

28664

OFFICE OF  
Indian Affairs  
Rec. MAY 14

1902

68119

Civ. Ser. Com.

May 9, 1902

Authorizes the tem-  
porary app't of an  
Outing Matron for  
Carlisle School,  
wrap.

To Carlisle May '02

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CIVIL SERVICE RULE VIII—SECTIONS 13 AND 14 (FORMERLY SECTIONS 12 AND 13).

DEPT OF THE INTERIOR APPOINTMENT DIVISION.	RECEIVED MAY 13 1899
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13. Whenever there are no names of eligibles upon a register for any grade in which a vacancy exists and the public interest requires that it must be filled before eligibles can be provided by the Commission, such vacancy may, subject to the approval of the Commission, be filled by appointment without examination and certification for such part of three months as will enable the Commission to provide eligibles. Such temporary appointment shall expire by limitation as soon as an eligible shall be provided, and no person shall serve longer than three months in any one year under such temporary appointment or appointments, unless by special authority of the Commission previously obtained. Said year limitation shall commence from the date of such first appointment: *Provided*, That whenever an emergency shall arise requiring that a vacancy shall be filled before a certification can be issued and an appointment made thereto in the manner provided in these rules, such vacancy may be filled, without regard to the provisions of these rules, for such part of thirty days as may be required for the issuance of the certificate and the execution of the necessary details of an appointment thereto in accordance with said provisions. Such appointment shall in no case continue longer than thirty days.

14. Whenever a temporary appointment shall be made through certification from the eligible registers of the Commission in the manner provided in these rules, such temporary appointment shall in no case continue longer than six months and shall expire by limitation at the end of that period.

Under section 13 of Rule VIII a *temporary* appointment is one which is authorized whenever there are no names of eligibles upon a register, and the first step to be taken by the Department in connection with the making of a *temporary* appointment is a request for a certification of eligibles. It is for the Commission to decide whether or not there are eligibles on the proper register, from which certification can be made to fill the vacancy. If there are none, a temporary appointment is authorized, and steps are immediately taken to establish a register. A *temporary* appointment, therefore, can not be made under the rules, except upon the approval of the Civil Service Commission previously obtained. An *emergency* appointment, which can be made for only thirty days, is one which is required by the exigencies of the service to be made at once, without waiting for the formality of certification by the Commission. In such cases it may be that there are eligibles, in which event certification would be made from the proper register, and the *emergency* appointment would be approved, pending selection from the certification issued.

In the case of a *temporary* appointment, it can be made for such part of three months as will enable the Commission to provide eligibles, and expires by limitation as soon as an eligible is provided. In the case of an *emergency* appointment, it is made for such part of thirty days as may be required for the issuance of a certificate, and the execution of the necessary details of an appointment thereto, in accordance with the rules, such appointment to continue in no case longer than thirty days. It will thus be seen that the only appointments which can be made by an appointing officer without the previous approval of the Civil Service Commission, are the *emergency* appointments for thirty days; and in those cases, the fact should be immediately reported to the Commission, in order that the necessary steps may be taken to supply an eligible. A temporary appointment for three months, on the other hand, can not be made by an appointing officer without the antecedent approval of the Commission, and the first step to secure such approval is a request for certification. In this connection the attention of appointing and nominating officers is invited to the fact that as a rule the Commission has ample registers of eligibles to fill any existing vacancy in the various services of the Government; and much valuable time would be saved if, as soon as a vacancy exists, the request for certification be made in the proper form without, as has been the practice, asking whether or not the Commission can furnish proper eligibles to fill such vacancy.

A soon as a request is received, the Commission will immediately take steps to issue the proper certificate, or, should there be no register, a temporary appointment will be authorized, pending the establishment of a register, so that the work of the Department will not suffer through any delay on the part of the Commission in supplying eligibles to fill any vacancy which may exist in any branch of the service.

In this connection, attention is invited to the following, which was communicated to the Department by letter of February 11, 1899:

“Temporary Appointments: *Ordered*, (1) That whenever, owing to the exigencies of the service, a temporary appointment is authorized to fill an existing vacancy, the appointing officer will be requested to have the temporary appointee complete an application in proper form, and take the proper examination held to fill such vacancy.

(2) In case a temporary appointee fails, without good reason satisfactory to the Commission, to file a completed application in proper form, and enter an examination held to fill the vacancy in which he is serving, or fails in such examination, the extension of the temporary appointment of such person will not be authorized, except upon reasons which must be satisfactory to the Commission, and unless, as the result of such examination, no eligibles at all are secured. (Minutes, April 29, 1899, clause 4).

Attention is also invited to the decision of the Comptroller of July 25, 1896, that no payment can be made to a person employed under section 13 of Rule VIII, until such appointment is approved by the Commission.

By direction of the Commission:

John R. Porter  
President

28664  
Indian Office  
Incl. No. X  
1902

AUTHORITY FOR TEMPORARY APPOINTMENT.

Form No. 1124.

JMS

IN YOUR REPLY REFER TO  
C 1008f

FILE NO. ....

AND DATE OF THIS LETTER.  
CERTIFICATION DIVISION.

United States  
Civil Service Commission,  
Washington, D. C.

Address: "CIVIL SERVICE COMMISSION,  
WASHINGTON, D. C."

*WRB*

May 9, 1902.

The Honorable

The Secretary of the Interior.

Sir:

Referring to your request of April 26, 1902, No. E.69, you are advised that inasmuch as there is at present no register of eligibles from which a certification can be issued to fill the vacancy in the position of **Outing Matron, Carlisle school, Pa.**, at a salary of **\$800.** per **annum**, YOU ARE HEREBY AUTHORIZED to make temporary appointment, under section **14** (formerly section **13**) of Rule VIII, for such a part of three months as will enable the Commission to establish a register from which a regular certification can be made.

Please advise the Commission as soon as practicable of the name of the temporary appointee, and the date on which the services begin.

DEPARTMENT OF THE INTERIOR,  
Office of the Secretary,

*8*

..... *May 13* ....., 1902.

Respectfully referred to

By direction of the Commission:

The Commissioner of Indian Affairs  
By direction of the Secretary.

*Edward M. Dawson*  
Chief Clerk of the Department

*JMS*

*John P. ...*  
President.