

**MILITARY DEPARTMENT OF NEBRASKA  
HUMAN RESOURCES OFFICE  
1300 MILITARY ROAD  
LINCOLN, NEBRASKA 68508-1090**

NGNE-HRO-TMB

25 August 2010

MEMORANDUM FOR Technician Managers and Supervisors

SUBJECT: Effective dates of New-Hire Appointments

1. References:

- a. 21 Comptroller General 817, B-23,607
- b. The Guide to Processing Personnel Actions (GPPA) Chapter 3, Subchapter 4

2. Beginning 1 October 2010, the effective date for new-hire appointments will be:

a. The first Monday or Tuesday of a pay period, according to the individual's work schedule, the individual is in a pay and duty status, completes the necessary paper work, and is sworn in as an employee

OR

b. The exception to first day of scheduled duty will only be due to extenuating circumstances. The first day a new employee reports for work when a supervisor coordinates with the Human Resources Office (HRO) to start the employee on a day other than the first Monday or Tuesday scheduled workday.

3. Intermittent appointments will be effective the first day the appointee reports for work.

4. All SF-52s, Request for Personnel Actions, will be submitted so as to arrive at the HRO no later than three working days prior to the effective date of the requested action unless approved by the Air Commander (ANG) or Chief of Staff (ARNG) upon written justification as to the importance of the technician to mission accomplishment.

5. Point of contact for this memorandum is Mrs. Denise Anderson, (402) 309-7109 or Mrs. Deborah Tankesley, (402) 309-7118.

FOR THE ADJUTANT GENERAL:

  
MICHAEL L. DEGER  
COL, IN, NE ARNG  
Human Resources Officer

## EFFECTIVE DATES OF NEW-HIRE APPOINTMENTS/OATH OF OFFICE

Current Policy: The effective date for new-hire appointments will be on Sunday, the first day of the pay period.

Change: The first Monday or Tuesday of a pay period the individual is in a pay and duty status, completes the necessary paper work, and is sworn in as an employee (according to the individual's work schedule)

### Guidance and Authority:

#### 1. The Guide to Processing Personnel Actions (GPPA) (Chapter 3):

a. Oath of office is the acceptance of the position and acknowledge on the date.

b. "The oath and affidavits are executed when the appointee enters on duty ...."

c. Acceptance of an appointment may be shown by formal acceptable by entry on duty, or by taking the oath of office. Date of acceptance is the date the applicant accepts, either orally or in writing, the appointment offer. When the employee reports for duty or take the oath of office, acceptance of the position is acknowledged on that date.

#### 2. From 21 Comptroller General 817, B-23,607:

"no person shall be employed unless such person before engaging in such employment subscribes to the oath prescribed therein, an appointment of employment may become effective, although no right to compensation will accrue, before the oath is executed, and the oath, when executed, will relate back to the date of entrance on duty so as to entitle the officer or employee to compensation from that date"

"unless an appointment stipulated taking the oath of office a condition precedent to make the appointment effective, the officer or employee would be entitled to compensation from the date of acceptance of the appointment, provided the oath had been taken prior to the payment of compensation; that is, the oath must be taken before the officer or employee is entitled to payment, but the oath having been taken the right to compensation may relate back to the date of the acceptance of the appointment in the absence of any restriction in the appointment itself.

3. Holiday: Generally there must be an entrance on duty under a valid appointment before the payment of compensation is authorized. Exception is where there is an intervening non-workday between the date of acceptance of appointment (oath of office) and date of entrance of duty, compensation is payable for the non-workday. However, the individual is not statutorily entitled to holiday pay or any other compensation, if the Oath was not executed.

4. Exceptions: Where the first workday is not a Monday or Tuesday (depending on the work schedule), or the individual is a mid pay period hire, the effective date will be the actual day the individual worked.