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United States Department of Agriculture  
Marketing and Regulatory Programs  
Agricultural Marketing Service  
Animal and Plant Health Inspection Service

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**Agency Directive**

**APHIS 6740.1**

**02/17/2022**

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**Foreign Service Limited Non Career Appointments**

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**1. PURPOSE**

This Directive states the Animal and Plant Health Inspection Service (APHIS), International Services (IS), Foreign Service (FS) policies and procedures for limited non-career appointments and their conversion to career-candidate status. This Directive provides APHIS-IS FS with the flexibility it needs to manage its human resources and to provide a clearly defined mechanism to convert outstanding limited non-career appointment employees to career-candidates in the APHIS-IS FS.

**2. SPECIAL INSTRUCTIONS AND REPLACEMENT HIGHLIGHTS**

- a. This Directive is effective on the publication date.
- b. This Directive supersedes 6740.1 Foreign Service Limited Non-Career Appointments, dated 05/27/2004.
- c. This Directive has been revised.
  - (1) The revisions included in this Directive are as follows:

(a) Section 5d: Added... with the exception of agency emergency response needs. In the case of an emergency response, a temporary promotion may be authorized to meet the needs of the mission.

(2) These revisions are effective as of 02/17/2022.

d. This Directive is in force until cancelled or superseded.

### **3. AUTHORITIES AND REFERENCES**

This Directive must be applied in conjunction with:

- a. Foreign Service Act of 1980 Section 309  
<https://www.usaid.gov/sites/default/files/documents/1868/fsa.pdf>
- b. 22 USC Ch. 52: Section 3949 Foreign Service  
<https://www.law.cornell.edu/uscode/text/22/3949>

### **4. SCOPE**

This Directive applies to all limited non-career appointment employees.

### **5. POLICY**

- a) FS limited non-career appointments may be made for a period not to exceed five (5) years in duration, under the following conditions:
  - (1) If a suitable APHIS-IS FS Officer is not available,
  - (2) If a suitable roster of candidates is not available,
  - (3) If no acceptable candidate is on the appropriate roster,
  - (4) If the assignment is for a specific program or project of limited duration,or
  - (5) If the employee is over 59 years of age.

- b) Individuals considered for limited non-career appointments must meet the basic qualification requirements for the occupational series. They also are subject to the same screening and medical and security clearances as career-candidates, but do not have to go through the entire FS examination and selection procedures.
- c) Individuals for limited non-career appointments may be selected from APHIS-IS FS rosters, provided they are in agreement with the provisions of the limited non-career appointment.
- d) Civil Service (CS) employees receiving FS non-career limited appointments will be placed in a class that equates to their current General Schedule (GS) grade and salary with the exception of agency emergency response needs. In the case of an emergency response, a temporary promotion may be authorized to meet the needs of the mission. Non-status employees may be appointed to any class for which they qualify, not to exceed the established class of the position.
- e) Individuals on limited non-career appointments can only serve abroad and normally serve for the duration of the specific assignment for which they were appointed.
- f) Limited non-career appointments can be terminated at any time. In addition, individuals on this type of appointment cannot be promoted or transferred to another position during the appointment.
- g) Employees serving on limited non-career appointments may be considered for career candidate status. Limited non-career employees in the FP-6 thru FP-3 class (GS-9 through GS-13) are converted as lateral entry appointments at their current rank. Limited non-career employees at the FP-2 (GS-14) or higher are converted at the FP-3 level (GS-13).

## **5. PROCESS**

- a) Employees serving on limited non-career appointments who were not selected from an APHIS-IS FS roster may be considered for career-candidate status provided:

- (1) They meet all the requirements of APHIS Directive 6731.1, Foreign Service Examination and Selection, dated 4/15/04.
  - (2) There are FS positions available.
- b) Employees serving on limited non-career appointments who were selected from an APHIS-IS FS roster may be considered for career-candidate status provided they:
- (3) Have worked successfully overseas for at least two performance cycles.
  - (4) Have requested conversion to FS career-candidate status, in writing, through their supervisor.
  - (5) Have been recommended for conversion by their supervisor and reviewing official in the Annual Performance Appraisal; and
  - (6) Be less than 60 years of years of age at the time the conversion will take effect.
- c) Limited non-career employees who are converted to career-candidates under this system immediately will become eligible for promotion consideration by the next APHIS-IS FS Intermediate Selection Boards.
- d) Those that are approved for conversion to APHIS FS career candidate status may credit up to 2 years of their time in limited non-career appointment toward the 3-year minimum required for career candidates to be considered for tenure in the FS.
- e) Those limited non-career appointees who are terminated before or not converted to career-candidate status within 5 years will return to a CS status. APHIS policy provides that those who were working for APHIS at the time of their FS appointment will be assigned to a position in APHIS at their current grade level. Employees from other agencies are responsible for securing reemployment rights for themselves (if this is important to them) from their home agency before accepting a limited non-career appointment.

## 6. GRIEVANCES

The following are not grievable unless alleged procedural violations of law, regulations, collective bargaining agreements, or prohibited personnel practices arising under those procedures exist:

- a) Expiration of a limited appointment.
- b) Termination of a limited appointment under Section 612 of the Foreign Service Act.
- c) Denial of a limited career extension or renewal of a limited career extension under Section 607(b) of the act.

## **7. ROLES AND RESPONSIBILITIES**

- a. Administrative Services Division will be responsible for implementation and adherence to the policy and procedures outlined in this directive.

## **8. RECORDS MANAGEMENT**

- a. MRP Information Technology, Information Management Branch (MRP-IT, IMB) is the official recordkeeper of this Directive which is to be preserved permanently, per Paperwork and Data Management (PDM) 4-1.
- b. International Services Records Management Liaison is Jennifer Painter who can be contacted on [Jennifer.painter@usda.gov](mailto:Jennifer.painter@usda.gov) or APHIS Records Manager is Sheniqua Harris, [Sheniqua.m.harris@usda.gov](mailto:Sheniqua.m.harris@usda.gov)

## **9. INQUIRIES AND ADDITIONAL INFORMATION**

- a. General inquiries concerning this Directive may be directed to the Administrative Services Division, Policy and Workforce Planning Branch at 301-851-3805 or via email to [APHIS-IS-WorkforcePlanning@usda.gov](mailto:APHIS-IS-WorkforcePlanning@usda.gov)

- b. Records management inquiries should be directed to the Program Records Management Liaison for [AMS](#) or [APHIS](#).
- c. Persons with disabilities who require alternative means for communication of this policy (Braille, large print, audiotape, etc.), should contact the United States Department of Agriculture's TARGET Center at (202) 720-2600 (voice and TDD) for assistance.
- d. This Directive can be accessed online via the [AMS/APHIS](#) Issuance Web page(s).

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