

CHAPTER 1. GENERAL PROVISIONS

1.1 INTRODUCTION

In our continued effort to attract highly qualified applicants and to become the employer of choice, the Department of Housing and Urban Development (HUD) has the authority under 5 CFR 630.205 to grant credit for annual leave accrual purposes when appointing individuals new to the Federal Government, to a potential employee, or a potential employee who has had a break of at least 90 calendar days from the date of his/her last Federal civilian employment. Thus, eligible recruits would not be required to work the entire waiting period to start accruing (no more than) 6 hours of annual leave per pay period.

This is a discretionary flexibility agencies may use to meet their strategic human capital needs, and a potential employee has **NO entitlement** to this credit.

1.2 PURPOSE

The policy provides guidance in applying the credit allowed in the Federal Workforce Flexibility Act of 2004 (P.L. 108-411) and 5 CFR 630.205. This credit is for prior non-Federal or active duty military work experience, which otherwise would not have been creditable, when the skills and experience the potential employee possesses are:

- essential to the position and were acquired through performance in a prior position having duties that directly relate to the duties of the position to which he/she is being appointed; and are
- critical to achieve an important HUD mission or performance goal.

1.3 APPLICABILITY

1. This policy applies only to applicants with no Federal service experience or a former Federal potential employee who has had a break in service of at least 90 calendar days from the date of his/her last Federal civilian employment and meets all of the requirements stated in this Handbook. The approval for this benefit **must be prior** to the effective date of the appointment, i.e., prior to the potential employee reporting to duty and in conformance with the other requirements outlined in this policy.
2. The potential employee must be appointed to a position covered by the Federal annual and sick leave program, identified in 5 U.S.C., Chapter 63.
3. The appointment must be to a full-time or part-time permanent position.

4. This authority **does not** apply to employees appointed to positions in HUD **prior to the effective date of this Handbook. Retroactive credit for annual leave accrual under this Handbook is not permitted.**

1.4 DEFINITIONS

Mission Critical Position: For the sole use of this policy, a mission-critical position is one that is vital to the day-to-day operations and success of the Program Office and, but for the successful recruitment of the position, the activities of the program would suffer and ultimately hinder the overall success of the Department. Due to the importance of these positions, they are typically GS-13 and above positions.

When determining mission-critical positions, organizations must consider:

- A position's expected contribution to long-term organizational success; and
- The criticality and/or unique contribution of a position in achieving ongoing long-term objectives.