



February 14, 2025

MEMORANDUM FOR LINDSEY NIELSEN, SENIOR STAFF FELLOW -- Food and Drug Administration

FROM: Jeffery Anoka  
Chief Human Capital Officer (Acting)

SUBJECT: Notification of Termination During Probationary Period  
REFERENCES: 5 U.S.C. § 7511  
5 U.S.C. § 3321(a)  
5 C.F.R. §§ 315.803 and 804  
5 C.F.R. § 316.304

This is to provide notification that I am removing you from your position of SENIOR STAFF FELLOW and federal service consistent with the above references.

On 6/20/2023, the agency appointed you to the position of SENIOR STAFF FELLOW. 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.”<sup>331</sup> “A probationer is still an applicant for a finalized appointment to a particular position as well as to the Federal service”<sup>332</sup> “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.”<sup>333</sup>

Unfortunately, the Agency finds that you are not fit for continued employment because your ability, knowledge and skills do not fit the Agency’s current needs, and your performance has not been adequate to justify further employment at the Agency.

For these reasons, I regrettably inform you that I am terminating your employment with the agency during your probationary/trial period, effective March 14, 2025. You will be carried in an administrative leave status and receive pay from today through the end or

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<sup>331</sup> OPM, [Practical Tips for Supervisors of Probationers](#).

<sup>332</sup> See U.S. Merit Systems Protection Board Report to the President and Congress, [The Probationary Period: A Critical Assessment Opportunity](#) (August 2005)

<sup>333</sup> *Id.*



your employment. You must turn in any government property, including but not limited to any government-furnished equipment, government issued credit cards, and PIV card and clear any indebtedness immediately.

If you believe this action is being taken based on partisan political reasons or marital status, you have a right to file an appeal with the Merit Systems Protection Board (MSPB) under 5 C.F.R. § 315.806. You must file an appeal 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](http://www.mspb.gov) or contact your local MSPB regional or field office (see attached).

I appreciate your service to the Agency and wish you the greatest of success in your future endeavors. If you have any questions, please contact [hhsdas-hr-chco@hhs.gov](mailto:hhsdas-hr-chco@hhs.gov).

A handwritten signature in blue ink, appearing to read "Jeffery Anoka", is centered below the text.

Jeffery Anoka

Chief Human Capital Officer (Acting)

Attachment: MSPB Regional and Field Offices