

119TH CONGRESS
1ST SESSION

S. _____

To allow Federal employees who are involuntarily separated from Government service while serving a probationary or trial period to resume that period upon reinstatement, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. VAN HOLLEN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To allow Federal employees who are involuntarily separated from Government service while serving a probationary or trial period to resume that period upon reinstatement, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Our Proba-
5 tionary Employees Act”.

6 **SEC. 2. RESUMPTION OF PROBATIONARY PERIOD.**

7 (a) DEFINITIONS.—In this section:

1 (1) COVERED APPOINTMENT.—The term “cov-
2 ered appointment” means an appointment of a cov-
3 ered probationary employee to a position in the
4 former employing agency of that covered proba-
5 tionary employee that, to the extent practicable, is
6 the same as the previous Federal position occupied
7 by that covered probationary employee.

8 (2) COVERED PROBATIONARY EMPLOYEE.—The
9 term “covered probationary employee” means an in-
10 dividual who—

11 (A) is, or was, involuntarily separated from
12 Government service during the period beginning
13 on January 20, 2025, and ending on the date
14 described in subsection (c); and

15 (B) immediately before the involuntary
16 separation described in subparagraph (A), occu-
17 pied a position in an Executive agency under
18 which the individual served a probationary or
19 trial period under an initial appointment.

20 (3) EXECUTIVE AGENCY.—The term “Executive
21 agency” has the meaning given the term in section
22 105 of title 5, United States Code.

23 (4) FORMER EMPLOYING AGENCY.—With re-
24 spect to a covered probationary employee, the term
25 “former employing agency” means the Executive

1 agency from which the involuntary separation of
2 that individual made that individual a covered pro-
3 bationary employee.

4 (5) PREVIOUS FEDERAL POSITION.—The term
5 “previous Federal position” means, with respect to
6 a covered probationary employee, the position in an
7 Executive agency occupied by the covered proba-
8 tionary employee immediately before becoming a cov-
9 ered probationary employee.

10 (b) RESUMPTION OF PROBATIONARY PERIOD.—Not-
11 withstanding any other provision of law, the duration of
12 the probationary or trial period for a covered appointment
13 of a covered probationary employee to become final shall
14 be equal to the difference between—

15 (1) the duration of that probationary or trial
16 period that, but for this Act, would apply to that
17 covered appointment; and

18 (2) the duration of the probationary or trial pe-
19 riod that the covered probationary employee served
20 in the previous Federal position of that covered pro-
21 bationary employee, to the extent that such duration
22 does not exceed the duration described in paragraph
23 (1).

24 (c) SUNSET.—This Act shall terminate on January
25 20, 2029.