

**Questions about the Interim Direction for Rehire of Long Term Temporary
Employees in the Competitive Service**

1. *Is the 24 months of previous seasonal employment threshold identified in policy?*
The terminology is long term “temporary” not long term “seasonal”. The 24 month threshold is not identified in policy. It is provided in the Chief’s interim direction as it relates to total temporary employment time. The service computation date for leave is used to identify eligibility for rehire under this interim direction.
2. *Does all of this seasonal experience need to be with the Forest Service, or are we to credit seasonal experience with other State and Federal land management agencies? (If we don’t credit that experience what message does that send to those agencies? What is being done to inform our partners of this policy change?)*
The intent of this interim directive is to demonstrate a commitment to long term temporary employees of the Forest Service. Therefore, the expectation is that the 24 months of total temporary service be with the Forest Service. The 24 months is based on total creditable temporary service using the service computation date for leave. The interim directive applies to those who meet the 24 months criteria and those whose initial appointment was 4 or more years ago.
3. *Does this seasonal experience have to be “continuous” (i.e., consecutive seasons without a break)?*
The 24 months of service does not have to be continuous as it is not uncommon for a temporary employee to miss a season. Additionally, since these employees are typically on a 1039 work schedule, they do experience breaks in service between seasons. However, an employee’s rehire eligibility expires after 3 years from the date of the initial appointment. The employee’s service year date should be the date of the initial appointment. This date stays the same if the employee returns to the same position as the initial appointment.
4. *What form of documentation is required to demonstrate the 24 months of seasonal employment.* **The official personnel records are used to determine the service computation date for leave.**
5. *What types of appointments count toward the 24 month requirement (e.g., STEP, Term)?*
This interim directive is designed to show a commitment to long term temporary seasonal employees who meet the criteria outlined in 5 CFR 316.402(b)(7) and Forest Service Handbook 6109.12, Chapter 60. The interim direction will apply to

Forest Service temporaries with 24 months or more of service with Forest Service. It is not intended to apply to Federal service other than with the Forest Service. The other requirement is that the employee also be eligible for rehire based on an initial appointment in the Forest Service that was effective 4 or more years ago.

6. *Does AD time count toward the 24 month requirement?*

No. Only service that is creditable for service computation date for leave purposes is creditable towards the 24 month requirement although again, the intent of this interim direction is to demonstrate a commitment to Forest Service long term temporary employees. Administratively Determined (AD) employees are hired under a contract and that service is not creditable for Service Computation Date for leave purposes.

7. *Can returning seasonal employees with less than 24 months of seasonal experience that would contribute to work force diversity be hired non-competitively?*

As noted above this interim directive makes it mandatory to rehire those temporaries who meet the criteria set forth in the attachment to Chief Tidwell's letter, provided a sufficient number of positions are available. The rehire policy for other than long term temporaries remains at the discretion of the Regions Stations and Area, with firm expectations for robust outreach, recruitment and maximizing opportunities to hire a diverse workforce.

8. *Can returning seasonal employees with Veteran's preference but less than 24 months of seasonal experience be hired non-competitively?*

See response to question 7 above. The rehire policy for other than long term temporaries with or without veteran's preference, remains at the discretion of the Regions Stations and Area, with firm expectations for robust outreach, recruitment and maximizing opportunities to hire a diverse workforce.

9. *More broadly, how does Veterans preference fit into the seasonal hiring process?*

Veteran's Preference is applied during the initial competitive processes upon which rehire eligibility based.

10. *If we have a long-term seasonal that we could rehire in a position, must we give preference to the long-term seasonal or can we compete the position?*

Long term temporary seasonal employees (LTTSE) must be noncompetitively rehired before considering other candidates who don't meet the criteria outlined in the interim directive.

11. *May we establish an exception process, to non-competitively hire returning seasonal employees with less than 24 months of seasonal experience that:*
- a. *We have made substantial investment in their training (e.g., equipment operators, fire fighters, herbicide applicators, contract administrators, Forest Protection Officers)?*
 - b. *There are significant demonstrated safety implications?*

An exception is not needed because we have the discretion of noncompetitively rehiring former temporary candidates provided candidates identified as long term temporary seasonal employees in the Interim directive for the same position have been rehired and there is a sufficient number of vacant position left to fill. Management has the discretion to fill noncompetitively or through a vacancy announcement in which veterans preference must apply.

12. *Can returning seasonal employees with at least 24 months of seasonal experience be placed non-competitively into any position for which they qualify, or only the type of position they most recently held?*

Long term temporary seasonal employees (LTTSE) must meet rehire criteria in 5 CFR 316.402(b)(7), including that they are reappointed to the same or similar position.

13. *Does the collective hiring process for seasonal employees apply to STEP appointments? The long term temporary seasonal employment hiring process does not apply to STEP appointments.*

14. *Does the collective hiring process for seasonal employees apply to YCC appointments? The long term temporary seasonal employment hiring process does not apply to YCC appointments.*

15. *How do MWSI recruitment/hiring efforts fit into the process?*

MWSI recruitment/hiring efforts do not fit into the long term temporary seasonal hiring process.

16. *Is the current rehire policy staying the same? If not, what is rehire status considered under this policy?*

The rehire policy for other than long term temporaries remains at the discretion of the Regions Stations and Area, with firm expectations for robust outreach, recruitment and maximizing opportunities to hire a diverse workforce.

17. *Will rehires have 3-year rehire rights without competition? Are there changes to this and if so what are the specific changes?*

This interim direction does not affect or change an employee's rehire eligibility.

18. *If there is a change in rehire eligibility is there an expectation that units will revise their recruitment plans for temporary hiring in FY 2012?*

Rehire eligibility is covered by government-wide regulations in CFR 316.402(b)(7) and FSH 6109.12, Chapter 60. The interim directive did not change the governing regulations. The Chief simply issued direction on how the agency will exercise this authority. It is unlikely that it will necessitate a revision of Regional recruitment plans.

19. *Why are we not simply looking to hire the most qualified person for our seasonal positions?*

We are looking to hire highly qualified people. Long term temporary seasonal employees (LTTSE) have been rehired several times which gives us a pretty good indication that they know the jobs and are highly qualified. The guidelines set out in the interim direction preclude the rehire of any temporary employee whose performance is recorded as not fully successful.

20. *How are we to determine the diversity of our applicant pools and our selections?*

We have several tools. Some applicants self disclose. We have a talented and committed outreach and recruitment team to provide assistance. There are resource centers such as veterans outreach networks, community leaders, tribal liaisons, and Civil Rights POCs who can provide assistance.