

Guidelines for Commissioned Officer Separation from Active Duty (non-retirement) and Rehiring as Civil Service

Active duty commissioned officers in the USPHS Commissioned Corps may elect to leave active duty and serve in the capacity of a civil service employee. A common misconception is that there is the possibility of conversion from Commissioned Corps to Civil Service. **There is no legislative authority for conversion from Corps to Civil Service.** If an officer elects to leave the Corps and be re-hired as a civil servant, he/she must follow the following procedures in order to do so.

All applicable civil service rules apply to the selection of a current or former commissioned officer for a civil service vacancy. The position **must** be advertised; the officer **must** apply for the position, be reachable on the certificate of eligibles, and be selected for the position. Unless the officer has civil service status from former civil service employment, he/she must apply for external (all-sources) announcements and has no status which qualifies him/her for merit promotion vacancies.

If selected for a civil service position, an active duty officer should coordinate his/her release from active duty with the civil service appointment date. Non-retirement separations can be effective on any date, and the last Saturday before the beginning of a civil service pay period is generally selected. If an officer has unused annual leave, he/she can actually begin the civil service appointment while on terminal leave, provided that approval is granted on an HHS 520, Approval of Outside Activity.

In order to be allowed to take terminal leave or be paid for unused annual leave, an officer's request for separation must be received in the Division of Commissioned Personnel a minimum of 30 days prior to the last day at the duty station (as an active duty officer).

Upon separation, an officer with less than 20 years active duty has 2 choices. He/she can elect to terminate his/her commission and become a former commissioned officer, or can elect to inactivate and remain an inactive reserve officer in the Commissioned Corps. Unlike the military, inactive reserve status in the USPHS Commissioned Corps confers no entitlements related to retirement.

Current DHHS policy does not allow an officer who retires with less than 30 years service to be rehired as a civil servant within the Department without a minimum six-month break in service.

Officers or managers with questions or concerns about re-hiring of current or former officers should contact the Staff Specialist in the Office of Commissioned Corps Personnel who services their CIO.