accommodation is not required for persons who are not qualified for the position. Qualified applicants with disabilities include those individuals meeting the qualifications of the position as determined by NRC or as certified by a vocational rehabilitation counselor. (1)

Reasonable accommodation, determined on a case-by-case basis, is a modification or adjustment to either— (2)

- A job application process that would enable a qualified disabled applicant to be considered for the position (a)
- The work environment, or the manner or circumstances under which the position held or desired is customarily performed, that would enable a qualified disabled individual to perform the essential functions of that position (b)
- Enable a qualified disabled NRC employee to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities (c)

It may include— (3)

- Such measures as modifying worksites, making facilities accessible, adjusting work schedules, reassigning individuals, restructuring jobs, providing assistive devices, providing readers, interpreters, and assistants, and appropriate adjustment or modification of examinations, where appropriate (a)
- Providing computer accessibility and use of telecommunications devices and other appropriate technology (b)

Reasonable Accommodation (D) (continued)

To determine the appropriate reasonable accommodation, it may be necessary for NRC to initiate an informal, interactive process with the qualified disabled individual to identify an effective accommodation. Reasonable accommodation must be considered in recruitment, selection, placement, training, promotion, reassignment, and developmental assignments. (4)

A reasonable accommodation imposes an undue hardship on NRC's operation when it results in significant difficulty or expense. Factors to be considered in determining whether an accommodation would impose an undue hardship include the following: (5)

- Nature and net cost of the accommodation (a)
- Overall financial resources of the facility or facilities involved in making the accommodation (b)
- Overall financial resources of NRC (c)
- NRC's type of operation, including the composition, structure, and functions of the workforce, and the geographic separateness and the administrative and fiscal relationship of the facility or facilities in question (d)
- The impact of the accommodation on the operation of the facility (e)

A statement on accommodation may be required as part of the official appointment documentation. (6)

Appointments in General (E)

Many disabled persons find employment in the Federal Government through normal competitive procedures. Assistance

Appointments in General (E) (continued)

can be provided through special examining arrangements or through some of the measures previously noted. (1)

For other disabled individuals, a variety of short-term and special appointing authorities can be used to facilitate their employment. (2)

The type of appointment is dependent upon the nature of the disability and the nature of the job. Disabled individuals can be appointed to either temporary or permanent positions. (3)

Individuals hired under an appointing authority for the disabled are eligible for benefits if appointed to a permanent position. They are eligible for life and health insurance and for coverage under the appropriate retirement system. If the appointment is for at least 90 days, they are entitled to earn leave. (4)

Certification Requirements (F)

Disabled appointments require certification by the Department of Veterans Affairs (VA) or a State vocational rehabilitation agency. Private organizations or schools cannot certify a person for a disabled appointment. (1)

The following two parts of the certification must be obtained from the VA or the State vocational rehabilitation agency: (2)

- A medical report on the nature and extent of the disability, including limitations and any job or worksite modifications that may be needed. (a)
- A statement that the applicant has the ability to perform the duties of the specific position and is physically qualified to do the work without hazard to himself or herself or to others. (b)

Certification Requirements (F) (continued)

Certification is not required if qualification standards are applied and it is documented how the individual meets the minimum requirements for the position as described in those standards. (3)

Appointments for Mentally Retarded, Those With Psychiatric Disabilities, or Severely Physically Disabled Individuals, and for Readers, Interpreters, and Personal Assistants (G)

Applicable Requirements for All Such Appointments (1)

NRC Noncareer (Excepted) appointments may be used to appoint mentally retarded and severely physically disabled individuals and to appoint readers, interpreters, and personal assistants. (a)

Certification of disability and all supporting documentation must be obtained from the VA or a qualified State vocational rehabilitation agency in writing. The written certification from the counselor must state that the individual can perform the duties of the specific position. This certification will include a narrative that outlines the ability of the person to perform the job, limitations that would affect work, and any recommendation for job restructuring or worksite modifications, including telecommunications or computer accessibility. (b)

If the individual previously served on a temporary trial appointment, a statement must be obtained from the supervisor recommending conversion to an Excepted appointment and documenting that the person was given the temporary appointment during the 12-month period immediately preceding the recommendation. (c)

Appointments for Mentally Retarded,
Those With Psychiatric Disabilities, or
Severely Physically Disabled Individuals,
and for Readers, Interpreters, and
Personal Assistants (G) (continued)

Applicable Requirements for All Such Appointments (1)
(continued)

Appointed individuals (except student educational employment) who do not work intermittently are considered to be permanent employees and are eligible for all benefits, such as life and health insurance, retirement, and leave. (d)

Requirements Applicable to Mentally Retarded Individuals and Employees With Psychiatric Disabilities (2)

Individuals can be noncompetitively converted to NRC Regular (Excepted) (Conditional) status after 2 consecutive years of successful service in a permanent position if recommended by the supervisor. (a)

None of the time served in a temporary position is applicable toward meeting the 2-year requirement. (b)

Severely Physically Disabled Individuals (3)

A detailed medical report that gives an accurate description of the individual's current functional limitations is required. This report must be signed by a physician and is required in addition to the certification of physical disability obtained from the counselor. (a)

Documentation is needed on how the disability will be accommodated on the job. Documentation for physically disabled appointments includes the following items: (b)

Appointments for Mentally Retarded,
Those With Psychiatric Disabilities, or
Severely Physically Disabled Individuals,
and for Readers, Interpreters, and
Personal Assistants (G) (continued)

Severely Physically Disabled Individuals (3) (continued)

- Position descriptions must be included and must correspond to the certification (if the certification procedure is used). (i)
- Counselors should certify physical disability based on knowledge of the duties required and of any specific qualifications required, such as the educational requirements of the position. Modifications of the position should be included in the counselor's narrative or in an addendum to the position. (ii)
- Information from Optional Form (OF) 612 or other approved application form, must be included and carefully evaluated. For example, does the person's prior work history reveal a pattern of consistent under-employment or -utilization as compared to the individual's education and proven skills? Does the disability now preclude an applicant from pursuing his or her former occupation? Attendance at an identifiable institution for disabled persons is an indicator that the person has a substantial physical impairment. If sign language is listed as a skill, this may be an indication that a person has a substantial hearing loss that should be verified through the medical data. (iii)
- Medical data must include a report signed by a medical officer. A description of the disability by a counselor is not acceptable. Sources of medical data include the following: (iv)
 - State vocational rehabilitation medical reports (a)

Appointments for Mentally Retarded,
Those With Psychiatric Disabilities, or
Severely Physically Disabled Individuals,
and for Readers, Interpreters, and
Personal Assistants (G) (continued)

Severely Physically Disabled Individuals (3) (continued)

- VA medical officers (*b*)
- Agency medical officers (*c*)
- Private physicians (*d*)
- Audiograms (for hearing impaired persons) conducted by qualified audiologists (*e*)
- Evaluations for learning disabilities, which must be supported by medical and/or psychological tests that indicate an organic or neurological cause for the learning disability (*f*)

Medical data must be of sufficient detail to delineate the specific functional limitations caused by the disability. A brief statement such as "severe disability" will not suffice. (*c*)

The certification must be from a qualified State vocational rehabilitation agency, from VA counseling psychologists (for veterans who are VA clients), or from Gallaudet University (for current or former Gallaudet students). Verification of Gallaudet counselors currently authorized to certify students also is needed. The certification must relate to a specific position, occupational series, and grade level for a specific person. (*d*)

Along with the certification from counselors, a narrative is required that documents the ability of the proposed appointee to perform the job based on factors such as training, education, and previous

Appointments for Mentally Retarded,
Those With Psychiatric Disabilities, or
Severely Physically Disabled Individuals,
and for Readers, Interpreters, and
Personal Assistants (G) (continued)

Severely Physically Disabled Individuals (3) (continued)

job performance. The narrative must recommend any job modification or worksite modification needed, including telecommunications or computer accessibility. It must also identify limitations of the proposed appointee that would be helpful in ensuring a successful placement. (e)

In no instance may a certification be accepted that does not apply specifically to an individual. (f)

The NRC Student Educational Employment Program (4)

NRC Student Educational Employment Program permits the appointment of mentally retarded, those with psychiatric disabilities, and severely physically disabled youth, regardless of financial need. Part II of this handbook describes this program.

Employment of Readers, Interpreters, and Personal Assistants (5)

Conditions (a)

Readers, interpreters, and personal assistants may be employed while the disabled employee is at his or her regular duty station, or while he or she is traveling on official business.

Applicability (b)

This section applies to all disabled NRC employees as well as members of Federal advisory committees.

Appointments for Mentally Retarded,
Those With Psychiatric Disabilities, or
Severely Physically Disabled Individuals,
and for Readers, Interpreters, and
Personal Assistants (G) (continued)

Employment of Readers, Interpreters, and Personal Assistants
(5) (continued)

Appointment (c)

NRC has the administrative authority to assign regular employees to provide reading, interpreting, or personal assistance duties on a part-time or an "as required" basis. This service can be classified under "other duties as assigned," but it is recommended that it be incorporated into the position description of the employee who provides the service. (i)

Assistants who are not paid by NRC (such assistants may serve as volunteers, or may be paid by the disabled employee or a nonprofit organization) are given NRC Limited (Excepted) appointments. These employees may perform no other official duties. (ii)

Assistants who are paid by NRC (and who are considered regular NRC employees) are given NRC Limited (Excepted) appointments. (iii)

Both paid and unpaid assistants may be appointed on a full-time, part-time, or intermittent basis, as appropriate. (iv)

Assistants to Disabled Employees on Official Travel (d)

For disabled employees traveling on official business, payment is authorized to an individual to accompany and/or assist the disabled employee for all or a portion of the travel period involved. (i)

Appointments for Mentally Retarded,
Those With Psychiatric Disabilities, or
Severely Physically Disabled Individuals,
and for Readers, Interpreters, and
Personal Assistants (G) (continued)

Employment of Readers, Interpreters, and Personal Assistants
(5) (continued)

Payment to such an assistant may be made either directly to that individual or by advancement or reimbursement to the disabled employee. Payment may include pay, travel expenses, and per diem allowances. (ii)

Payment must not exceed those amounts that could be paid to an employee assigned to accompany the disabled traveler. (iii)

A travel assistant should be considered an employee only for the purposes of the relevant portions of the U.S. Code that relate to compensation and tort claims. (iv)

Establishing Positions (e)

Positions are not limited to clerical assistance but should be designed to meet the special needs of the disabled employee to whom the assistance is provided. (i)

The appropriate occupational series for assistant positions should be determined according to the normal position evaluation guidance used by NRC. The grade level of assistant positions should be evaluated using Management Directive 10.37, "Position Evaluation and Benchmarks." (ii)

Benefits and Conditions of Employment (f)

Paid assistants receive the same benefits and are under the same conditions of employment as other NRC employees under NRC

Appointments for Mentally Retarded,
Those With Psychiatric Disabilities, or
Severely Physically Disabled Individuals,
and for Readers, Interpreters, and
Personal Assistants (G) (continued)

Employment of Readers, Interpreters, and Personal Assistants
(5) (continued)

Limited (Excepted) appointments with the same full-time, part-time, or intermittent tour of duty. (i)

Benefits and conditions of employment applicable to unpaid assistants are as follows: (ii)

- An unpaid assistant's full-time or substantially full-time services become creditable for retirement if he or she later serves in an appointment subject to 5 U.S.C. Chapter 83. (a)
- Assistants receiving compensation from sources other than the NRC are ineligible for life insurance and health benefits and are not entitled to earn leave. (b)
- An unpaid assistant to a disabled NRC employee is subject to the requirement for a security clearance. (c)
- Unpaid assistants come within the definition of an employee in 5 U.S.C. 8101 (1)(b) and, therefore, are entitled to compensation for injuries and are covered by regulations that relate to tort claims. (d)

NRC Temporary (Excepted) Appointments for Hiring of Disabled Veterans With a Thirty-Percent or More Disability (H)

Appointments for disabled veterans with a 30-percent or more disability require a disability rating from the VA or from the applicable military department. The VA disability rating must be dated within the previous year. Ratings from the applicable military department can be dated at any time. (1)

Appointments may lead to an NRC Regular (Excepted) (Conditional) or Regular (Excepted) appointment if employed in an NRC Temporary (Excepted) appointment not limited to 60 days or less. The disabled veteran must meet the applicable qualification requirements for the position. (2)

Unpaid Work Experience (I)

Clients of State Vocational Rehabilitation Agencies (1)

The purpose of unpaid work experience is to provide disabled individuals with an opportunity to receive on-the-job training and actual job experience that will be useful to them when applying for future employment. (a)

Participants are not considered to be Federal employees or subject to the laws relating to Federal employment, including those laws relating to hours of work, rates of compensation, and employee benefits. (b)

Injuries sustained while under Federal supervision should be reported to the Department of Labor, Office of Workers' Compensation. (c)

Claims related to the Tort Claims Act should be referred to the Department of Justice. (d)

Unpaid Work Experience (I) (continued)

Clients of State Vocational Rehabilitation Agencies (1) (continued)

The following procedures apply when setting up unpaid work experiences: (e)

- HR or the regional coordinator for employment of persons with disabilities should review various work locations with managers and supervisors to determine which areas would be suitable for program enrollees. (i)
- The coordinator will contact the local office of the appropriate State vocational rehabilitation agency and request assistance in planning a program. (ii)
- With the assistance of the State vocational rehabilitation agency, the coordinator and appropriate supervisor(s) or manager(s) will determine which items should be specified in a working agreement or a letter of understanding. (iii)
- To be eligible for the unpaid work experience program, the disabled individual must be a client of a State vocational rehabilitation agency. (iv)
- The cost of necessary supplies, equipment, and on-the-job training will be the responsibility of the NRC. (v)
- The duration of unpaid service is determined by the NRC and the disabled individual in accordance with the written agreement. An average work experience is from 3 to 4 months. (vi)

Unpaid Work Experience (I) (continued)

Service-Disabled Veterans Eligible for Training Under the VA Vocational Rehabilitation Program (2)

Unpaid on-the-job training in Federal agencies was removed from the restrictions of the Fair Labor Standards Act, the Veterans Education and Employment Assistance Act of 1976. The purpose of the training or work experience is to qualify the veteran for employment. (a)

The VA Vocational Rehabilitation and Counseling (VR&C) counseling psychologist and the VR&C vocational rehabilitation specialist will jointly determine the need for training on a nonpay or a nominally paid basis in a Federal agency. This training may be all or part of a veteran's program of rehabilitation. (b)

Training on an unpaid basis in a Federal agency may be indicated under the following circumstances: (c)

- Training in a work setting will best meet the veteran's needs, but because of the veteran's condition or other reasons, it is not feasible to develop suitable on-the-job training either with a private employer or on a competitive basis in a Federal agency. (i)
- The veteran needs work experience during or subsequent to a program of institutional training either for transitional purposes or to establish employability in the selected vocational objective. (ii)
- It is in the veteran's interest to train in a Federal agency because his or her goal is a career with the Federal Government. Successful completion of the training or work experience should place the veteran in an advantageous position for entry into the Federal service because the training is directly related to the requirements of the position and

Unpaid Work Experience (I) (continued)

Service-Disabled Veterans Eligible for Training Under the VA Vocational Rehabilitation Program (2) (continued)

because the veteran may be noncompetitively appointed to the position. (iii)

- The development of the training program with the NRC is the responsibility of the VR&C vocational rehabilitation specialist. (iv)
- Nonpaid or nominally paid trainees hired pursuant to 38 U.S.C. Chapter 31 may not replace or be used in lieu of regular employees for whom funds and an FTE ceiling have been provided. (v)
- Veterans gaining work experience on a nonpay or a nominally paid basis receive the same VA benefits and services as other disabled veterans in training. Veterans will receive subsistence allowance from the VA at the institutional rate specified by law. Supplies are authorized in the same manner as for on-the-job trainees. Since the trainee does not receive a normal on-the-job training wage rate, he or she will receive the maximum allowable VA subsistence rate throughout the period of training. (vi)
- Work experience may be undertaken on a full-time, three-quarter-time, or half-time basis, with subsistence allowance commensurate with training time. (vii)

Veterans engaged in on-the-job training or in gaining work experience on a nonpay basis are not considered Federal Government employees and do not receive leave or other employee benefits, with one exception. They are eligible for compensation under the Federal Employees Compensation Act. They are eligible under 38 U.S.C. 1151 for additional disability compensation if they suffer injury in the course of rehabilitation

Unpaid Work Experience (I) (continued)

Service-Disabled Veterans Eligible for Training Under the VA Vocational Rehabilitation Program (2) (continued)

that results in additional disability. If the veteran dies as a result of injury on the job, his or her dependents are eligible for survivors' benefits as though death were service-connected. (d)

Veterans trained in Federal agencies to gain a 38 U.S.C. Chapter 31 work experience or engaged in unpaid or minimally paid on-the-job training may, upon completion of training, be appointed noncompetitively to a position, either in the NRC or in another Federal agency, for which the training has qualified them. (e)

While the primary source of qualified disabled veterans is a VA regional office, the VA Central Office is willing to use electronic mail to canvas their regional offices and locate qualified veterans who are willing to relocate. (f)

Conversion (J)

An individual employed in a position as a reader, an interpreter, or a personal assistant who is no longer needed and who has completed at least 1 year of satisfactory service under a nontemporary appointment may be converted noncompetitively to an NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointment. However, this event can only occur when the individual meets the qualifications and other requirements of the position. (1)

Mentally retarded, severely physically disabled applicants, or persons with psychiatric disabilities are eligible for noncompetitive conversion to an NRC regular appointment upon successfully completing 2 years in a permanent position. (2)

Veterans with a 30-percent or more disability rating from the VA who are on a temporary appointment, other than a 30-day

Conversion (J) (continued)

special-need appointment, are eligible for consideration for noncompetitive conversion at any time during the employee's temporary appointment. (3)

Disabled student education employment appointees are not eligible for consideration for conversion. (4)

Part VI

The NRC Veterans Readjustment Appointment (VRA) Program

Description (A)

This program implements the continuing interest of the executive and legislative branches of the Federal Government in enhancing employment opportunities for veterans of the Vietnam era and beyond. The Office of Personnel Management (OPM) provides regulatory guidelines that are generally followed by the NRC.

Eligibility (B)

An individual is eligible for a VRA if he or she served for a period of more than 180-days active duty, all or part of which occurred after August 4, 1964, and have other than a dishonorable discharge. (1)

Post-Vietnam-era veterans are individuals who first became a member of the Armed Forces after May 7, 1975. A post-Vietnam-era veteran is eligible for a VRA within 10 years after his or her last discharge or release from active duty or until December 31, 1999, whichever is later. (2)

Disabled veterans who are 30-percent or more disabled have no time limit on their VRA eligibility. (3)

Vietnam-era veterans are individuals who served on active duty between August 5, 1964, and May 7, 1975. A Vietnam-era veteran is eligible for a VRA within 10 years following the date of his or her last discharge or release from active duty or until December 31, 1995, whichever is later. (4)

Eligibility (B) (continued)

Reserve and National Guard members are exempted from the requirement to serve on active duty for a period of more than 180 days if they meet all of the following three requirements: (5)

- They were ordered to active duty under the statutory authorities for calling up Reserve and National Guard members, including those in the Selected and Ready Reserves. (a)
- They served on active duty during a period of war, or in a campaign or expedition for which a campaign badge is authorized. For purposes of VRA eligibility, Reserve and National Guard members performing active duty during the Persian Gulf War are qualified whether or not they served in the Desert Shield/Storm theater of operations and received the Southwest Asia Service Medal. (b)
- They were separated from this period of active service with other than a dishonorable discharge. (c)

There are no restrictions on the number of years of education VRA eligibles may have completed. (6)

Veterans must have agreed in writing to pursue a training or educational program during employment. (7)

Appointing Authority (C)

Under VRA, NRC can appoint qualified veterans to full-time, part-time, or intermittent positions at the GG-11, WG-11, or equivalent or lower grades. (1)

Preference must be given to disabled veterans and others with veterans' preference over veterans who are not eligible for preference. (2)

Appointing Authority (C) (continued)

Appointments at the GG/WG-1 or -2 levels or equivalent may be made if employees are encouraged to compete for further promotion under merit competition procedures. (3)

A veteran who is an applicant at grade level 3 or below or equivalent is considered qualified to perform the duties of the position on the basis of the veteran's civilian and military service. (4)

Written tests required by any qualification standard applied in a minimum qualifications determination may be waived at grade level 4 and above. (5)

Any law, Executive order, or regulation that disqualifies an individual from an NRC Regular (Excepted) (Conditional) or Regular (Excepted) appointment also disqualifies a person from a VRA. (6)

A VRA covers a period of 2 years. (7)

Work Assignments and Work Schedule (D)

A written training or education plan should be prepared. An education or training agreement is not required if the veteran has 15 or more years of education. (1)

A person serving under a VRA may move noncompetitively to other positions for which he or she is qualified even though he or she has not yet completed the training or education program. (2)

Employees holding VRAs may be promoted above the grade 11 level subject to merit competition procedures. (3)

Work Assignments and Work Schedule (D) (continued)

Service under a VRA from which an appointee is separated involuntarily without cause is credited both toward the 2-year service requirement for conversion under a subsequent VRA made within 1 year of separation, and the 3-year service requirement for acquisition of an NRC Regular (Excepted) appointment. (4)

Performance Appraisal (E)

Employees appointed under a VRA are subject to the requirements of Management Directive 10.67, "Non-SES Performance Appraisal System." (1)

Performance of both assigned duties and satisfactory participation in the training or education program must be appraised. (2)

Periodic evidence of satisfactory participation in educational components of the training plan or attendance at training courses must be provided to the supervisor for inclusion in the overall evaluation. (3)

Compensation (F)

Employees appointed under a VRA are entitled to step increases and fringe benefits associated with nontemporary employment in NRC.

Conversion (G)

A VRA is converted to an NRC Regular (Excepted) (Conditional) or NRC Regular (Excepted) appointment within 30 days after the employee has completed 2 years of substantially continuous

Conversion (G) (continued)

service under a VRA, provided such service has been satisfactory. Satisfactory service includes completion of the required training or education. (1)

Temporary and term employment for VRA eligibles does not count toward the 2-year service requirement under the VRA authority for purposes of conversion. (2)

Part VII

The NRC Part-Time Career Employment Program

Description (A)

The NRC Part-Time Career Employment Program provides part-time career employment opportunities to the maximum extent feasible, subject to NRC workload, resources, and mission requirements, for positions in GG-1 through 15, positions in the hourly paid Wage Grade Schedule, and for any other career positions that do not exceed the equivalent of a GG-15. (1)

NRC recognizes the benefits that can be derived by both NRC and those employed under the NRC Part-Time Career Employment Program from using this resource of skills and talents. (2)

Part-time career employment was established by law in 1978. NRC generally follows the Office of Personnel Management (OPM) implementing regulations on part-time career employment. (3)

Eligibility (B)

Part-time career employment is defined as regularly scheduled work from 16 to 32 hours per week, or 32 to 64 hours during a biweekly pay period in the case of a flexible or compressed work schedule, performed by individuals serving under NRC Regular (Excepted) or NRC Regular (Excepted) (Conditional) appointments, and who became employed on a part-time basis on or after April 8, 1979. (1)

These procedures do not apply to employees who were working on a permanent part-time basis before April 8, 1979, as long as they continue to work on a part-time basis. (2)

Eligibility (B) (continued)

Office directors and regional administrators may authorize employment of part-time career employees for fewer than 16 hours per week as necessary to carry out NRC's mission. (3)

In no case will exceptions permit regular established tours of duty to exceed 32 hours per week for part-time career employees. (4)

Part-time employees that hold other types of appointments are not covered under the NRC Part-Time Career Employment Program. (5)

Program Coordinator (C)

The NRC Part-Time Career Employment Program Coordinator is designated by the Director, Office of Human Resources (HR). (1)

The coordinator is responsible for oversight of program activities in headquarters and the regions, including providing advice and assistance to interested parties, evaluation of program activities, maintaining liaison with groups interested in promoting part-time employment, and reporting on program goals and accomplishments. The program is subject to a continuing review and evaluation. (2)

Regional personnel officers are responsible for day-to-day activities connected with part-time career employment for their region as authorized under their delegated personnel authority. (3)

Program Planning Goals and Timetables (D)

In each office's staffing plan, the office director or regional administrator will report annual goals within ceiling constraints for establishing and converting positions for part-time career

Program Planning Goals and Timetables (D) (continued)

employment and will include interim and final deadlines for achieving the goals as required by the Federal Employees Part-Time Career Employment Act. (1)

In establishing the goals and timetables, the following criteria should be considered: (2)

- Personnel ceiling allowances and fiscal constraints (a)
- Mission, resources, and occupational mix (b)
- Workload fluctuations (c)
- Size of the workforce, turnover rate, and employment trends (d)
- Patterns of overtime utilization (e)
- Current employee interest in part-time employment (f)
- Past experience with part-time employment (g)
- Potential for improving service to the public (h)
- Affirmative action (i)
- Geographic dispersion (j)

Ceiling (E)

Part-time career employees will be counted in the "Other Than Permanent Full-Time" category against total FTE (full-time equivalent) ceiling authorizations in work hours.

Recruitment (F)

Reviewing Vacant Positions (1)

Selecting officials will review each position under their supervision as it becomes vacant to determine the feasibility of filling it on a part-time career basis as required under the act. (a)

The criteria for determining feasibility for filling a vacancy on a part-time career basis will include, as a minimum, the criteria listed above in Section (D)(2) of this part. (b)

Notifying the Public of Part-Time Vacancies (2)

Part-time vacancies at NRC will be announced and publicized in accordance with NRC merit staffing procedures.

Changing From Full-Time to Part-Time Career Employment (3)

An employee interested in changing from a full-time to a part-time schedule will consult with his or her immediate supervisor. The supervisor, in consultation with the HR Program Coordinator or the regional personnel officer, will explain the effects such a change would have on the employee's rights and benefits. (a)

If the employee then wishes to make the change, the supervisor will decide whether or not to recommend to the office director or the regional administrator that the employee be changed in his or her current position, considering the criteria listed under Section (D) of this part. (b)

The office director or the regional administrator will decide on the basis of the criteria whether or not the employee may be changed in his or her position to part-time career employment. (c)

No full-time employee will be required to accept part-time employment as a condition for continued employment. Also, no

Recruitment (F) (continued)

Changing From Full-Time to Part-Time Career Employment (3) (continued)

full-time position occupied by an employee will be abolished for the sole purpose of making the duties of that position available for part-time career employment. (d)

Selection and Appointment (G)

Positions announced through competitive procedures will be filled in accordance with regular NRC merit selection procedures and practices. (1)

Selections of part-time career employees will be made without regard to religion, race, color, national origin, marital status, sex, age, nondisqualifying disability, sexual orientation, political or labor organization affiliation, or personal favoritism. (2)

Individuals selected will be given NRC Regular (Excepted) (Conditional) or NRC Regular (Excepted) appointments. (3)

The grade levels of positions to which part-time career employees are assigned are determined on the basis of the level of difficulty and the responsibilities of the position. (4)

Completion of the NRC trial period and completion of the 3 years required for conversion from NRC Regular (Excepted) (Conditional) to NRC Regular (Excepted) status are unaffected by conversion to a part-time schedule since they are computed on the basis of calendar time. (5)

The service computation date is not affected by part-time work. (6)

Since part-time career employment constitutes a separate competitive level from full-time employment, part-time career

Selection and Appointment (G) (continued)

employees compete only with other part-time career employees in a reduction in force. (7)

Part-time experience is credited on a pro rata basis for meeting basic qualification requirements and crediting or selection factors according to the relation it bears to a full workweek. (8)

Work Schedules and Tours of Duty (H)

To be considered a part-time employee for purposes of this program, an employee must have a regular schedule, set in advance, of at least 1 hour in each administrative workweek in each biweekly pay period, except as provided for employees on flexible or compressed work schedules. (1)

Tours of duty for employees on a flexible or a compressed work schedule may be set from 32 to 64 hours per pay period. (2)

A tour of duty must be documented on a Standard Form (SF) 50, "Notification of Personnel Action" (which may be accessed through the online forms filler software). (3)

New tours or temporary changes in tours of duty may be established to meet agency or employee needs but must be made in advance of the administrative workweek in which the change is to occur and must be approved by the designated authorizing official. (4)

An increase above 32 hours per week is not permitted for more than two consecutive pay periods in keeping with congressional intent to limit regular part-time work schedules to no more than 32 hours per week. (5)

It is contrary to merit principles to appoint an individual to work part-time with the intent to convert the employee to full-time status

Work Schedules and Tours of Duty (H) (continued)

after a brief interval. This view does not preclude NRC from changing the work schedule because of unexpected increases in workload. If such a change presents a hardship to the individual, NRC will determine if the work can be accomplished in other ways within available resources. Any not-to-exceed date for temporary changes must be documented on the SF 50. (6)

No prohibition exists against an individual's holding two part-time positions either in the same or different agencies. The aggregate hours normally should not exceed 40 hours per week. (7)

Performance, Discipline, and Grievances (I)

Regarding performance issues, part-time career employees are covered by Management Directive (MD) 10.67, "Non-SES Performance Appraisal System." (1)

Regarding discipline and grievances, part-time career employees are covered by MD 10.100, "Appeals From Adverse Actions," and either MD 10.101, "Employee Grievances," or negotiated grievance procedures, as appropriate. (2)

Compensation (J)

Base Pay (1)

Gross base pay is computed by multiplying the employee's hourly rate of pay by the total hours worked and the hours of paid leave used during the pay period.

Within-Grade Increases (2)

The waiting period for within-grade increases is unaffected by a part-time schedule since the period is computed on a calendar basis.

Compensation (J) (continued)

Overtime and Premium Pay (3)

Hours of work must be in excess of 40 hours during an administrative workweek or more than 8 hours in a day to be considered overtime. (a)

Overtime begins after an employee has completed 40 hours of work in a week, excluding holidays and paid leave. Part-time career employees will be determined to be exempt or nonexempt from the Fair Labor Standards Act (FLSA) on the same basis as full-time employees. (b)

Part-time employees are not entitled to Sunday premium pay. (c)

Part-time employees are entitled to night pay for work performed between 6:00 p.m. and 6:00 a.m. as part of their regularly scheduled administrative workweek. (d)

Additional detailed guidance on pay is provided in MD 10.42, "Hours of Work and Premium Pay." (e)

Compensatory Time Off (4)

A part-time employee may elect to take compensatory time off in lieu of overtime pay authorized under "Overtime rates; computation." (a)

Compensatory time off in lieu of overtime pay is not authorized under FLSA. (b)

A part-time employee may elect to perform compensatory overtime work to replace time taken off for religious observances. (c)

Compensation (J) (continued)

Leave (5)

Annual leave is earned on a pro rata basis at the rate determined by years in service. Maximum carryover at the end of a leave year is unaffected by a part-time schedule. (a)

Sick leave is earned at the rate of 1 hour for every 20 hours in a pay status. (b)

No leave is earned for time in excess of 80 hours in a pay period. (c)

Additional detailed guidance is contained in MD 10.62, "Leave Administration." (d)

Holidays (6)

Holiday pay is received only for those hours an employee is regularly scheduled to work that fall on a holiday, as documented on the employee's SF 50.

Life Insurance and Retirement (7)

Deductions for life insurance and retirement are based on annual salary. The agency contribution is the same as for full-time employees. (a)

A part-time schedule does not affect retirement eligibility as service is computed on a calendar basis. (b)

Health Benefits (8)

For part-time career employees with schedules of 16 to 32 hours per week, the agency contribution toward the cost of enrollment under the Federal Employee Health Benefits Plan (FEHBP) is

Compensation (J) (continued)

Health Benefits (8) (continued)

prorated, based on comparing the number of hours per pay period in the part-time schedule with a full-time schedule. (a)

For part-time career employees who work fewer than 16 hours per week, or 32 hours per pay period under a compressed work schedule, the agency contribution toward the cost of enrollment in FEHBP is computed the same as for full-time employees. (b)

Severance Pay (9)

An employee who is involuntarily separated from one of two part-time positions is not entitled to severance pay.

Job Sharing (K)

Job sharing is a form of part-time employment in which the tours of duty of two (or more) employees are arranged to cover a single full-time position. (1)

Job sharers each have separate position descriptions, which may or may not be identical. Evaluation of the grade of each position also may differ. (2)

A job-sharing team may apply for a full-time position under NRC competitive procedures, but the qualifications of each job sharer must be evaluated individually. If both job sharers are among the best qualified, they should be referred to the selecting official as a team. (3)

In situations in which the selecting official determines that job sharing would not be workable, the selecting official is free to select a single individual from the best-qualified (A) list. (4)

Job Sharing (K) (continued)

Supervisors and managers are encouraged to inform the HR coordinator or the staffing specialist when positions may be filled by job sharers so that this information can be added to the vacancy announcement. (5)

Part VIII

Honor Law Graduate Program

Description (A)

The NRC Honor Law Graduate Program provides an excellent employment opportunity for outstanding law school graduates interested in the nuclear industry. Attorneys in the NRC Office of the General Counsel deal with legal issues surrounding the safety and security of nuclear energy as well as all aspects of the regulatory process. They represent the NRC in public hearings throughout the United States and review proposed and enacted legislation for its impact upon NRC programs. In addition, these attorneys draft and interpret internal regulations and advise the NRC staff concerning all areas of the law including labor, contracts, personnel, patents, security and international agreement matters. They also advise and represent the NRC staff in enforcement actions.

Eligibility (B)

Only U.S. citizens can be admitted to the program. Generally, students who are in the upper 30 percent of their law school class are eligible for consideration. This criterion may be waived for applicants with unusual compensating qualifications, for example, other academic degrees or pertinent work experience. In addition, to be considered for the program, an applicant must either be a third-year law student who will graduate from law school no later than June of the year of application, or a judicial law clerk who can report for duty no later than the end of September of the year of application. Admission to the Bar is not a prerequisite for the program but is expected during the first year of NRC employment. Selectees who are not admitted to the bar within the first year of their employment will not be retained by the NRC.

Special Consideration (C)

In selecting candidates, academic achievement, writing, and research skills and developmental experiences are evaluated. Specific consideration is given to the law school academic record and activities in law school, including law review, moot court, and legal aid. In addition, credit is given for law clerk employment, the results of personal interviews by NRC attorneys, the review of writing samples, the results of reference checks, and any other considerations that may indicate the individual's potential to develop into an outstanding attorney. Technical or scientific training or experience is not a requirement for admission to the program.

Hiring Process (D)

Honor law graduates are selected on the basis of merit. There is no specific examination requirement. NRC is an excepted agency and candidates must apply directly to the agency to be considered for this program. The cutoff date for the receipt of applications is October 15 of the year of application. Outstanding candidates will be interviewed at NRC Headquarters in Rockville, Maryland, during October and November. Typically, travel expenses are paid for interviewees through "invitational travel" orders that will be prepared for the candidate when the interview is scheduled. Final selections are usually completed by December 1. Successful candidates will be notified of their selection by December 15.

Compensation (E)

Candidates typically enter the program at the GG-11, step 7, level, although attorneys who have served as judicial law clerks may enter at a higher grade. After 1 year of satisfactory performance and admission to the Bar, the appointee will be eligible for promotion to GG-12, step 3. Since the full performance level of these positions is GG-13, program participants must compete with

Compensation (E) (continued)

other employees for promotion consideration beyond the GG-13 level.

Benefits (F)

Employees hired under the Honor Law Graduate Program will be eligible for the following benefits: (1)

- Life Insurance and Retirement (a)
 - Federal Employees Group Life Insurance (FEGLI) (i)
 - Federal Employees Retirement System (FERS) (ii)
- Federal Employees Health Benefit Program (FEHB) (b)

In addition, all full- and part-time Federal employees earn sick leave and annual leave, and employees working under part-time schedules receive prorated benefits. (2)

For further information on the Honor Law Graduate Program, see NUREG/BR-0018 (Rev. 9). (3)

Exhibit 1

NRC Student Career Experience Program Agreement

between

U.S. Nuclear Regulatory Commission
Office of Human Resources
Washington, DC 20555-0001

and

Purpose

This agreement establishes a basis of mutual understanding between the U.S. Nuclear Regulatory Commission and the college or university named above for the conduct of the NRC Student Career Experience Program under Title 5 of the *U.S. Code of Federal Regulations* and applicable U.S. Office of Personnel Management guidance.

Objectives

This program is designed to prepare students for professional careers in science, engineering, and other related disciplines by integrating alternating periods of academic study and work experience.

Agency Responsibilities

1. Provide the school with a position description for each anticipated vacancy.
2. Consider and rate all students referred by the school and notify the school of the result.
3. Designate an agency Student Career Experience Coordinator who will serve as the principal contact with the school for the program and who will—

Exhibit 1 (continued)

Agency Responsibilities (continued)

- Assign student work related to the student's field of study.
- Implement the provisions of this agreement.
- Process personnel actions relating to employment and maintain an official personnel folder.
- Notify the school of all personnel actions that affect the student's status or tenure.
- Approve the conversion of students to permanent status upon graduation and satisfactory completion of the Student Career Experience Program, when agency program needs and budget allocations permit.
- Assist the student with any problems related to transportation and housing. Such assistance will be advisory and imposes no requirement on the agency to guarantee or arrange transportation or housing.
- Separate students on or before their not to exceed (NTE) date and document the reasons for the action.

Institution's Responsibilities

1. Maintain a Student Career Experience Program in one or more designated curriculum areas that will—
 - Require a close relationship between a student's work experience and his or her academic studies.
 - Provide administrative and appropriate faculty support for the program.
 - Provide a Student Career Experience Coordinator and academic advisory staffs who provide for the careful selection of students to be considered for specific

Exhibit 1 (continued)

Institution's Responsibilities (continued)

- employment opportunities within NRC, as well as provide for the monitoring and counseling of participating students.
- Provide to NRC, for the term of the agreement, a cooperative education calendar that schedules no fewer than 2 work periods of at least 3 months each.
2. Designate a Student Career Experience Program representative to serve as a contact with NRC.
 3. Designate for each Student Career Experience participant an academic major advisor who will assist the student in developing academic programs related to work assignments.
 4. Advise potential candidates of the Student Career Experience Program and its intent and refer those candidates who are interested and qualified to NRC.
 5. Refer all interested and qualified students to NRC without discrimination for any nonmerit reason such as the following:
 - Race
 - Color
 - Religion
 - Sex
 - National origin
 - Political affiliation
 - Marital status
 - Physical or mental disability
 - Age
 - Membership in an employee organization
 - Sexual orientation

Application materials will include an application form, a copy of the student's official transcript, and, where appropriate and not in conflict with the institution's policy, a

Exhibit 1 (continued)

Institution's Responsibilities (continued)

letter of recommendation from the current academic advisor assessing the student's potential for the type of work for which he or she is to be considered and the planned course work preparatory to graduation.

6. Provide periodic status reports to NRC on each of the Student Career Experience participants. The report should contain, as a minimum, a copy of completed course work, including grades. The report should be forwarded to NRC as soon as grades are released.
7. Notify NRC in writing of those students in the Student Career Experience Program who fail to maintain the grade point average for course work required by the school.
8. Immediately inform NRC when a student participating in the program is dropped, or is in danger of being dropped, as a result of action by either the student or the school.
9. Advise NRC of any action affecting the student that reflects adversely on the student's academic, administrative, or personal qualification for continued employment with the agency.

Student Eligibility Requirements and Responsibilities

The student must—

1. Be enrolled in an accredited institution on a full-time basis (or on a part-time basis if approved by NRC on a case-by-case basis) in a study program leading to a Bachelor's or a Master's degree in a field of study directly related to the Student Career Experience position to be filled.
2. Be enrolled in the college's Student Career Experience (Cooperative Education) Program and be recommended for placement with NRC by a representative of that program.

Exhibit 1 (continued)

Student Eligibility Requirements and Responsibilities (continued)

3. Maintain at least the minimum overall scholastic average required by the institution to remain in the institution's program, as well as meet the NRC work performance standards of the NRC program office or the NRC region in which the student is employed.
4. Maintain a student record that in all respects predicts completion of degree requirements.
5. Be employed with NRC in accordance with a planned schedule and a working agreement between NRC and the institution and performing work related to the student's academic study.
6. Be a U.S. citizen.
7. Be eligible for NRC employment, access authorization, and employment clearance.
8. Pay for all travel, transportation, lodging, and education costs associated with this agreement, except as noted in Part II of this Handbook, and when the Student Career Experience student is away from his or her duty station on official business.

Appointment

1. The final selection process is the responsibility of the NRC.
2. Students are appointed under the authority provided for in NRC Management Directive 10.1, "Appointments, General Employment, Details, and Position Changes," Parts IV and VI.
3. Appointments are for the full period, extending from initial appointment to a date not to exceed 120 days following completion of requirements for the degree.
4. All initial appointments to positions will be made at the GG-3 through GG-7 level, depending upon the qualifications of the student and the appropriate NRC pay schedule.

Exhibit 1 (continued)

Work Schedules

1. Work periods may include summers but must not be confined to summers.
2. Work-study assignments will generally be completed on a full-time basis.

Compensation and Benefits

1. Students will be paid a salary in accordance with the salary schedule for their grade and will receive holiday and overtime pay in accordance with Federal law.
2. When not in a pay status, students will be placed on leave without pay.
3. Students earn annual and sick leave in accordance with Federal regulations.
4. Students' eligibility to participate in Federal life insurance, health benefit, and retirement programs is determined by their length of employment. Specific entitlements will be explained at the time of employment.

Performance Appraisal

Students will be evaluated in accordance with NRC Management Directive 10.67, "Non-SES Performance Appraisal System." In addition, at the end of each period of employment, the supervisor of the student will submit a performance evaluation if required to do so by the school.

Retention

An appointment may be terminated when a student fails to meet all of the student eligibility requirements and responsibilities. In addition, students may be terminated for personal cause (e.g., misconduct) or when funding is not available for the position.

Exhibit 1 (continued)

Action Upon Completion of Education

Noncompetitive Conversion

A Student Career Experience participant is eligible for noncompetitive conversion to an NRC Regular (Excepted) (Conditional) appointment (or NRC Regular (Excepted) appointment when service requirements are met) in a position for which he or she meets the qualification requirements in the field of work in which the individual has completed his or her study if all of the following conditions are met:

1. The student has successfully completed all the requirements for the degree toward which he or she has been working, including any specialized courses required for the position for which the individual has been in training.
2. The student has completed at least two work periods of at least 3 months each of Student Career Experience work with NRC.
3. The student meets citizenship and security clearance requirements on the date of conversion.
4. NRC recommends the student for conversion.

The fulfillment of these requirements permits, but does not obligate, NRC to convert the student to regular employment. Conversion may be contingent on such matters as the availability of a bona fide position of the appropriate grade and occupational series, hiring ceilings and availability of funds, and past performance of the student.

Conditions of Agreement

The conditions of this agreement are subject to immediate change if NRC policy is revised. Changes that are not required by new laws or regulations will be made only with the mutual consent of NRC and the educational institution, and thereby made a part of the agreement. Each party reserves the right to cancel this agreement upon

Exhibit 1 (continued)

Conditions of Agreement (continued)

written notification of the other party. When feasible, a 30-day notice of proposed termination action will be given.

School Representative

Agency Representative

Name: _____

Name: _____

Position: _____

Position: _____

Telephone: _____

Telephone: _____

Representative's Signature

Representative's Signature

Exhibit 2

Agreement To Continue in Service

Tuition Assistance to Student Career Experience Program Participants

1. This continued service agreement is required for all academic training in which the U.S. Nuclear Regulatory Commission provides funds for courses in areas of study that are job-related and meet the program objectives of NRC. For the purposes of this agreement, the terms "education," "academic training," and "training" are used synonymously.
2. This agreement obligates the employee to remain with NRC for the period of training plus a post-training period equal to 1 month for each semester hour of education sponsored by the NRC (or 14 working days for each quarter hour).
3. The obligated period of post-training service begins on the first workday after the training is completed and the student graduates at the baccalaureate level. It includes all workdays thereafter in which the employee is in pay status, except credit for this purpose is limited to 40 hours per calendar week, or 80 hours in a 2-week period if the employee is on a compressed work schedule. Time spent in a nonpay status does not count toward completion of the continued service agreement. The service obligation date for academic training covered in this agreement will be calculated at the end of each semester, and each calculation will become a part of this agreement.
4. Time spent in subsequent training programs may be applied toward satisfying previous inservice obligations. Continued service obligations from separate periods of training, however, cannot be satisfied concurrently. Therefore, periods of obligation for additional courses cannot begin until previous obligations are satisfied.
5. When an employee voluntarily leaves the program or the Federal service during a period of obligated post-training service, he or she immediately becomes liable to the Government for repayment of that portion of the tuition and fees not satisfied by the period of post-training service. For example, if an employee has incurred a

Exhibit 2 (continued)

9-month service period and leaves after completing only 1 month, he or she will be responsible for eight-ninths of the tuition payments and fees.

6. Collection will be made by withholding the actual amount of additional expenses from any monies due the employee from NRC or by any other procedures consistent with collection methods provided by statute or regulations (e.g., "Debt Collection Procedures," 10 CFR Part 51).
7. The agreement will be cancelled and the right of recovery waived under the following conditions:
 - The employee is separated involuntarily for reasons beyond his or her control and not because of misconduct or personal delinquency during the training or post-training obligated service period.
 - NRC, at its discretion, elects not to noncompetitively convert the employee who satisfies the eligibility requirements to a NRC Regular Excepted or NRC Regular Excepted (Conditional) appointment within 120 days after graduation at the baccalaureate level. If the employee resigns in lieu of involuntary separation, the resignation may be considered as involuntary for purposes of waiving recovery.
8. Orders to report to military service (other than active duty for training) will be sufficient reason for waiving the training agreement.
9. Separation from NRC for the purpose of accepting employment with an international organization of which the United States is a member will be considered grounds for waiving the right to recover if that employment is deemed to be in the interest of NRC and the public.
10. When NRC receives a request for transfer from an employee subject to a continued service agreement, it will notify the gaining agency that the employee is still subject to a continued service agreement. The gaining agency must then ensure that the agreement is fulfilled. If NRC finds that the employee would not use the training in the new position, NRC must notify the employee before the effective date of the transfer of its intention to recover the additional expense. NRC will provide the employee the opportunity to respond to the agency findings that the

Exhibit 2 (continued)

employee would not use the training in the new position before it proceeds to recover the appropriate amount of training expenses. The percentage of the additional expenses recovered will not exceed the proportion of the agreement not completed.

11. The employee agrees to obtain prior approval from the designated NRC Office of Human Resources staff member and that person responsible for authorizing non-Government training requests for any proposed change in the training program that involves course and schedule changes, withdrawals or incompleteness, and increased costs.
12. Employees who drop out or fail a course must either repay NRC for the costs incurred or repeat the course at personal expense. The employee must submit proof of course completion to the Office of Human Resources before payments for any additional courses are authorized.
13. Signing of this agreement certifies that the employee has read this agreement and agrees to all of the obligations it entails.

Employee

Date

Office of Human Resources
Representative

Date

Witness (Division Director or higher
level authority)

Date

cc: Student Career Experience Employee
Assistant General Counsel for Administration
Director, Sponsoring Office, or
Regional Administrator

Exhibit 3

Graduate Fellowship Program

Agreement To Continue in Service

1. This continued service agreement is required for all academic training in which the U.S. Nuclear Regulatory Commission provides funds in areas of study that are job-related and meet the Graduate Fellowship Program objectives of NRC. For the purpose of this agreement, education, academic training, and training are synonymous.
2. This agreement obligates the Fellow to remain with NRC for the period of training plus a post-training period equal to 2 calendar years for each academic year of education sponsored by NRC.
3. This obligated period of post-training service begins on the first workday after the training is completed and the Fellow graduates at either the Master's or Doctoral Degree level. Time spent in a nonpay status is not countable toward completion of the continued service agreement.
4. Time spent in subsequent training programs may be applied toward satisfying previous inservice obligations. Continued service obligations from separate periods of training, however, cannot be satisfied concurrently. Therefore, periods of obligation for additional courses cannot begin until previous obligations are satisfied.
5. When a Fellow voluntarily leaves the program or NRC during the period of obligated post-training service, he or she immediately becomes liable to the Government for repayment of that portion of academic support not satisfied by the period of post-training service. For example, if a Fellow has incurred a 4-year service obligation and leaves after completing only 2 years, he or she will be responsible for one-half of the tuition payments, fees, stipends, textbook costs, etc.
6. Collection will be made by withholding the actual amount of additional expenses from any monies due the Fellow from NRC or by any other procedures consistent with collection methods provided by statute or regulations (e.g., 10 CFR Part 15, Debt Collection Procedures).
7. The agreement will be cancelled and right of recovery waived if the Fellow is separated involuntarily for reasons beyond his or her control and not because of

Exhibit 3 (continued)

misconduct or personal delinquency during the training or post-training obligated service period. If the Fellow resigns in lieu of involuntary separation, provided that the reason for the separation is not misconduct or personal delinquency, the resignation may be considered as involuntary for purposes of waiving recovery.

8. Orders to report to military service (other than active duty for training) will be sufficient reason for waiving the training agreement.
9. Separation from NRC for the purpose of accepting employment with an international organization of which the United States is a member will be considered grounds for waiving the right to recover if that employment is deemed to be in the best interest of NRC and the public.
10. The Fellow agrees to obtain prior approval from the NRC Office of Human Resources for any proposed changes in the training program which involve course or schedule changes, withdrawals or incompleteness, etc.
11. Fellows who drop out or fail a course must either repay NRC for costs incurred or repeat the course at personal expense. Proof of course completion and grades must be submitted to the Office of Human Resources
12. Signature of this agreement certifies that the Fellow has read this agreement and agrees to all of the obligations it entails.

Graduate Fellowship Program Participant

Date

Graduate Fellowship Program Coordinator

Date

Office of Human Resources

Date

cc: Graduate Fellowship Program Participant
Official Personnel Folder
Graduate Fellowship Program Coordinator
Director, Sponsoring Office or Region