



February 14, 2025

MEMORANDUM FOR: BENJAMIN VIZZACHERO, WLDFL BIOLGST, GS-486-9

FROM: DEEDRA FOGLE
Director, Human Resource Management

SUBJECT: Notification of Termination During Probationary Period

REFERENCES: 5 U.S.C. § 7511
5 U.S.C. §2103
5 CFR §213.101
5 C.F.R. §§ 315.803, 315.804, and 315.806
Departmental Regulation 4020-250-1

This is to provide notification that the Agency is removing you from your position of WLDFL BIOLGST and federal service consistent with the above references.

On 1/28/2024, the Agency appointed you to the position of WLDFL BIOLGST as documented on your appointment Standard Form 50 (SF-50), your appointment is subject to a probationary/trial period. The agency also informed you of this requirement in the job opportunity announcement for the position.

Guidance from the Office of Personnel Management (“OPM”) states, “An appointment is not final until the probationary period is over,” and the probationary period is part of “the hiring process for employees.”¹ “A probationer is still an applicant for a finalized appointment to a particular position as well as to the Federal service.”² “Until the probationary period has been completed,” a probationer has “the burden to demonstrate why it is in the public interest for the Government to finalize an appointment to the civil service for this particular individual.”³

The Agency finds, based on your performance, that you have not demonstrated that your further employment at the Agency would be in the public interest. For this reason, the Agency informs you that the Agency is removing you from your position of WLDFL BIOLGST with the Agency and the federal civil service effective immediately.

¹ OPM, *Practical Tips for Supervisors of Probationers*.

² See U.S. Merit Systems Protection Board Report to the President and Congress, *The Probationary Period: A Critical Assessment Opportunity* (August 2005)

³ *Id.*

You may have a right to file an appeal with the Merit Systems Protection Board (MSPB) on the limited grounds set forth in 5 C.F.R. § 315.806. Any such appeal must be filed within 30 days of the effective date of this decision or 30 days after the date of your receipt of this decision, whichever is later. You should review MSPB regulations at 5 C.F.R. §§ 1201.14 and 1201.24 for instructions on how to file an electronic appeal and content requirements of the appeal, respectively. For more information, please visit www.mspb.gov or contact your local MSPB regional or field office.

We appreciate your service to the Agency and wish you the greatest of success in your future endeavors. If you have any off-boarding questions, please contact your Supervisor; or Human Resources Management Contact Center at 877-372-7248, Opt. 2 for questions regarding your benefits. For any other questions, please contact sm.fs.hrm_elr@usda.gov.

A handwritten signature in blue ink that reads "Deedra D. Fogle". The signature is fluid and cursive, with the first name being the most prominent.

DEEDRA FOGLE

Director, Human Resource Management