

MEMORANDUM

April 5, 1996

To: Tracy Shycoff

From: Laura Denk

Subject: Severance Pay Regulations at 5 CFR § 550.700 *et seq.*

I reviewed the regulations on severance pay and it sa

- I. Introduction: §550.701
 - A. employees who are involuntarily separated from Federal service
 - B. and who meet other conditions of eligibility

- II. Coverage: § 550.702
 - A. applies to each full- or part-time employee
 1. regularly scheduled tour of duty
 2. who is serving under a qualifying appointment (defined in § 550.703)

- III. Definitions
 - A. employee
 1. defined in 5 U.S.C. 5595(a)(2)
 - B. involuntary separation
 1. initiated by an agency
 2. against employee's will and without his consent
 3. for reasons other than inefficiency
 - a. *including* a separation resulting from the expiration of a time-limited appointment effected within 3 calendar days after separation from a qualifying appointment
 - C. nonqualifying appointment
 1. appointment w/an intermittent work schedule
 2. Presidential appointments
 3. emergency appointments
 4. an excepted appointment under schedule C; noncareer appointment in the SES; or equivalent appointment made for similar purposes
 5. **time-limited appointment that is NOT made effective within 3 calendar**

days after separation from a qualifying appointment, including

- a. **term appointment**
- b. temporary appointment pending establishment of a register
- c. an overseas limited appointment with a time limitation.
- d. limited term or limited emergency appointment in the SES or an equivalent appointment made for similar purposes
- e. a limited executive assignment under part 305 of this chapter or an equivalent appointment made for similar purposes

D. qualifying appointment

1. career appointment in the competitive service or the equivalent in the excepted service
2. career appt in the SES
3. excepted appointment w/o time limitation except under Schedule C or an equivalent appointment made for similar purposes
4. an overseas ltd appointment w/o time limitation
5. status quo appt, including one that becomes indefinite if promoted, demoted, or reassigned
6. time ltd appt in the foreign svc
7. **time ltd appt that takes effect w/in 3 calendar days after the end of one or more o/t qualifying appts listed above**

IV. Eligibility; § 550.704

- A. to be eligible, an employee must:
 1. **be serving under a qualifying appointment**