

Schedule Policy/Career: What it Means for You as a Human Resources Manager

Quick Reference Guide

Schedule Policy/Career (Schedule P/C) is a career, non-political schedule in the excepted service for certain confidential or policy-influencing positions that are not in the Senior Executive Service (SES).

The chart below highlights where Schedule P/C and other career excepted service positions follow the same practices and where key rules differ.

| Topic | Schedule Policy/Career | Other Career Excepted Service |
|---|---|---|
| Hiring procedures | Positions moved to Schedule P/C continue to be filled through either competitive service procedures or the procedures that applied to their prior excepted service schedule, if applicable. | Positions are filled using agency procedures focused on specific skills and agency needs. Some positions must meet eligibility requirements set by OPM. |
| Trial period | Not subject to a trial period | Varies by schedule and appointing authority. |
| Competitive status | If an employee with competitive status is moved to Schedule P/C, the employee retains that status. Employees otherwise obtain competitive status after two years, if hired using competitive merit hiring procedures. | No potential to earn competitive status. If an employee had competitive status prior to entering the excepted service, the employee retains that status. |
| Performance-based actions (5 CFR part 432) | Schedule P/C employees are excluded from coverage. | Employees who have completed one year of continuous service are covered. |
| Adverse actions (5 CFR part 752) | Schedule P/C employees are excluded from coverage. | Adverse action procedures apply to employees who complete two years of current continuous service in the same or similar positions under other than a temporary appointment limited to two years or less. See Note 1. |
| Whistleblower protections | Agency policies protect Schedule P/C employees from whistleblower retaliation under E.O. 13957. | Generally, employees are covered upon appointment under 5 U.S.C. 2302(b), with two exceptions. See Note 2. |
| Nature of employment | At-will. No right to appeal to Merit Systems Protection Board (MSPB). | At-will, with MSPB appeal rights as described above. |

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|------------------------------------|---|--|
| Bargaining-unit status | May be eligible depending upon determination by the FLRA on application of statutory criteria. | May be eligible depending upon determination by the FLRA on application of statutory criteria. |
| Pension/retirement benefits | Eligible for the same retirement benefits as other federal employees. | Same. |
| Veterans' preference | Agencies should follow the principle of veterans' preference as far as administratively feasible. Applicants for Schedule P/C positions may still seek corrective action for failures to provide veterans' preference. | Varies by schedule and appointing authority. |
| Incentives | Generally, Schedule P/C employees are not eligible for student loan repayment or recruitment, relocation, and retention (3R) incentives. However, employees reassigned into Schedule P/C may continue to receive student loan repayment and 3R's under existing service agreements. Employees may receive retention incentives without a service agreement under certain circumstances. | Employees may receive student loan repayment and 3R incentives under new and existing service agreements. Employees may receive retention incentives without a service agreement under certain circumstances. |
| Compensation flexibilities | Available flexibilities include superior qualifications and special needs pay setting: General Schedule (GS) maximum payable rate rule, critical position pay, and authority to approve creditable service for annual leave accrual for qualifying non-federal service and uniformed service. | Available flexibilities include superior qualifications and special needs pay setting: GS maximum payable rate rule, critical position pay, and authority to approve creditable service for annual leave accrual for qualifying non-federal service and uniformed service. |

Notes

- Note 1: There are exceptions to the general rule in 5 CFR part 752. For example, preference eligible employees may be covered after one year of continuous service. See 5 CFR 752.401(c)(3).
- Note 2: For statutory whistleblower protections under 5 U.S.C. 2302(b), two exceptions include positions that are (1) excepted from the competitive service because of their confidential or policy-influencing character, and (2) excluded by the President based on a determination that exclusion is necessary and warranted by conditions of good administration. See 5 U.S.C. 2302(a)(2)(B).