

Fort Knox CPAC...



HR Tip of the Week

What is “Military Spouse E.O. 13473”? Executive Order 13473, dated September 28, 2008, authorized the noncompetitive appointment of certain military spouses to competitive service positions. The U.S. Office of Personnel Management (OPM) codified implementing regulations at 5 CFR 315.612, effective September 11, 2009.

Spouses are valuable assets within our Army Family because they know the military environment, its people and protocols, as well as its unique language of acronyms. To support the sacrifices they make as the spouse of a service member and to facilitate the transition of their family to new installations, military spouses may be eligible for a noncompetitive appointment and/or preference when seeking Federal employment.

Family Member Appointing Authorities are not an entitlement. Knowing about this authority and identifying your eligibility will enhance your job search. Check vacancy announcements, which will clearly state "Who May Apply."

E. O. 13473 Authority allows agencies to appoint a military spouse. Agencies can choose to use this authority when filling competitive service positions on a temporary (not to exceed 1 year), term (more than 1 year but not more than 4 years), or permanent basis. The E. O. 13473 does not entitle spouses to an appointment over any other applicant, it merely provides the authority with which they may apply or be selected.

As a military spouse you are eligible under this authority if your active duty military spouse:

- 1) receives a Permanent Change of Station (PCS) move;
- 2) has a 100% disability rating; or
- 3) died while on active duty.

Each of these categories has different eligibility criteria that must be met.

Active Duty Spouse PCS: As a military spouse you must:

- Be authorized to relocate on the PCS orders; and
- Actually relocate to the new duty station.

Military spouses can only be appointed within the reasonable daily commuting distance of the new duty station and the appointment must be made within 2 years of the PCS. You will be asked to provide a copy of the PCS orders.

Individuals whose eligibility derives from their service member spouse's relocation as documented on the service member's PCS orders must relocate with the service member spouse in order to be eligible under these provisions.

Spouses of military members who are on orders specifying detail (i.e., temporary assignment, deployment, temporary duty or temporary change) to the service member's armed force's duty station, which return the service member back to his or her permanent duty station, are not eligible to use this authority.

Orders for release or discharge from active duty service such as release for hardship, or expiration of term service (ETS) orders, are not PCS orders and therefore cannot be used to establish eligibility under these provisions.

Eligible spouses are limited to one permanent appointment under this authority per relocation or PCS move. If the service member receives new relocation or PCS orders to a different geographic location, his or her spouse would have a new permanent appointment eligibility based on the second PCS orders.

There is no limit on the number of temporary or term appointments an individual may receive per PCS move. Correspondingly, an individual who received a temporary or term appointment as a result of a PCS would still be eligible for one permanent appointment based on that same PCS move.

Based on 100% Disability: You are eligible if your active duty spouse:

- Retired under Chapter 61 of title 10, United States Code with a 100% disability rating from the military department;
- Retired or was released from active duty and has a disability rating of 100% from the Department of Veterans' Affairs or the military department.

There is no geographic limitation under this category. You will be required to provide documentation of your spouse's disability.

Based on Service Member's Death: You are eligible if your spouse was killed while on active duty and you are not remarried. There is no geographic limitation in this category. You will be required to provide documentation of the death and your marital status at the time of death.

Note: Military Spouse Preference is a Department of Defense program applicable to positions being filled both in the continental United States and at overseas locations.

Look for our next HR Tip regarding Category Ratings