

Land Management Workforce Flexibility Act Forest Service Applicant Questions and Answers

1. What is the Land Management Workforce Flexibility Act (LMWFA)?

The Land Management Workforce Flexibility Act allows eligible current or former time-limited (temporary and term) employees of certain Federal land management agencies to compete for vacant permanent positions under merit promotion procedures. **See eligibility requirements under question 4.**

2. What does the term “land management agency” mean?

For this Act, land management agencies include: Department of Agriculture, Forest Service; and Department of Interior (Bureau of Land Management, National Park Service, Fish and Wildlife Service, Bureau of Indian Affairs, and Bureau of Reclamation).

3. What is a time-limited appointment?

For this Act, a time-limited appointment is either a temporary or term appointment:

- Temporary Appointment is a non-permanent appointment for a period not to exceed one-year (may be extended up to a maximum of one additional year for a total of 24 months of service) - includes 1039 appointments.
- Term Appointment is a non-permanent appointment for a period of more than one-year but not more than four years.

4. Am I eligible to apply for permanent positions using this authority?

To be eligible for the LMWFA, you must meet all of the following conditions:

- Must have been appointed to the initial time-limited appointment under open, competitive examination (e.g., OPM competitive list of eligibles, Demonstration Project Authority, Delegated Examining, etc.); and
- Must have served in the land management agency/agencies under one or more time-limited appointment(s) for a period/periods that total more than 24 months (without a break in service of two or more years). The service does not need to be one continuous period as long as there is not a single break of two or more years during the (more than) 24 month period. Hours coded as training time on 1039 appointments is creditable service toward the (more than) 24 months; and
- Performance was at an acceptable level throughout your (more than) 24 months of employment; and

- Your most recent separation was for reasons other than misconduct or performance.
- Apply under merit vacancy announcement(s) within two years from the date of your most recent separation.

5. How do I know if my initial time-limited appointment was under open, competitive examination?

The appointment was under open, competitive examination if the Standard Form (SF) 50, Notification of Personnel Action, for appointment shows:

- Block 5-A. Code is "115" and 5-B. Nature of Action is "Appt NTE"; or
- Block 5-A. Code is "108" and 5-B. Nature of Action is "Term Appt NTE"
 - And blocks 5-E and 5-F (respectively) are not "LCM" and "Reg 316.402(b)(3)"
- Block 34, Position Occupied, is "1" – Competitive Service

Standard Form 50
Rev. 7/91
U.S. Office of Personnel Management
FPM Supp. 296-33, Subch. 4

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) Bear, Smokey		2. Social Security Number XXX-XX-XXXX	3. Date of Birth XX/XX/XXXX	4. Effective Date XX/XX/XXXX
FIRST ACTION				
5-A. Code 115	5-B. Nature of Action Appt NTE XX/XX/XXXX	6-A. Code	6-B. Nature of Action	

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NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) Bear, Smokey		2. Social Security Number XXX-XX-XXXX	3. Date of Birth XX/XX/XXXX	4. Effective Date XX/XX/XXXX
FIRST ACTION				
5-A. Code 108	5-B. Nature of Action Term Appt NTE XX/XX/XXXX	6-A. Code	6-B. Nature of Action	

POSITION DATA

34. Position Occupied			
1	1 - Competitive Service	3 - SES General	
	2 - Excepted Service	4 - SES Career	

6. What documents do I need to provide with my application?

SF-50s. You must provide copies of your Notification of Personnel Actions(s) (SF-50s) showing you have served in appropriate appointment(s) for a period/periods that total more than 24 months without a break in service of two or more years. You must include the initial hire actions, extensions, conversions and termination/separation SF50s for each period of work.

Performance Rating(s) or Equivalent. You must provide the following documentation to verify your acceptable level of performance:

- 1) Performance rating(s) showing an acceptable level of performance for period(s) of employment counted towards your eligibility, signed by your supervisor(s); or
- 2) If documentation of a rating does not exist for one or more periods, a statement from your supervisor(s) or other individual in the chain of command indicating an acceptable level of performance for the period(s) of employment counted towards your eligibility; or
- 3) If you do not have a performance appraisal (outlined in 1 or 2 above) for any period that you are using to qualify for eligibility under the LMWFA, you must provide:
 - a. A stated reason as to why the appraisal/documentation is not available, and
 - b. A statement that your performance for all periods was at an acceptable level, your most recent separation was for reasons other than misconduct or performance, and you were never notified that you were not eligible for rehire based on performance. (This shall be accepted in lieu of providing copies of the performance appraisals).

7. How do I obtain my SF-50s - Notifications of Personnel Action?

If you are a current temporary or term employee, you may access SF-50s for your Forest Service employment, as follows:

1. Log in to [ConnectHR](#)
2. Select eOPF
3. Select My eOPF, scroll through to select the required documents and print individual documents – retain for your records

If you are unable to access or retrieve the information from your eOPF, you should contact the HRM Contact Center at 877-372-7248. Once the Contact Center receives your request, they will provide a response and any requested documents within 10 business days. If more time is needed you will be provided any requested documents within 30 business days of your request. You are encouraged to make these requests as soon as possible.

Employees will be provided duty time to obtain official documents in accordance with Master Agreement Article 4.15.

Former Forest Service Employees must request copies of SF-50s for past periods of employment by contacting the HRM Contact Center at 877-372-7248. The Contact Center agent will verify security information before releasing documents.

Note: If you have periods of service with other land management agencies, you must contact those agencies directly to obtain documentation of performance and copies of SF50s documenting temporary service.

8. What does more than 24 months equate to in days?

The requirement of more than 24 months of service shall be met when an employee has been on one or more time limited appointments of more than 730 days without a break in service of more than two or more years.

Calculating Creditable Service

For each period of service, subtract the appointment date from the separation date

Example:

Separation Date	2015 09 30
Appointment Date	2015 04 01
Total this period	00 05 29

Once calculations are done for each period of work claimed, add the totals of those calculation to determine total service in years, months, days

Calculating Creditable Service

Work Period 1	00 05 29
Work Period 2	00 05 30
Work Period 3	00 05 27
Work Period 4	00 05 23
Work Period 5	00 03 05
Total	00 23 114

The total time of the work periods 1-5 equals 23 months and 114 days. The 114 days is converted to months and days (3 months and 24 days). The 3 months and 24 days are added to the 23 months, totaling 26 months and 24 days. This applicant would meet eligibility for the more than 24 months service requirement.

9. What type of appointment do I receive under this authority?

If you have served at least three years under a career-conditional appointment you will be hired under a career appointment; otherwise, you will be hired as career-conditional and be required to fulfill the three-year career conditional period to attain career tenure.

10. Where can I find vacancy announcements?

Vacancy announcements are posted on the USAJOBS website at www.usajobs.gov. You may also access the Forest Service Jobs webpage at <http://www.fs.fed.us/working-with-us/jobs> which will direct you to the USAJOBS website.

11. How do I apply for a vacancy?

The application process is the same, the responses below will identify you as an applicant eligible under the LMWFA.

Application *Question 33*: "Please select the statement below which best reflects your Federal employment status (if applicable). Refer to the OPM website for more information on hiring authorities and Interchange Agreement information.

Select this response: I am a current County Employee with FSA ***or I am a current/former temporary or Term employee under the Land Management Workforce Flexibility Act***

Application *Question 36*: Are you eligible for appointment under an interchange agreement, Public Law or other similar authority? (Permanent County Employees with FSA ***and applicants claiming eligibility under the Land Management Workforce Flexibility Act***)

Response: "YES"

12. Are there any limitations on the types of positions (occupational series or grade) I may apply to?

There are no limitations on the types of positions you may apply to under the LMWFA. You may apply to any permanent position with any Federal agency under merit promotion procedures. You must meet OPM qualification standards for competitive service positions and any other qualification requirement(s) stated in the vacancy announcement for the position for which you are applying (including any selective placement factors, positive education requirements, physical requirements, etc.).

13. Do I have a hiring preference under the LMWFA?

No, you do not have a hiring preference. This Act gives you the opportunity to apply and compete for permanent positions under merit promotion procedures, and you must be determined best qualified to be considered.

14. Do I have to serve a one-year probationary period?

Under this Act, you will not be required to serve a probationary period.

15. What can I do to make my resume better?

Specify dates of service during temporary employments (i.e. 3/5/2012 to 8/4/ 2012 – not 3/2012 to 8/2012 or 2015 season). Refer to the [Tips for Applicants](#) for instructions on how to apply and resume tips.

16. Where can I find additional information on the LMWFA?

You should refer to the [HRM LMWFA website](#) for additional information. The [Forest Service Jobs website](#) also contains a link to Frequently Asked Question (FAQ).

17. Who do I contact if I have questions regarding my LMWFA eligibility?

Please refer to the resources provided in question 15 above. If you still have questions, please contact the HRM Contact Center at 877-372-7248.