



Remedies and the Job Search Process: A Quick Reference Guide*

	Recusal	Administrative Action ** ¹	§ 208 Waiver ²	Impartiality Authorization ³	Defer Job Search
Seeking Employment Short of Negotiations	✓	✓		✓	✓
Negotiations	✓	✓	✓ ⁴		✓
Arranged Future Employment	✓	✓	✓		
Offer Rejected or Not Made After Negotiations ⁵	✓				

* This reference guide is only a summary. When giving advice, always consult the complete set of laws, rules, and opinions that apply to the particular situation.

** **NOTE:** Administrative action as used here differs from its usual meaning as disciplinary action.

¹ See 5 CFR § 2635.604(d).

² See 5 CFR §§ 2640.301 and 2640.302. For all § 208 waivers, agencies must consult with OGE (where practicable). See 5 CFR § 2640.303.

³ See 5 CFR §§ 2635.502(d) and 2635.605(b).

⁴ For all § 208 waivers for Senate-confirmed appointees, agencies must also consult with the Office of the Counsel to the President. See Memorandum for the Heads of Executive Departments and Agencies of January 6, 2004 from Andrew H. Card, Jr. (January 6, 2004). (Waivers for negotiations are rare.)

⁵ See 5 CFR § 2635.606(b).