



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Rose M. Grimmett, et al.

File: B-231638

Date: August 9, 1989

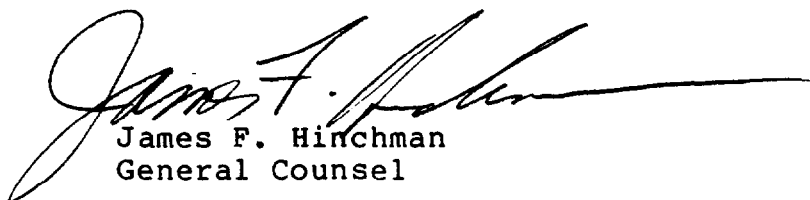
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### DECISION

This responds to a request by an Army Finance and Accounting Officer for our decision on whether three former civilian employees--Rose M. Grimmett, Marie Heath, and Velvet T. Perry--were entitled to severance pay upon their separation from federal service. The Finance and Accounting Officer's doubt in the matter arises from the fact that these three individuals were separated from temporary positions.

The severance pay statute generally excludes from its coverage temporary employees ("employees serving under an appointment with a definite time limitation"), but makes an exception for such employees if they were appointed to full-time temporary positions from permanent positions without a break in service of more than 3 days. 5 U.S.C. § 5595(a)(2)(A)(ii) (1982). The three former employees in this case meet this test and therefore have severance pay coverage. The record indicates that they also meet the eligibility requirements for severance pay. They had been employed for a continuous period of at least 12 months when separated from their temporary positions and their separations, based on funding constraints, were involuntary and not removals for cause. See 5 U.S.C. § 5595(b); Wanda Pleasant, 67 Comp. Gen. 300 (1988).

Therefore, the three individuals are entitled to severance pay. Severance pay should be calculated in accordance with Robert G. Joyce, 67 Comp. Gen. 344 (1988).

  
James F. Hinchman  
General Counsel

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