

# MS 601 Administration of the Peace Corps Direct Hire Personnel System

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## Attachments

Attachment A – Veterans’ Preference Passover Procedures

Attachment B – Country Director Selection Process Procedures

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## 1.0 Purpose

This Manual Section describes the overall policies and authorities of the Peace Corps Direct Hire personnel system. The basic authority for the Peace Corps personnel system is 22 USC 2506, which authorizes the Peace Corps to use the Foreign Service personnel system contained in the Foreign Service Act of 1980 (22 USC Chapter 52) as its exclusive personnel system for all Direct Hire employees except the Director, Deputy Director, and experts and consultants. This Manual Section does not apply to the selection of a personal services contractor position.

## 2.0 Peace Corps Direct Hire Personnel System

### 2.1 General

The Peace Corps Direct Hire personnel system, while it uses the Foreign Service Act of 1980 as its source of authority, is unique. 22 USC 2506(a)(2) authorizes the President to "utilize such authority contained in the Foreign Service Act of 1980 relating to members of the Foreign Service and other United States government officers and employees as the President deems

necessary to carry out functions under this Act..." The characteristics that make the Peace Corps system unique are that, with few exceptions, its U.S. citizen employees 1) are appointed for limited periods of time, and 2) may not be re-employed until a period of time equal to the time they were employed by the Peace Corps has elapsed. Since Peace Corps appointments are of limited duration, those provisions of the Foreign Service Act that apply exclusively to career or career candidate Foreign Service Officers do not apply to Peace Corps employees.

## **2.2 Foreign Service Members**

Except as provided below, all Peace Corps employees other than the Director and Deputy Director and experts and consultants, are appointed members of the Foreign Service and receive time-limited non-career appointments using authority contained in 22 USC 2506(a)(2) and Section 303 of the Foreign Service Act of 1980 (22 USC 3943). U.S. citizen Foreign Service appointments are designated "FP" appointments.

The Peace Corps also has a rarely used authority under 22 USC 2506(a)(1) to appoint or assign individuals to overseas positions in the Peace Corps. Use of this authority requires the specific authorization of the Director and consultation with the Office of the General Counsel.

## **2.3 General Schedule**

The Peace Corps does not have authority to use the General Schedule authorities contained in title 5, United States Code. The Peace Corps does not, therefore, make appointments in the competitive Civil Service or excepted service appointments under schedules A, B, and C.

## **2.4 Time Limits**

Except as noted in subsection 2.5 below, appointments of United States citizens to the Foreign Service by the Peace Corps shall generally be for a term of five years. In special circumstances where the agency's need for the position is greater than one year, but less than five years, the appointment may be made for less than five years, subject to Office of Human Resources (HR) approval. For appointments of one year or less, *see* the provisions on temporary appointments in subsection 4.3. For experts and consultants, *see* subsection 2.9. Appointments are only for the time specified and automatically expire at the end of that time, unless extended under applicable provisions of the Peace Corps Act.

The Peace Corps Act generally limits Peace Corps employment to five years; authorizes the Director to extend appointments up to 30 months beyond five years, subject to certain restrictions, and up to 12 months under special circumstances to achieve specified statutory purposes; and prohibits an employee whose appointment has terminated from receiving another appointment until the passage of a period of time equal to the prior length of service. An extension of an appointment is at the discretion of the Peace Corps and is not an employee right.

## **2.5 Unlimited Status**

Certain Peace Corps employees are not subject to the time limits on Peace Corps employment. These employees include:

- (a) the Inspector General and officers and employees of the Office of Inspector General;
- (b) the Victim Advocate and any additional victim advocates; and,
- (c) employees who held such appointments when they were involuntarily transferred to the Foreign Service from ACTION effective December 29, 1981, pursuant to Section 601(a) of Public Law 97-113.

## **2.6 Additional Positions Designated Exempt from the Five-Year Rule**

Pursuant to 22 USC 2506(a)(8), the Director of the Peace Corps may designate Peace Corps positions as critical management or management support positions that require specialized technical or professional skills and knowledge of Peace Corps operations. The Director may make or extend renewable appointments to positions so designated. The appointment or assignment to any such position may not exceed five years but can be renewed. In addition, positions so designated are not subject to the time limitations of 22 USC 2506(a)(2)(A) and (B) and 22 USC 2506(a)(5).

In the event that a position as referred to directly above is a bargaining unit position, then appropriate notice shall be given to the American Federation of State, County, and Municipal Employees (AFSCME) Local 3548.

## **2.7 Country Directors**

Peace Corps Country Directors are appointed under authority of 22 USC 2506(c). In general, their appointments are subject to the terms and conditions described in 22 USC 2506(a)(2), except that their appointments may be terminated at the discretion of the Director at any time without notice, notwithstanding any other provision of law, regulation, or this Manual.

## **2.8 Senior Foreign Service**

Peace Corps appointments to the Senior Foreign Service are not subject to the five percent limitation on such appointments established by Section 305(b) of the Foreign Service Act of 1980. The Director reserves the right to make appointments or assignments to Senior Foreign Service positions on a competitive or non-competitive basis. (See MS 620 *Direct Hire Merit Selection and Promotion*, subsection 7.2 “Senior Foreign Service Announcements.”)

## **2.9 Experts and Consultants**

Experts and consultants are appointed under authority of 22 USC 2512.

## **3.0 Policy**

### **3.1 General**

Peace Corps personnel policy is set forth in the Peace Corps Manual and in those provisions of the Foreign Affairs Manual (FAM) and the Standardized Regulations (Government Civilians,

Foreign Areas) applicable to the Peace Corps or adopted by reference in the Peace Corps Manual, and such other laws and regulations as may be applicable to federal employees generally, e. g., the Privacy Act and provisions of law relating to health benefits, severance pay, and equal employment opportunity, among others. In the absence of applicable provisions in those authorities, HR may refer to rules and policies promulgated by the Office of Personnel Management for general guidance.

The goal of the Peace Corps personnel policy is to create, within the parameters of applicable law, a personnel framework in which employees can work to their fullest capacity and contribute to the mission of the Peace Corps.

The Peace Corps is committed to the equitable and consistent application of personnel policy for all employees. Every effort should be made to inform all Peace Corps employees of the rules and regulations affecting their employment with the Peace Corps. Individual employees share the responsibility for keeping themselves informed of personnel policies and procedures.

Peace Corps is committed to realizing the goal of using the talents of all segments of society.

### **3.2 Human Resource Council**

The Senior Policy Committee (SPC) of the Peace Corps (see MS 002 *Peace Corps Manual: Authority and Revision Process*) has chartered the Human Resource Council (HRC) to serve as a forum for discussion of personnel matters, approval of procedures implementing certain personnel policies, and making personnel policy recommendations to the SPC. See [Human Resource Council Charter and By-laws](#).

### **3.3 Compatibility with the Foreign Service System**

In accordance with Sections 203 and 205 of the Foreign Service Act of 1980 the Peace Corps personnel system is administered, to the extent practicable, in a manner that ensures maximum compatibility with the other agencies authorized by law to use the Foreign Service personnel system and in conformity with the general policies and regulations of the government.

### **3.4 Equal Employment Opportunity**

Candidates will be given equal opportunity for employment in accordance with federal law. See MS 653 *Equal Employment Opportunity and Affirmative Employment*.

### **3.5 Political Discrimination**

The Peace Corps prohibits the application of political tests or political qualifications in appointment, promotion, or any other personnel action affecting personnel assigned to positions abroad, or to positions in the United States that are not confidential, policy making, policy determining, or policy advocating.

### **3.6 Negotiated Agreement**

Certain Peace Corps employees (members of the "bargaining unit") are covered by the Negotiated Agreement between the Peace Corps and AFSCME Local 3548, which affects certain aspects of the Peace Corps personnel system as it relates to covered employees.

### **3.7 Veterans Preference**

#### **3.7.1 Applicability**

Peace Corps' policy is to grant Veterans Preference in the open competitive examination process involving applicants from outside the Peace Corps, but not to grant Veterans Preference in a competitive process involving solely internal candidates, in the merit promotion process, or in the selection process of the following:

- (a) Appointments in the Senior Foreign Service except as provided in subsection 7.2 of MS 620 *Direct Hire Merit Selection and Promotion*;
- (b) Positions designated as confidential and/or policy-making under the authority of the Peace Corps Director;
- (c) Appointments with an expected duration of less than 1 year;
- (d) Expert consultant positions authorized by 22 USC 22 2512;
- (e) Participants in student programs;
- (f) Attorney positions;
- (g) Country Director positions;
- (h) Information security and cybersecurity positions;
- (i) Diagnostic Radiologic Technologist;
- (j) Medical Officer;
- (k) Nurse;
- (l) Pharmacist; and
- (m) Any other job series granted Direct Hire Authority by statute or the Office of Personnel Management (OPM).

#### **3.7.2 Veterans Preference Ratings and Certificates**

Veterans Preference is applied using the numerical rating and ranking of applicants based on their qualifications and includes additional points (based on a 100-point scale) based on Veterans Preference status, according to the following:

- (a) CPS Candidate – a 10-point Veterans Preference is provided to an eligible applicant, based on having a disability greater than 30%, who has provided HR a completed SF-15, along with the documentation required by the SF-15 demonstrating that the applicant is entitled to CPS status.
- (b) CP Candidate – a 10-point Veterans Preference is provided to an eligible applicant, based on a disability of at least 10% but less than 30%, who has provided HR with a completed SF-15, along with the documentation required by the SF-15 demonstrating that the applicant is entitled to CP status.
- (c) XP Candidate – a 10-point Veterans Preference is provided to an eligible applicant who has provided HR with Department of Defense documentation demonstrating that the applicant is entitled to XP status, as covered by the terms of 5 USC 2108.
- (d) TP Candidate – a 5-point Veterans Preference is provided to an eligible applicant who has provided HR with Department of Defense documentation demonstrating that their service is covered by the terms of 5 USC 2108.
- (e) SSP Candidate – a 0-point Veterans Preference is provided to an eligible applicant who has provided HR with Department of Defense documentation demonstrating that their service is covered by the terms of 5 USC 2108.

No other preference will be given to CPS, CP, XP, TP or SSP Candidates in compiling the Certificate.

If a position is advertised at multiple grades, Veterans Preference will be applied separately at each grade so that a CPS, CP, XP, TP or SSP Candidate who applies for only one grade will not appear on a Certificate for one of the other grades regardless of that applicant's Veterans Preference status. The employee authorized to make the selection (Selecting Official) will not be advised of the number of veterans on a Certificate before receiving that Certificate.

A Selecting Official who selects someone other than a CPS, CP, XP, TP or SSP Candidate from a Certificate must state in the selection memorandum why each CPS, CP, XP, TP or SSP Candidate on that Certificate is substantially less qualified than the person selected. The selection memorandum shall be in accordance with Peace Corps procedures regarding pass over of preference eligible. (*See MS 620 Merit Selection and Promotion*, subsections 6.2(g) and 9.1.)

### **3.8 Basic Qualifications for Peace Corps Employment – U.S. Staff**

#### **3.8.1 Applications for Employment**

All applicants for Peace Corps employment shall submit such signed application or other information as may be prescribed from time to time by the Chief Human Capital Officer for HR. The information provided will be used to determine the applicant's qualifications for employment. Providing false information in connection with obtaining employment by the Peace Corps is grounds for non-selection or dismissal after appointment; and may be punishable by fine or imprisonment. (*See MS 620 Direct Hire Merit Selection and Promotion.*)



### **3.8.2 U.S. Citizenship**

Employees of the Peace Corps, other than experts, consultants, and foreign national employees employed at Posts abroad, must be United States citizens.

### **3.8.3 Intelligence Background**

See MS 611 *Eligibility for Peace Corps Employment or Volunteer Service of Applicants with Intelligence Backgrounds* for restrictions on employment of applicants who have been employed by intelligence agencies or otherwise associated with intelligence activities.

### **3.8.4 Security Investigations**

As required by 22 USC 2519, all applicants for employment must undergo such investigations as may be prescribed by the Director.

## **4.0 Recruitment and Selection**

The Peace Corps seeks outstanding candidates for its staff. Because Returned Peace Corps Volunteers (RPCVs) provide a vital and continuing source of well qualified candidates who are especially knowledgeable about the Peace Corps goals and operations, particular emphasis is given to the recruitment and selection of these applicants.

### **4.1 Overseas Employees**

#### **4.1.1 Medical Clearance**

U.S. citizen overseas employees and their dependents must be medically cleared. The Peace Corps' medical clearance program is administered by the Department of State's Office of Medical Services. See 16 FAM 120 for details of the medical clearance program.

#### **4.1.2 Country Directors**

The Director of the Peace Corps makes final selection decisions for all Country Directors, as they serve at the discretion of the Director. The selection process is as prescribed by the Director.

#### **4.1.3 Other United States Citizen Overseas Employees**

The selection of U.S. citizen employees, other than Country Directors and American Family Member employees, for service abroad is coordinated by HR. The Regional Director responsible for the country of assignment has final approval authority.

#### **4.1.4 Foreign Service Nationals**

See MS 602 *Foreign Service National (FSN) Personnel Administration*.

### **4.2 Full-time Positions in the United States**

For positions filled through the competitive process, applicants must file an application with HR within the prescribed time period in order to be considered for the position in question. HR conducts a review of the applications and ensures compliance with the selection policies and procedures. Selection is made as provided in MS 620 *Direct Hire Merit Selection and Promotion*.

### **4.3 Temporary Positions and Confidential/Policy Making Positions**

Temporary positions, experts and consultants, and confidential, policy making/policy determining/policy advocating positions are not required to be recruited competitively and are not subject to the merit selection and promotion procedures. No confidential/policy making/policy determining/policy advocating position may be established without the written approval of the Chief of Staff.

## **5.0 Appointments**

### **5.1 Foreign Service (U.S. Citizen) (FP)**

#### **5.1.1 Probationary Period**

Employees receiving Foreign Service appointments for a period of more than one-year, other than employees excepted in MS 613 *Trial Period Procedures for Foreign Service Employees*, are subject to a probationary period. The probationary period provided in MS 613 equals 20 percent of an employee's initial tour length, except for U.S. direct hires assigned overseas as employees of the Office of Global Operations who will have an initial probationary period equaling 30 percent of the employee's initial tour length. The length of the applicable probationary period will be specified in the vacancy announcement for the position.

#### **5.1.2 FP Employees**

Peace Corps staff, other than Presidential appointees, experts, and consultants, receive appointments as members of the Foreign Service under authority of 22 USC 2506 and the Foreign Service Act of 1980.

#### **5.1.3 Extensions within the Five-year Period**

Appointments made for less than five years, in accordance with subsection 2.4, other than temporary appointments, may be extended for one or more additional periods but may not exceed a total of five years except as provided in subsection 5.1.4. If an appointment is not to be extended beyond its expiration date, the employee will receive a 30-day advance notice in writing. Employees who provide HR evidence of reemployment rights to other federal agencies will receive 60 days advance notice in writing. Failure to give the required notice entitles the employee to an extension for the period necessary to give the required notice. Employees whose appointments expire because they have reached the five-year limit on employment, or the expiration date of an appointment beyond the five-year limit, are not entitled to an extension because of the Peace Corps' failure to give timely notice of the expiration date of the appointment.

#### **5.1.4 Extensions Beyond Five Years**

- (a) **One-year extension:** The Director of the Peace Corps has the authority to approve personally, on an individual basis, an extension of appointment not to exceed one year beyond the five-year limitation. Exercise of this authority is limited by law to "special circumstances." This authority may not be re-delegated.
- (b) **Two and one half year extension:**
  - (1) The appointment of an employee whose performance has been exceptional may be extended by the Director for not more than an additional two and one-half years to achieve one or more of the following purposes:
    - (i) To permit individuals who have served at least two and one half years abroad to serve in the United States.
    - (ii) To permit individuals who have served at least two and one-half years in the United States to serve abroad.
    - (iii) To permit individuals who have served at least two and one-half years in a recruitment, selection, or training activity to serve in an activity other than the one to which they have most recently been assigned.
    - (iv) To promote the continuity of functions in administering the Peace Corps.
  - (2) The number of appointments exceeding five years made under this authority (two and one half year extension beyond five years) may not at any time exceed fifteen percent of the total of all FP appointments of United States citizens currently in effect.

#### **5.1.5 In/Out Rule**

In accordance with the provisions of 22 USC 2506(a)(2), Peace Corps U.S. citizen FP employees appointed under that section may not be reappointed before the expiration of a period of time equal to the amount of time served under a preceding appointment. "Preceding appointment" means the total consecutive period of FP employment of the individual by the Peace Corps, including all extensions or appointments to new positions. In accordance with the Peace Corps Act as amended by the Kate Puzey Act, time spent in positions within the Office of Inspector General shall count as time out of the Peace Corps for purposes of 22 USC 2506 (a)(2)(B).

Time spent in positions designated under 22 USC 2506(a)(8) shall not count as time in or time out of the Peace Corps for purposes of 22 USC 2506(a)(2)(B).

### **5.2 Foreign Service (U.S. Citizen) Temporary**

Temporary Peace Corps employees, other than Foreign Service Nationals, receive appointments under 22 USC 2506(a)(2) for periods of one year or less. Exceptions to this limitation may be granted by the Chief Human Capital Officer for HR when continuation of a temporary appointment is determined to be necessary and in the best interest of the Peace Corps. At the termination of the temporary appointment or, if converted to a full-time appointment, the employee may not be reappointed before the expiration of a period of time equal to the amount of total time served under the temporary and any full-time appointment.

### **5.3 Foreign Service National (FSN)**

See MS 602 *Foreign Service National (FSN) Personnel Administration*, subsections 5.1 and 6.0.

### **5.4 Presidential Appointments**

The Director and Deputy Director of the Peace Corps are appointed by the President by and with the advice and consent of the Senate.

### **5.5 Experts and Consultants**

In accordance with 22 USC 2512, the Peace Corps may hire experts and consultants. An expert position is one that requires the services of a specialist to perform work on a temporary and/or intermittent basis. A consultant position is one that requires providing advice, views, opinions, alternatives, or recommendations on a temporary and/or intermittent basis on issues, problems, or questions presented by a federal official. Employment of experts or consultants must be approved by the Deputy Director or Chief of Staff (see MS 114 *Delegation of Authority*, Attachment F).

#### **5.5.1 Expert Definition**

An expert is a person who is specially qualified by education and experience to perform difficult and challenging tasks in a particular field, beyond the usual range of achievement of competent persons in that field. An expert is regarded by other persons in the field as an authority or practitioner of unusual competence and skill in a professional, scientific, technical, or other activity.

#### **5.5.2 Consultant Definition**

A consultant is a person who can provide valuable and pertinent advice generally drawn from a high degree of broad administrative, professional, or technical knowledge or experience or a person who is affected by a particular program and can provide useful views from personal experience.

#### **5.5.3 Restrictions**

An expert or consultant may not be appointed:

- (a) To do work performed by the agency's regular employees or to fill in during staff shortages.

- (b) To perform managerial or supervisory work (although an expert may act as team leader or director of the specific project for which he/she is hired), to make final decisions on substantive policies, or to otherwise function in the agency chain of command (e. g., to approve financial transactions, personnel actions, etc.).
- (c) To a position requiring Presidential appointment. This does not preclude appointing an individual as an expert or consultant while he/she awaits final action on a President appointment (subject to the conditions set forth in 5 CFR part 304) or final clearance on appointment to a senior level confidential, policy making, policy determining, and/or policy advocating position.

#### **5.5.4 Reappointment Limits**

An expert or consultant may be employed on an intermittent, part-time, or full-time work schedule. Expert and consultant appointments may not exceed one service year in length. A service year is the calendar year that begins on the date of the individual's initial appointment. Renewal is accomplished by "reappointment." An individual may be reappointed to an expert or consultant position without any limitation on the number of such reappointments.

### **6.0 Salary Determination**

The Office of Human Resources is responsible for determining the grades and salaries offered to prospective Foreign Service and Senior Foreign Service employees, and to experts and consultants. The maximum rate of basic pay payable to Peace Corps SFS employees may not exceed level III of the Executive Schedule. The salary at the time of the initial appointment with the Peace Corps will be at the first step of the grade appointed, except in those cases where the applicant's experience, education, salary history, or other relevant factors support a higher step. The Chief Human Capital Officer for HR may authorize the higher step where warranted. Verification of salary history may be requested, including copies of tax forms or other evidence of salary history, as appropriate.

#### **6.1 Applicants not Currently Employed by the U.S. Government**

Applicants will normally be offered a starting salary based on such factors as the applicant's special qualifications, salary history, the difficulty of filling the position, geographic cost of living differences, verifiable comparison of benefit package costs, or the employer environment (e.g., a non-profit setting or academia).

#### **6.2 Applicants Transferring from another Federal Agency**

##### **6.2.1 Lateral Transfer**

Applicants coming directly to the Peace Corps on lateral transfers will receive an initial salary that is closest to, but not less than, the grade and step of their previous position.

### **6.2.2 Transfer and Promotion**

An applicant coming directly to the Peace Corps, who is promoted in connection with the transfer, will receive a salary that is the equivalent of two steps above (rounded to the next higher step) his/her previous salary.

### **6.3 Expert Rate of Pay**

The rate of pay is based on the work to be performed. The requesting office recommends a pay rate to HR for approval and, if approved, HR will communicate the offer to the proposed appointee. The requesting office is not authorized to communicate rate of pay to a proposed expert or consultant.

The rate of pay will be set according to consideration of:

- (a) The level and difficulty of the work to be performed;
- (b) The qualifications of the expert or consultant required to perform the work;
- (c) The pay rates of comparable individuals performing similar work in Federal government or non-Federal government sectors;
- (d) The availability of qualified candidates;
- (e) Locality pay;
- (f) Annual pay adjustment; and
- (g) Duty station.

### **6.4 Range of Expert Rates of Pay**

Experts or Consultants are paid at an hourly rate which normally may not exceed the hourly rate of Executive Level IV. Under special circumstances, the Peace Corps Director may set the hourly rate of pay for an Expert or Consultant up to the hourly rate of Executive Level III.

### **6.5 Eligibility for Periodic Step Increases**

Peace Corps employees are eligible for a Periodic Step Increase, based upon satisfactory performance, 52 weeks after their initial appointment in the Foreign Service personnel system, if the initial appointment is to salary step 1 through 9. They are eligible in 104 weeks if the initial appointment is to step 10 through 13. Service in another federal government agency will count toward the waiting period for individuals appointed by lateral transfer under subsection 6.2.1. See MS 622 *Direct Hire within Grade Salary Increases*, for more details on periodic and meritorious increases.

## **6.6 Non-Competitive Eligibility (NCE) for Peace Corps Employees**

Peace Corps employees appointed under 22 USC 2506 who complete 36 months or more of continuous, satisfactory service are eligible for appointment to the competitive service without regard to competitive examination and to established merit systems in the excepted service of U.S. government executive branch agencies after separation from the Peace Corps, in accordance with applicable Office of Personnel Management (OPM) regulations and agency specific processes.

## **6.7 Non-Competitive Hiring for People with Disabilities**

Under Executive Order 13548, 75 Fed. Reg. 45039 (July 30, 2010), the Peace Corps promotes employment opportunities for individuals with disabilities by authorizing the non-competitive appointment of individuals with disabilities. *See also MS 624 Hiring Individuals with Disabilities.*

## **6.8 Use of Non-Competitive Selection Process**

A Selecting Official may at any time decide not to use a non-competitive selection authority and request that a position be posted for competitive selection.

## **7.0 Peace Corps Eligibility (PCE) for Returned Peace Corps Volunteers (PCVs) and Peace Corps Response Volunteers (PCRVs)**

### **7.1 Definitions**

- (a) ***Peace Corps Eligibility (PCE)*** is the eligibility of returned PCVs and PCRVs for a period of three years commencing upon the successful completion of their service to be appointed non-competitively from the PCE Roster (*see* definition at 7.1(b) below) to domestic, entry level positions (at the Foreign Pay (FP) grades 5/6/7) at the Peace Corps and, with respect to any other position at the Peace Corps (at FP 4 and above), the eligibility of returned PCVs and PCRVs to apply for internally-posted Peace Corps positions and to be considered as if they were internal candidates. *See also MS 285 Volunteer Description of Service, Non-Competitive Eligibility at Competitive Civil Service Agencies, Peace Corps Eligibility, and Certificate of Group Health Coverage.*
- (b) ***The PCE Roster*** is the certificate provided to a Selecting Official from the Office of Human Resources with candidates who applied to a general vacancy announcement for entry level positions at the Peace Corps and have PCE.

### **7.2 Application Process**

PCVs and PCRVs who have completed service or will be completing service within the next sixty days may apply through the returned PCV/PCRV non-competitive process, indicating general areas of employment interest, to be placed on the PCE Roster for Selecting Officials.

Applicants may also apply for specific vacancies using the regular application process.

### **7.3 Selection Process for Entry Level Positions**

A Selecting Official who wants to appoint a returned PCV or PCRV having PCE to fill an entry-level vacancy must request from the Office of Human Resources a PCE Roster.

## **8.0 Promotions**

Eligibility for promotion is subject to the standards contained in subsection 11.0 of MS 620 *Direct Hire Merit Selection and Promotion*.

## **9.0 Termination of Appointments**

- (a) Appointments in the Foreign Service may be terminated for misconduct under Section 610 of the Foreign Service Act of 1980, as amended (FSA), and at any time for reasons other than misconduct under Section 612 of the FSA.
- (b) Terminations pursuant to MS 613 “Trial Period for Foreign Service Employees”, MS 626 “Direct Hire Performance Appraisal System” or MS 652 “Disciplinary Procedure for Foreign Service Employees” must follow the procedures provided by the applicable Manual Section unless the employee waives his/her rights in writing.
- (c) Employees terminated for misconduct are entitled to the procedures provided by Section 610(a)(2)(B) of the Foreign Service Act of 1980.
- (d) Employees terminated for other reasons not covered by MS 626 or 652 (e. g. abolishment of position) are entitled to 30 days advance notice of termination of their appointments.

## **10.0 Effective Date**

The effective date of this Manual Section is the date of issuance.