

Material Transmitted:

Department of Health and Human Services (HHS) Instruction 610-3, Establishing Appointment Effective Dates, dated October 21, 2011.

Background:

This Instruction establishes Department policy for establishing appointment effective dates for new federal employees when a federal holiday occurs in the employees' first pay period prior to the day the employee initially reports for duty.

This issuance is effective immediately. Implementation under this issuance must be carried out in accordance with applicable laws, regulations, bargaining agreements, and Department policy.

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SUBJECT: ESTABLISHING APPOINTMENT EFFECTIVE DATES

610-3-00	Purpose
610-3-10	References
610-3-20	Coverage and Exclusions
610-3-30	Definitions
610-3-40	Responsibilities
610-3-50	Establishing Appointment Effective Dates
610-3-60	Documentation and Accountability

610-3-00 PURPOSE

This Instruction establishes Department of Health and Human Services (HHS) policy for establishing appointment effective dates for new federal employees when the employees first report for duty following a holiday which occurs during the employee's first pay period.

610-3-10 REFERENCES

- A. [Comptroller General Decision B-158844](#)
- B. [HHS Guide for Timekeeping](#)

610-3-20 COVERAGE AND EXCLUSIONS

A. Coverage

This policy covers employees who are receiving an initial federal appointment with HHS or who are being reappointed following a break in service of at least one day.

B. Exclusions

This policy does not apply to employees who transfer to HHS from another federal agency or within HHS without a break in service.

610-3-30 DEFINITIONS

- A. Appointment effective date – the official start date of a federal civilian appointment for service computation purposes.
- B. Entrance on duty (EOD) date – the date on which a person completes the necessary paperwork and is sworn in as an employee.

Instruction 610-3: Establishing Appointment Effective Dates

Issuance Date: October 21, 2011

- C. New federal employee – a person who receives a first appointment (regardless of tenure) as a civilian employee of the federal government or a reappointment following a break in service of one day or more.

610-3-40 RESPONSIBILITIES

- A. Office of Human Resources (OHR), Assistant Secretary for Administration (ASA), is responsible for:
1. Updating and maintaining this policy; and,
 2. Advising Operating Human Resources Organizations (OHRO) on establishing appointment effective dates.
- B. Operating Divisions and Staff Divisions (OPDIVs) are responsible for:
1. Identifying desired EOD dates for new employees; and,
 2. Notifying the servicing OHRO of desired EOD dates.
- C. Operating Human Resources Organizations (OHROs) are responsible for:
1. Working with OPDIVs to establish EOD dates in accordance with this Instruction;
 2. Making job offers to new employees and receiving acceptance of job offers including appointment effective dates; and,
 3. Advising OPDIVs on setting EOD dates.

610-3-50 SETTING APPOINTMENT EFFECTIVE DATES

In most instances, the appointment effective date for employees is the first Sunday of the pay period during which the employees first report for work. New federal employees who work Monday through Friday do not enter on duty on Monday when Monday is a holiday. They enter on duty on Tuesday, the day they start work and are sworn in.

In such instances, the Department's policy is to establish the appointment effective date on Tuesday. If the appointment effective date is the Tuesday following the holiday, the employees are not paid for the holiday. For new employees who have a work schedule other than Monday through Friday (e.g., Wednesday through Sunday), set the appointment effective date on the date the employee initially reports for duty, not the first Monday of the pay period.

Federal employees who transfer from another agency or within HHS on Sunday when the following Monday is a holiday will have their appointment effective date established on Sunday and are paid for the holiday as usual.

Failure to follow this policy may result in a requirement to pay an employee for the holiday. If a person has accepted a tendered appointment, either verbally or through some other overt act, which begins on Sunday, the employee is entitled to pay for the Monday holiday even if the employee did not take the oath of office and report for duty until Tuesday. In such situations, there is no administrative discretion to deny the employee pay for the holiday.

610-3-60 DOCUMENTATION AND ACCOUNTABILITY

A. Documentation

OHROs must ensure that appointment effective date decisions are properly approved, recorded, and documented.

B. Accountability

The OHR, OHRO, and OPDIVs will conduct such oversight activities as required to ensure that appointment effective dates are set in accordance with law, regulations, and HHS policy and procedures.