

## NIH POLICY MANUAL

**Interns and Fellows Appointed through Schedule A**  
**Issuing Office – OD/OM/OHR/CSD/SPB Phone: 301-496-0377**  
**Release Date: 9/30/08**

1. **Explanation of Material Transmitted:** This new chapter outlines the NIH policy for appointing interns and fellows through the use of Schedule A hiring authority under 5 CFR 213.3102(r).

2. **Filing Instructions:**

**Insert:** NIH Manual 2300-213-1, 9/30/08

**PLEASE NOTE: For information on:**

- Content of this chapter, contact the issuing office listed above.
- NIH Manual System, contact the Office of Management Assessment, OM, on 301-496-2832.
- Online information, enter this URL: <http://www1.od.nih.gov/oma/manualchapters>

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## **A. Purpose**

Schedule A authority under 5 CFR 213.3102 (r) is an excepted service hiring authority developed to help agencies fill positions established in support of fellowship and similar programs. Appointments under this authority include:

- internships or fellowships that provide developmental or professional experiences to individuals who have completed their formal education;
- training and associateship programs designed to increase the pool of qualified candidates in a particular occupational specialty;
- professional/industry exchange programs that provide for a cross-fertilization between the agency and the private sector to foster mutual understanding, to exchange ideas, or to bring experienced practitioners to the agency;
- residency programs through which participants gain experience in a Federal clinical environment; or
- programs that require a period of Government service in exchange for educational, financial, or other assistance.

One example of a fellowship program using the Schedule A authority is the American Association for the Advancement of Science (AAAS) Science and Technology Policy Fellows.

## **B. References**

- [5 CFR Part 302 – Employment in the Excepted Service](#)
- [5 CFR Part 213.3102 \(r\) – Excepted Service, Schedule A](#)
- [NIH/OHR SOP - Appointment Above-the-Minimum \(ATM\)](#)
- [NIH Performance Management Appraisal Program](#)
- [NIH Manual Chapter 1500 - Travel Policies and Procedures](#)
- [NIH Ethics Information](#)

## **C. Responsibilities**

**The Office of Human Resources (OHR) is Responsible for:**

- Ensuring that all applicable regulations and the provisions of this Plan are adhered to.
- Serving in an advisory capacity to the Institute or Center (IC) Program, assisting Program representatives with technical Human Resources (HR) functions.
- Classifying position descriptions for interns/fellows, offering positions, and processing appointments.

**Participating ICs (or the NIH Office of the Director, if applicable) are Responsible for:**

- Managing internship and fellowship programs in coordination with sponsoring offices, as applicable.
- Coordinating and participating in interviews for potential interns/fellows.
- Completing and forwarding a hiring package for each selected intern/fellow with requisite paperwork including a proposed or previously classified position description.
- Providing day-to-day oversight of hired interns/fellows, which includes maintaining timecards in the Integrated Time and Attendance System; processing and funding travel for training; reviewing and approving promotions (when applicable).
- Developing and implementing Performance Management Appraisal Program (PMAP) plans for interns/fellows.
- Providing full time equivalents (FTE) (as applicable) and the requisite funding for all intern/fellow positions within their organizations.

**D. Policy**

1. **Covered Positions:**  
Interns/fellows may be appointed to any series and grade level, provided that they meet the established qualification requirements.
2. **Eligibility:**  
Interns and fellows appointed under this authority must be U.S. citizens.
3. **Recruitment and Selection:**  
Public notice requirements do not apply. Positions are filled from limited applicant pools as determined between the hiring organization and the non-Federal organization.

- 4. Qualifications:**  
Because interns/fellows are appointed into the excepted service, NIH is not required to adhere to the Office of Personnel Management's competitive service qualification standards. Qualification requirements must be established by OHR and the coordinating program office prior to the start of the recruitment and selection process and must meet the provisions of 5 CFR 302.202-203. The qualifications of an intern/fellow must be fully documented in writing and retained in the individual's Official Personnel Folder (OPF) (see Section E Records Retention and Disposal).
- 5. Appointments:**  
5 CFR 213.3102 (r) provides for excepted service time-limited appointments not to exceed 4 years. Employees hired under this authority count against the appropriate FTE ceiling.
- 6. Appointment Conversions:**  
Service under a 5 CFR 213.3102 (r) appointment confers no rights to further Federal employment in either the competitive or excepted service upon expiration of appointment. Interns/fellows may not be non-competitively converted to another appointment within the Federal Government after their appointment ends.
- 7. Compensation:**  
Annual salary will be commensurate with the intern's/fellow's qualifications and experience. Typically, the individual will be hired at the first step of the grade for which he/she is selected unless his/her superior qualifications and salary history justify an "Above the Minimum" appointment. Initial pay setting and all subsequent pay adjustments must be fully documented in writing and made a permanent part of each intern's/fellow's OPF (see Section E Records Retention and Disposal).
- 8. Promotions:**  
Under certain internship/fellowship programs, participating individuals may receive promotions dependent on program requirements, the availability of work, and the intern's/fellow's ability to perform at the higher grade level. This does not confer entitlement to promotion. Time-in-grade restrictions do not apply for individuals appointed using this authority. There is no limit on promotion potential.
- 9. Within-Grade Increases:**  
Upon completion of the required waiting period, an intern/fellow whose initial appointment is for 13 months or more may be granted

a within-grade increase (WGI) dependent on acceptable performance. Interns/fellows whose initial appointment is for 12 months or less are not eligible to receive WGIs.

**10. Benefits:**

An intern/fellow appointed for more than 12 months is entitled to the same benefits as competitive civil service employees. An intern/fellow appointed for 12 months or less is not entitled to receive benefits.

**11. Performance Assessment:**

Interns/fellows appointed under this authority are covered by the NIH PMAP.

**12. Awards:**

As employees, interns and fellows are eligible for all awards that can be given to competitive service employees, including honorary and monetary awards. Managers should follow all applicable policies and requirements when giving awards. The approval of awards must be consistent with the NIH personnel delegations of authority.

**13. Training:**

As Federal Government employees, interns and fellows are eligible for the same training that is available to competitive civil service employees under the Government Employees Training Act.

**14. Travel:**

Interns/fellows are entitled to travel allowances or transportation and per diem while travelling on official business during the term of their appointments. Refer to the Federal travel regulations and NIH Manual Chapters under section 1500, "Travel Policies and Procedures" for further information.

**15. Disciplinary Actions:**

An appointment may be terminated before the expiration date for misconduct, lack of satisfactory performance, or for administrative reasons. Administrative reasons may include, but are not limited to, programmatic changes or budgetary constraints.

Actions based on performance or conduct must follow legal and regulatory requirements. In all cases, performance or conduct issues must be addressed with the OHR, Workforce Relations Division, Employee and Labor Relations Branch.

**16. Ethics:**

Interns/fellows appointed under this authority are responsible for complying with ethics statutes, the OGE Standards of Ethical Conduct and the HHS Supplemental Standards; avoiding conflicts of interest; and refraining from participation in any activities that conflict or appear to conflict with their official duties. For additional information regarding ethics at NIH, please contact your [IC Deputy Ethics Counselor](#).

**17. Reasonable Accommodation:**

An intern/fellow with a disability who requires accommodation following selection should submit a request for reasonable accommodation to the supervisor of record or the next level supervisor or manager in the employee's chain of command.

**E. RECORDS RETENTION AND DISPOSAL:**

**Records Retention and Disposal:** All records (e-mail and non-e-mail) pertaining to this chapter must be retained and disposed of under the authority of the NIH Manual Chapter 1743, "Keeping and Destroying Records," Appendix 1, NIH Records Control Schedule, Section 2300 Personnel, Item 320 Staff Fellowship Programs and all other items in this section that apply.

NIH e-mail messages: NIH e-mail messages (messages, including attachments, that are created on NIH computer systems or transmitted over NIH networks) that are evidence of the activities of the agency or have informational value are considered Federal records. These records must be maintained in accordance with current NIH Records Management guidelines. Contact your IC Records Officer for additional information.

All e-mail messages are considered Government property, and if requested for a legitimate Government purpose, must be provided to the requester. Employees' supervisors, NIH staff conducting official reviews or investigations, and the Office of Inspector General may request access to or copies of the e-mail messages.

E-mail messages must also be provided to the Congressional Oversight Committees, if requested, and are subject to the Freedom of Information Act requests. Since most e-mail systems have back-up files that are retained for significant periods of time, e-mail messages and attachments are likely to be retrievable from a back-up file after they have been deleted from an individual's computer. The back-up files are subject to the same requests as the original messages.

**F. MANAGEMENT CONTROLS:**

The purpose of this manual issuance is to provide policy for the use of Schedule A hiring authority under 5 CFR 213.3102(r).

1. **Office Responsible for Reviewing Management Controls Relative to this Chapter:** OHR
2. **Frequency of Review:** Ongoing
3. **Method of Review:** OHR shares accountability for adherence of merit system compliance with IC managers. This responsibility is accomplished through internal quality review processes and by providing advisory services to managers that incorporate all appropriate HR flexibilities as well as potential consequences for management decisions outside of merit-based parameters. The results of such advisory services will be documented as necessary to provide data for assessment and follow-up during audits and reviews.
4. **Review Reports are sent to:** The NIH Deputy Director for Management and the Director, OHR.

Reports should indicate that controls are in place and working well or indicate any internal management control issues that should be brought to the attention of the report recipient(s).