



DEPARTMENT OF THE ARMY  
OFFICE OF THE DEPUTY CHIEF OF STAFF, G-1  
200 STOVALL STREET  
ALEXANDRIA, VIRGINIA 22332-0300

APR 07 2005

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MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Employment of Retired Members of the Armed Forces

1. References:

a. Memorandum, Deputy Assistant Secretary of Army (Manpower and Reserve Affairs), 27 Sep 01, subject: Appointment of Retired Members of the Armed Forces to Positions in Department of Army

b. V USC section 3326 (c)

2. Reference 1a authorized the appointment of retired members of the armed forces to Department of Army civilian positions within the 180 days immediately after retirement, without processing a waiver of the employment restriction. This provision is in effect for the duration of the national emergency. The Assistant Secretary of Army (Manpower and Reserve Affairs) will evaluate use of this authority to determine whether it should be continued, modified, or terminated.

3. While a 180-day waiver is not required during the declared national emergency, the laws, and regulations pertaining to merit principles and prohibited personal practices are still in effect for the recruitment, selection, and appointment of recently retired military personnel.

4. Military to civilian conversions are an integral part of the Army's transformation initiatives. Increased demand on U.S. Forces requires maximum use of civilian human resources. As more military positions are converted, there will be greater opportunities for employment of former military service members.

5. Retired members of the Armed Forces are an excellent source of candidates and have a right to seek and to be considered for Federal civilian employment. Consideration shall be extended equitably and in compliance with the merit system principle of open competition to avoid both the practice and appearance of preferential treatment. This is not only in the interest of career employees, but to protect retired members from unwarranted allegations that they obtained their positions through influence based on prior military service.

6. The statutory requirements to be met before employing recently retired (i.e. within 180 days) members of the Armed Forces, include the following:

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- a. full consideration, in accordance with placement and promotion procedures was given to eligible career employees;
- b. the vacancy has been publicized to give interested candidates an opportunity to apply.
- c. qualification requirements for the position have not been written in a manner designed to give advantage to the retired member, and;
- d. the position has not been held open pending the retirement of the retired member.

Encl

  
TONI B. WAINWRIGHT  
Deputy Assistant G-1 Civilian Personnel  
Policy

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ADMINISTRATIVE ASSISTANT TO THE SECRETARY OF THE ARMY

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OFFICE OF THE JUDGE ADVOCATE GENERAL, ATTN: DAJA-LE (MS. NUGENT)