

FACT SHEET ON INTERMITTENT EMPLOYMENT

Note: A regular tour of duty exists only if a definite, regularly recurring work schedule over a given period is contemplated and there has been a administrative determination in advance prescribing as a definite work schedule a certain number of hours, or other time units in a day, week, month, or year, not just a minimum number of time units over a given period. An employee may work part-time or full-time for short periods without having a regular tour of duty for insurance purposes.

Retirement

An intermittent employee is not eligible for retirement coverage except when the intermittent employment follows without a break in service in excess of 3 days employment in a covered position or as otherwise provided by 5 CFR 831.201(b).

Health Benefits

An intermittent employee is not eligible for health benefits coverage unless the intermittent employment follows, without a break of service in excess of 3 days, employment in a covered position. Generally, health benefits coverage may be continued for up to 365 days in a non-pay status. An employee is responsible for payment of the **employee** share of the cost of enrollment for every pay period during which the enrollment continues. The 365 days of nonpay status during which an employee's enrollment continues may be one period of continuous nonpay status, or it may be nonpay status which is interrupted by a period in pay status of less than four consecutive months.

Life Insurance

An intermittent employee is not eligible for life insurance coverage except when the intermittent employment follows, without a break in service in excess of 3 days, employment in a covered position **and the employee is expected to return to a covered position.**

Basic and optional insurance continue without cost to the employee while he or she is in nonpay status for up to 12 months, at which time the insurance is terminated. The 12 months nonpay status may be continuous or broken by periods of less than 4 consecutive months in pay status. If an employee has at least four consecutive months during which he or she received some pay in each pay period after the period of nonpay status, the employee is entitled to begin the 12 months continuation of insurance anew. If, after a return to duty, the employee is not entitled to any further continuation of insurance in nonpay status because he or she has not had four consecutive months pay status since exhausting 12 months continuation in nonpay status, the insurance ceases the last day of the last pay period in pay status.

Annual and Sick Leave

An intermittent employee does not accrue annual or sick leave. When a part-time or full-time employee is changed to intermittent, unused sick leave is held in abeyance until the employee returns to a scheduled tour of duty, or if separated from the government, will be recredited upon return to Federal service in a covered position. Any unused annual leave is paid as a lump sum, except in situations involving a continuing program under which an employee is required to return to full-time or part-time employment after a period of intermittent employment.

Holiday Pay

An intermittent employee is not eligible for Holiday Pay.

Career Tenure

Each day an intermittent employee is in a pay status is counted as one day toward the 780 days in pay status, which is equivalent to the 3-year service requirement for career tenure. The service requirement may not be satisfied in less than 3 years of calendar time.

Time in Grade

Intermittent service is counted on the basis of calendar time in the grade, without regard for the actual time in a pay status.

Other

For purposes of determining qualifications, eligibility for within-grade increases, leave accrual-rate and length of service for retention and retirement each day an intermittent employee is in pay status is counted towards the 260 days which is equivalent to one year of service.

Personnel Ceiling

Paid straight-time hours worked by intermittent employees count against an agency's full-time equivalent work year personnel ceiling.

Merit Promotion

Intermittent employees serving under career or career-conditional appointment are covered by the agency's merit promotion program and should be reassigned, detailed, or promoted in accordance with such programs in the same way and under the same conditions as other career or career-conditional employees. Movement from an intermittent to a part-time or full-time work schedule is not subject to competition unless required by the procedures governing promotion and internal placement.

Pay and Classification

Classification principles and procedures apply equally to full-time, part-time, and intermittent positions. Grade level is determined by the level of difficulty of work; an employee's work schedule should have no effect on the proper classification of a position.

Overtime pay for an eligible intermittent employee is provided only for work over eight hours a day or over 40 hours a week.

Reduction in Force

In a reduction-in-force, intermittent employees are placed in a separate competitive level from comparable full-time and part-time employees. When released from a competitive level, an intermittent employee can compete only for other intermittent jobs. Similarly, full-time and part-time employees have assignment rights only to full-time or part-time positions and cannot displace an intermittent employee.

Appropriate Use

An intermittent work schedule is appropriate for a position in which the nature of work is sporadic and unpredictable so that a tour of duty cannot be regularly scheduled in advance. Intermittent employment is not appropriate for a position which could be filled by a regularly scheduled, i.e. full-time or part-time, employee. A Comptroller General decision (57 CG 82) emphasizes the need for agencies to carefully examine the working arrangements of intermittent employees to determine whether they are, in fact, working on a scheduled basis and are being denied leave because their work schedules have been erroneously documented.