

# IPS 4-20 Non-Competitive Eligibility Certification for Reinstated Volunteers, Peace Corps Response Volunteers, and Trainees Granted Completion of Service Due to the COVID-19 Pandemic

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**Effective Date:** August 14, 2020

**Responsible Offices:** Office of Global Operations; Office of Volunteer Recruitment and Selection; Office of Third Goal and Returned Volunteer Services

**New Interim Policy Statement**

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Issuance Memo (08/14/2020)

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## 1.0 Purpose

Interim Policy Statement (IPS) 4-20 *Non-Competitive Eligibility Certification for Reinstated Volunteers, Peace Corps Response Volunteers, and Trainees Granted Completion of Service Due to the COVID-19 Pandemic* establishes the Peace Corps' policy regarding Non-Competitive Eligibility (NCE) for Reinstated Volunteers, Peace Corps Response Volunteers, and Trainees who were granted Completion of Service (COS) status after January 1, 2020 due to the COVID-19 pandemic (for the purposes of this IPS, V/Ts).

To the extent feasible, implementation of this IPS will be guided by the following:

- (a) The Peace Corps is committed to providing options for V/Ts who were granted COS status due to the COVID-19 pandemic (COVID-19), and who wish to be reinstated;
- (b) The Peace Corps will endeavor to create opportunities for cohorts of V/Ts who were granted COS status to return to service in their prior post of service, whenever such return to service continues to support the programmatic needs of the communities and host government, and to meet Peace Corps' health, safety, and other requirements; and
- (c) The Peace Corps is committed to achieving equity with respect to the benefits accorded V/Ts who were granted COS status due to the COVID-19; were subsequently reinstated in accordance with the terms and conditions of IPS 1-20 *Re-enrollments and Reinstatements of Volunteers, Peace Corps Response Volunteers, and Trainees Granted Completion of Service Due to the COVID-19 Pandemic*; and who satisfactorily completed the Reinstatement Term of Service.

## 2.0 Applicability

This IPS applies to Volunteers, Peace Corps Response Volunteers, and Trainees who were granted COS status after January 1, 2020 due to COVID-19 and reinstated in accordance with the terms and conditions of IPS 1-20.

The provisions of the Peace Corps Manual including MS 285 *Volunteer Description of Service, Non-Competitive Eligibility, and Certificate of Group Health Coverage Leave for Volunteers/Trainees* remain applicable to V/Ts covered by this IPS, with the exception of subsections 5 and 6, which are amended in their entirety as set forth in this IPS.

## 3.0 Definitions

For the purposes of this IPS, the following definitions apply:

- (a) **Reinstatement** means the return to Peace Corps service of a V/T, who was granted COS status due to COVID-19, to the post of assignment from which the V/T's service was ended to complete a service commitment as outlined in section 5.0 below.
- (b) **Reinstatement Term of Service** means a term of service generally between six months and two years depending on the programmatic and operational needs of each country (see Section 4 of IPS 1-20).

## 4.0 Policy

Due to the highly unusual circumstances under which V/Ts were granted COS as a result of the COVID-19 pandemic, such V/Ts will be eligible for NCE status, provided a V/T meets the criteria for Reinstatement as outlined in Section 6.0 of IPS 1-20 and fulfills the requirements of Reinstatement (including the Reinstatement Term of Service, prospective assignment, and any additional training as determined by the post and Region), and has served satisfactorily as determined by the Country Director. A Trainee must be sworn in as a Volunteer and meet the aforementioned requirements in order to be eligible for NCE.

## 5.0 Non-Competitive Eligibility (NCE) Certification Under EO 11103

### 5.1 Authority for NCE Certification - Executive Order 11103

Under Executive Order 11103, certain Returned Peace Corps Volunteers (RPCVs) qualify for one year of NCE, i.e., to be non-competitively appointed as a career-conditional employee in the competitive civil service. An RPCV must have been appointed (either by initial appointment or extensions to an initial appointment) to a term of service of at least two consecutive years to be eligible for NCE.

NCE does not mean that RPCVs are entitled to federal employment.

NCE permits, but does not require, an agency to hire non-competitively an RPCV who meets the minimum qualifications for the position. The decision whether to hire an RPCV under NCE is at the discretion of the hiring agency.

## **5.2 Completion of Reinstatement Term of Service**

A Volunteer who has been reinstated under the provisions of IPS 1-20 and completed the Reinstatement Term of Service is eligible for NCE certification. If a Volunteer's Reinstatement Term of Service is less than the Volunteer's original full two year term of service, the Country Director's certification evidences that the Volunteer demonstrated the capability to satisfactorily complete the full term of service (approximately two years).

Country Directors shall include the following certification statement as the final paragraph of the Volunteer Description of Service (DOS) of the Volunteers granted NCE:

This is to certify in accordance with Executive Order 11103 of April 10, 1963, as implemented by Peace Corps Interim Policy Statement 4-20, that [Volunteer name] served satisfactorily as a Peace Corps Volunteer. His or her service ended on [date]. He or she is therefore eligible to be appointed as a career-conditional employee in the competitive civil service on a non-competitive basis. This benefit under the Executive Order extends for a period of one year after termination of the Volunteer's service, except that the employing agency may extend the period for up to three years for a former Volunteer who enters military service, pursues studies at a recognized institution of higher learning, or engages in other activities that, in the view of the appointing agency, warrant extension of the period.

## **5.3 Early Termination**

A Volunteer whose service is terminated prior to the end of the Reinstatement Term of Service may be eligible for NCE certification when:

- (a) the Volunteer's Reinstatement Term of Service, in addition to the Volunteer's prior term of service, was of sufficient duration to demonstrate the capability to complete satisfactorily a full term of service (approximately two years) ; and
- (b) the termination of the Volunteer's service is determined to be for reasons beyond the Volunteer's control.

## **5.4 Denial of NCE Certification and Appeal**

The Country Director must provide a written notification to any Volunteer whose service terminated for reasons beyond the Volunteer's control, if such Volunteer is denied NCE certification. The notification must include the reasons for denial and the following paragraph on appeal procedures:

If you wish to appeal this decision, please write to the Associate Director for Global Operations, Peace Corps, 1275 First Street NE, Washington DC, 20526, or [NCEappeal@peacecorps.gov](mailto:NCEappeal@peacecorps.gov). The appeal must be postmarked or sent by e-mail within 30 days of notification of the denial of certification. In the absence of special circumstances, appeals postmarked after this period will not be considered. Your appeal must detail specifically the reason for the appeal and include a copy of the Country Director's written notification. If your NCE certification was denied because you did not serve the Reinstatement Term of Service due to circumstances beyond your control, and you did not demonstrate the capability to complete satisfactorily a full term of service (approximately two years), you may appeal this decision on the basis that your service demonstrated your capability to complete satisfactorily such full term of service.

The Country Director must provide the Volunteer with the original copy of the notification and maintain a copy in the Volunteer's in-country file.

If a terminating Volunteer disagrees with the decision regarding eligibility for NCE certification, he or she may appeal that decision in accordance with the procedures described above. The Associate Director for Global Operations, in consultation with the appropriate Regional Director and Country Director, will make a final agency determination on such appeal.

## **6.0 Non-Competitive Eligibility (NCE) for Peace Corps Response Volunteers**

### **6.1 Eligible Peace Corps Response Volunteers (PCRVs)**

A Peace Corps Response Volunteer (PCRv) is not eligible for NCE with agencies other than the Peace Corps unless the PCRv has completed satisfactorily two consecutive years of Peace Corps Response service. However, a PCRv who:

- (a) has been reinstated under the provisions of IPS 1-20 to a Reinstatement Term of Service; and
- (b) has satisfactorily completed his or her Reinstatement Term of Service

qualifies for non-competitive eligibility (NCE) for Peace Corps positions in accordance with the provisions of Section 8.0 of MS 601 *Administration of the Peace Corps Direct Hire System*.

### **6.2 Completion of Reinstatement Term of Service**

A PCRv who has been reinstated under the provisions of IPS 1-20 and served satisfactorily and completed the Reinstatement Term of Service is eligible for NCE certification for Peace Corps employment only.

Country Directors shall include the following statement as the final paragraph of the DOS of the PCRv:

This is to certify in accordance with Section 6.0 of Peace Corps Interim Policy Statement 4-20 that [PCR/V name] served satisfactorily as a Peace Corps Response Volunteer for a Reinstatement Term of Service under an appointment of [X] months.

### **6.3 Denial of NCE Certification and Appeal**

The Country Director must provide a written notification to any terminating PCR/V who satisfactorily served his or her Reinstatement term of service and who is denied NCE certification. The notification must include the reasons for denial and the following paragraph on appeal procedures:

If you wish to appeal this decision, please write to the Associate Director for Global Operations, Peace Corps, 1275 First Street NE, Washington DC, 20526 , or [NCEappeal@peacecorps.gov](mailto:NCEappeal@peacecorps.gov). The appeal must be postmarked or sent by e-mail within 30 days of notification of the denial of certification. In the absence of special circumstances, appeals postmarked after this period will not be considered. Your appeal must detail specifically the reason for the appeal and include a copy of the Country Director's written notification.

The Country Director must provide the PCR/V with the original of the notification and maintain a copy in the PCR/V's in-country file.

If a terminating PCR/V disagrees with the Country Director's decision regarding eligibility for NCE certification, he or she may appeal that decision in accordance with the procedures described above. The Associate Director for Global Operations, in consultation with the appropriate Country Director and Regional Director, will make a final agency determination on such appeal.

### **7.0 Effective Date**

- (a) The effective date of this IPS is the date of issuance.
- (b) This IPS will be reviewed by the Senior Policy Committee within 12 months of its date of issuance to assess the need for any revisions to the policy and the time-frame for continued applicability.