within an agency a collective-bargaining agreement which establishes the number of hours of employment a week, then this chapter shall not apply to those positions.

(b) This chapter shall not require part-time career employment in positions the rate of basic pay for which is fixed at a rate equal to or greater than the minimum rate payable under section 5376.

(Added Pub. L. 95–437, § 3(a), Oct. 10, 1978, 92 Stat. 1057, § 3395; renumbered § 3405 and amended Pub. L. 95–454, title IX, § 906(c)(1)(B), (2)(C), Oct. 13, 1978, 92 Stat. 1226, 1227; Pub. L. 101–509, title V, § 529 [title I, § 101(b)(9)(D)], Nov. 5, 1990, 104 Stat. 1427, 1441.)

REFERENCES IN TEXT

The date of enactment of this chapter, referred to in subsec. (a), is the date of the enactment of Pub. L. 95–437, which was approved Oct. 10, 1978.

AMENDMENTS

1990—Subsec. (b). Pub. L. 101–509 substituted ''payable under section 5376'' for ''fixed for GS–16 of the General Schedule''.

1978—Pub. L. 95–454, § 906(c)(1)(B), renumbered section 3395 of this title as this section.

Subsecs. (a), (b). Pub. L. 95–454, § 906(c)(2)(C), substituted ''chapter'' for ''subchapter'' wherever appearing.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, § 305] of Pub. L. 101–509, set out as a note under section 5301 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95–454, set out as a note under section 1101 of this title.

§ 3406. Regulations

Before any regulation is prescribed under this chapter, a copy of the proposed regulation shall be published in the Federal Register and an opportunity provided to interested parties to present written comment and, where practicable, oral comment. Initial regulations shall be prescribed not later than 180 days after the date of the enactment of this chapter.

(Added Pub. L. 95–437, § 3(a), Oct. 10, 1978, 92 Stat. 1057, § 3396; renumbered § 3406 and amended Pub. L. 95–454, title IX, § 906(c)(1)(B), (2)(C), Oct. 13, 1978, 92 Stat. 1226, 1227.)

REFERENCES IN TEXT

The date of the enactment of this chapter, referred to in text, is the date of the enactment of Pub. L. 95–437, which was approved Oct. 10, 1978.

AMENDMENTS

1978—Pub. L. 95–453, § 901(c)(1)(B), renumbered section 3396 of this title as this section.

Pub. L. 95–454, § 906(c)(2)(C), substituted ''chapter'' for ''subchapter'' wherever appearing.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95–454, set out as a note under section 1101 of this title.

[§ 3407. Repealed. Pub. L. 104–66, title III, § 3001(a)(1), Dec. 21, 1995, 109 Stat. 733]

Section, added Pub. L. 95–437, § 3(a), Oct. 10, 1978, 92 Stat. 1058, § 3397; renumbered § 3407 and amended Pub. L. 95–454, title IX, § 906(c)(1)(B), (2)(D), (E), Oct. 13, 1978, 92 Stat. 1226, 1227, related to reports.

§ 3408. Employee organization representation

If an employee organization has been accorded exclusive recognition with respect to a unit within an agency, then the employee organization shall be entitled to represent all employees within that unit employed on a part-time career employment basis.

(Added Pub. L. 95–437, § 3(a), Oct. 10, 1978, 92 Stat. 1058, § 3398; renumbered § 3408, Pub. L. 95–454, title IX, § 906(c)(1)(B), Oct. 13, 1978, 92 Stat. 1226.)

AMENDMENTS

1978—Pub. L. 95–454 renumbered section 3398 of this title as this section.

CHAPTER 35—RETENTION PREFERENCE, VOLUNTARY SEPARATION INCENTIVE PAYMENTS, RESTORATION, AND REEMPLOYMENT

SUBCHAPTER I—RETENTION PREFERENCE

Sec.
3501. Definitions; application.
3502. Order of retention.
3503. Transfer of functions.
3504. Preference eligibles; retention; physical qualifications; waiver.

SUBCHAPTER II—VOLUNTARY SEPARATION INCENTIVE PAYMENTS

3521. Definitions.
3522. Agency plans; approval.
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SUBCHAPTER III—REINSTATEMENT OR RESTORATION AFTER SUSPENSION OR REMOVAL FOR NATIONAL SECURITY

3571. Reinstatement or restoration; individuals suspended or removed for national security.

SUBCHAPTER IV—REEMPLOYMENT AFTER SERVICE WITH AN INTERNATIONAL ORGANIZATION

3581. Definitions.
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SUBCHAPTER V—REMOVAL, REINSTATEMENT, AND GUARANTEED PLACEMENT IN THE SENIOR EXECUTIVE SERVICE

3591. Definitions.
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3595a. Furlough in the Senior Executive Service.