**Differences between Temporary and Permanent Seasonal Status**

Seasonal employees hired as “temps,” including thousands of wildland firefighters, work side by side with permanent seasonal employees, often doing the same jobs. Because of a quirk in federal employment regulations, even a “temporary” seasonal employee who has worked for decades is not considered an “employee” and therefore does not have the competitive standing to compete for permanent seasonal jobs like other employees can. Many such employees end up in a series of temporary appointments, stuck because of this regulatory dead end. Many others, their career advancement blocked, leave, taking their skills and knowledge with them.

The Land Management Workforce Flexibility Act would rectify this situation and give long-serving temporary employees the opportunity to advance their careers. It would give land management agencies the opportunity to retain this valuable human capital.

Significant differences between “temporary” and “permanent” seasonal employment authorities are summarized in the table below. The table is not comprehensive; many other differences exist.

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|  | **Temporary seasonal employees** | **Permanent seasonal employees** |
| **Employment Authority** | 5 CFR Part 316 Subpart D | 5 CFR 340.402 |
| **Tour** | Cannot exceed 6 months (1040 base hours) | 6 months or greater; can be extended based on agency needs |
| **Pension** | None | Pension is prorated based on months worked |
| **Health Insurance** | Eligible during season; may continue with Cobra coverage during off season | Eligible to participate year-round |
| **Life Insurance** | Not eligible | Eligible |
| **OWCP** | Covered for injured on the job; establishing that chronic illnesses are work-related is problematic | Covered for injured on the job; establishing that chronic illnesses are work-related is problematic; health insurance provides a safety net and extends careers |
| **Disability Retirement** | Not eligible | Eligible |
| **Step Increases** | Not eligible (GS employees) | Eligible |
| **Competitive Status** | None | Yes |
| **Right to perm job, if disabled in line of service** | None | Yes |
| **Civil Service Protections** | Essentially none | Have same civil service due process protections as permanent full-time employees |
| **Military Leave** | None | 15 days per fiscal year for active duty and/or training |