

<p>U.S. DEPARTMENT OF EDUCATION</p> <p>PERSONNEL MANUAL INSTRUCTION</p>	<p>PMI: <u>572-3*</u></p> <p>DATE: <u>March 29, 1994</u></p> <p>APPROVED:</p> <p><u>Martha C. Brooks</u> for Director of Personnel 8-27-2001</p>
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* Amended September 29, 1994

SUBJECT: PAYMENT OF TRAVEL AND TRANSPORTATION EXPENSES FOR PERMANENT CHANGE OF DUTY STATION

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
I. Authority	2
II. Policy	2
III. Applicability	4
IV. Responsibilities	7
V. Requirements for Payment	8
EXHIBIT I DIGEST OF TRAVEL ALLOWANCES	i
EXHIBIT II EMPLOYMENT AGREEMENT	ii

I. AUTHORITY

PMI 572-3

Title 5 U.S.C. 5724 and 5724a authorize payment of travel and transportation expenses of an employee transferred in the interest of the government from one official duty station or agency to another for permanent duty, (1) from a station outside the continental United States to a station inside the continental United States, or (2) from 1 station to another within the continental United States. For purposes of these statutes, the continental United States is comprised of the 48 contiguous states and the District of Columbia.

Determinations of eligibility for relocation payments follow the guidance provided by Comptroller General Decision B-198761 [61 Comp. Gen. 156 (1981)], and related decisions in effect on the employee's reporting date to the new official station.

Actual travel allowance payments must be in accordance with governing provisions of Chapter 2 of the Federal Travel Regulation (FPMR 101-7) in effect on the official reporting date to the new official station.

II. POLICY

This policy covers permanent changes of duty station within the continental United States.

A. REQUIREMENTS FOR RELOCATION PAYMENTS

Travel and transportation expenses incident to a permanent change of duty station may be paid only when the following requirements are met:

1. Transfer in Government Interest.

The appointing authority determines that the change of duty station is in the interest of the Department of Education (ED) and is not primarily for the convenience or benefit of the employee or at his/her request.

2. Employment Agreement.

The employee signs an agreement to remain in government service for 12 months following the date he/she reports for duty at the new permanent duty station, unless the employee is separated for

reasons beyond his/her control and acceptable to ED (see Exhibit II).

B. SHORT DISTANCE RELOCATION

If an employee is transferred from 1 duty station to another within the same metropolitan area but outside

PMI 572-3

the Standard Metropolitan Statistical Area, the appointing authority may determine that relocation is incident to the change of official station. (In making such a determination, the commuting distance and commuting time must be considered as well as any other pertinent factors. See Exhibit I, note 3)

C. TRAVEL, TRANSPORTATION, AND RELATED ALLOWANCES

1. When properly authorized, the ED Accounting and Financial Management Service shall determine the extent to which a current federal employee may be reimbursed for the following travel and transportation expenses, consistent with the Federal Travel Regulation (Exhibit I):
 - a. Transportation expenses of employee and his/her immediate family from residence (at time of appointment) to new duty station;
 - b. Per diem while en route between old and new duty stations for employee and his/her immediate family;
 - c. Transportation and per diem for house-hunting trip for employee and spouse only;
 - d. Temporary quarters, within authorized time limits;
 - e. Miscellaneous expenses;
 - f. Expenses associated with sale and purchase of residence within authorized limits;
 - g. Transportation of household goods, within authorized weight limitations; and
 - h. Temporary storage of household goods within authorized time limits.
2. For non-Senior Executive Service positions, travel and transportation expenses may not be paid for relocation incident to a temporary appointment for less than 1 year.
3. Payment of travel expenses incurred in connection with preemployment interviews is covered by Personnel Manual Bulletin 572-2.
4. Payment of travel and transportation expenses to first duty station for new appointees is covered by Personnel Manual Bulletin 572-2 and Personnel Manual Instruction 572-2.

III. APPLICABILITY

A. Coverage

This Instruction applies to federal employees within the continental United States. The following are not covered:

1. Experts and consultants;
2. Members of National Advisory Councils or Advisory Committees;
3. Individuals appointed under the Intergovernmental Personnel Act; and
4. Employees being moved to overseas duty stations.

B. Relocation Actions

The policy on payment of relocation expenses is guided by Comptroller General Decision B-198761 [61 Comp. Gen. 156 (1981)].

1. Transfer.

Recruitment actions outside of merit promotion procedures, i.e., lateral transfers from other agencies at the request of an ED management official, are considered to be in the interest of the government, and entitle the employee to applicable relocation expenses.

2. Reassignment.

Management-directed reassignments are considered to be in the interest of the government, and entitle the employee to applicable relocation expenses.

3. All ED Merit Promotion/Selection Processes.

a. Required Relocation Payment.

All allowable relocation expenses must be paid for current federal employees who are selectees under merit promotion procedures when applications have been solicited or accepted from outside the commuting area, except as provided in section III.B.3.b. below.

b. Discretionary Relocation Payment.

- (1) When a position is to be advertised under merit promotion procedures, an ED manager, working with the Servicing Personnel Officer (SPO); may determine that relocation expenses will not be paid, if the manager is satisfied that there will be a sufficient supply of highly qualified candidates from the local commuting area, and that no particular management purpose (e.g., meeting a need for a workforce which has diversified experience in different locations or in different organizations; addressing underrepresentation of minorities, women or handicapped in the local workforce; or fostering employee career development) would be served by recruiting from outside the commuting area. A sufficient supply of highly qualified candidates is defined as an experience-based estimate of the likelihood of attracting a number of highly qualified candidates deemed reasonable for the position.
- 2) A determination not to pay relocation expenses for selectees within the announced area of consideration cannot be based on a lack of funds.
- (3) The Selecting Official may decide not to authorize payment of relocation expenses. A determination not to pay relocation expenses must be stated on the vacancy announcement and documented in the merit promotion file by a memorandum, signed by the Selecting Official, stating the reason(s) for the determination not to pay relocation expenses, in terms of the criteria in section III.B.3.b (1) above.
- (4) If a vacancy announcement states that relocation expenses shall not be paid, there can be no subsequent determination to pay such expenses. If the position cannot subsequently be filled without payment of relocation expenses, then the vacancy must be cancelled.

c. Nonreimbursable Move.

Travel and transportation expenses may not be

PMI 572-3

paid in either of the following circumstances:

- (1) The move is primarily for the convenience or benefit of the employee or at his/her request.
- (2) Applications under merit promotion procedures have been solicited or accepted from outside the commuting area solely to afford employees an opportunity to relocate for personal reasons to a different commuting area. In such cases, vacancy announcements must state that relocation expenses will not be paid for the selectee(s).

IV. RESPONSIBILITIES

A. The Selecting Official is responsible for:

1. Identifying relocation actions for which payment of travel and transportation expenses is required (see section III.B.), determining availability of funds, and assuring: 1) that the Request for Personnel Action (SF-52) provides funding authorization; and (2) that all vacancy announcements state whether or not travel and transportation expenses will be paid (see section IV.C.1. below).
2. When a position is to be advertised under merit promotion procedures, proposing to the SPO any exception to the policy authorizing payment of relocation expenses, and, in such cases, providing the required justification for the merit promotion file (see section III.B.3.b.(3)).
3. Forwarding all required documents, through the Executive Officer, to the SPO.

B. The Executive Officer is responsible for advising the Selecting Official as necessary to assure preparation of required documentation for each SF-52 that involves a relocation.

C. The Servicing Personnel Officer is responsible for:

1. Determining eligibility for reimbursement for travel and transportation expenses for all personnel actions requiring applicant/employee relocation. This requires: (1) determining whether the change in duty station is in ED's interest, and is not primarily for the convenience

PMI 572-3

or benefit of the employee, or at his/her request; and (2) assuring that all vacancy announcements contain one of the following statements concerning whether or not relocation expenses will be paid:

"Payment of scheduled relocation expenses is authorized, provided appointee agrees to remain in government service for 12 months."

"Payment of relocation expenses is not authorized."

2. Where payment of relocation expenses is authorized, executing the required employment agreement with the employee on behalf of ED [Exhibit II.].
- D. The Travel Order Approving Official (usually the Headquarters Executive Officer or Regional Office Program Head) is responsible for authorizing payment of travel and transportation expense allowances.
 - E. The Accounting and Financial Management Service is responsible for analyzing vouchers for travel and transportation expenses, and determining and authorizing amounts payable.

V. REQUIREMENTS FOR PAYMENT

A. Written Employment Agreement

1. An employee whose relocation expenses are paid must agree in writing to remain in government service for 12 months following the date he/she reports for duty at the new official station. If the employee violates the agreement, money spent by the government for travel and transportation expenses is recoverable as a debt owed the United States. Repayment may be waived under certain circumstances, as set forth at section V.B.
2. The Employment Agreement (see Exhibit II) must be executed by the employee prior to payment of travel and transportation expenses. To avoid any misunderstanding between the parties, it is ED policy that the employee shall execute the agreement before incurring any expense payable by ED under Title 5 U.S.C. 5724 and 5724a.

B. Separation Before Completion of 12 Months Service

1. When an employee whose relocation expenses have been paid under this Instruction leaves government service within 12 months following the date of

PMI 572-3

permanent change of duty station, the Deputy Director for Financial Management, Accounting and Financial Management Service, Office of the Chief Financial Officer, must make a determination regarding any request for waiver of repayment of relocation expenses. The determination shall be entered on the Notification of Personnel Action (SF-50) reporting the employee's separation.

2. Repayment may be waived by the Deputy Director for Financial Management when the employee leaves for reasons beyond his/her control and acceptable to ED. Examples of such reasons are serious personal illness of the employee or a member of his/her family.
3. If an employee transfers from ED to another Federal agency* before the expiration of his/her service obligation, that obligation is ordinarily transferred to the receiving agency. A copy of the agreement must be included in the Official Personnel Folder when it is sent to the gaining agency. The release SF-50 must note in the

Remarks section the employee obligation to continue in government service until completion of the 12 month period.

C. SF-50 REQUIREMENTS

1. The employee must execute the Employment Agreement (see Exhibit II) prior to preparation of the SF-50.
2. After the employee has executed the agreement, the following remark must be entered on the SF-50 effecting the relocation:

Payment of travel and transportation expenses is authorized. Employee has signed the agreement to remain in government service 12 months as required by law.

If, after being fully informed of the effect of such a decision on his or her entitlement, an individual refuses to sign the agreement, the following remark must be entered on the SF-50:

Payment of travel and transportation expenses is not authorized, due to employee's refusal to sign the agreement to remain in government service for 12 months as required by law.

* "Agency" means an Executive agency; a military

PMI 572-3

department; an office, agency, or other establishment in the legislative branch; or an agency of the government of the District of Columbia.

DIGEST OF TRAVEL ALLOWANCES
FOR TRANSFERS WITHIN THE CONTINENTAL UNITED STATES

ALLOWANCES AND REQUIREMENTS	
Employment Agreement	Yes [1]
Travel of Employee and Dependents	Yes
Per Diem for Employee	Yes
Per Diem for Dependents	Yes
House-hunting Travel	Yes [2]
Temporary Quarters Allowance	Yes [3]
Miscellaneous Expense Allowance	Yes
Residence Transactions Expense	Yes
Non-temporary Storage of Household Goods	See [4]

- 1] Employee must sign agreement before ED may pay expenses.
- 2] The Travel Order Approving Official has option to authorize this allowance in advance prior to the permanent change of duty station. The allowance is not payable when the map distance between old and new duty stations is less than 75 miles by usually traveled surface route.
- 3] The Travel Order Approving Official has option to authorize or approve this allowance. The employee and/or family (1) shall not be eligible for this allowance when the employee's new duty station, in relation to their old residence is less than 40 miles farther than the distance between the old residence and the old duty station; and/or (2) shall not be eligible for this allowance, or the period of stay in temporary quarters shall be reduced substantially, when the employee or spouse has received permission for and reimbursement payment for a house-hunting trip.
- 4] The Travel Order Approving Official may authorize this allowance only when the new duty station has been designated an "Isolated Station" in the continental United States. Non-temporary storage is arranged by the government.

DEPARTMENT OF EDUCATION

EMPLOYMENT AGREEMENT FOR TRANSFERS WITHIN THE CONTINENTAL UNITED STATES

Information to Employees: If you are transferred in the interest of the government from one official station to another for permanent duty, payment may be authorized for your travel expenses and transportation of your immediate family and your household goods and personal effects, including relocation expenses. Title 5 U.S.C. 5724 and 5724a authorize the payment of such expenses and authorize the collection of the information requested on this form. The information you disclose will be used to determine whether payment of the above expenses may be authorized. The information may also be used: a) by a federal, State or local agency when there is an indication of a violation or potential violation of law; b) by the Office of Personnel Management in carrying out its functions; and c) for other routine uses published in accordance with 5 U.S.C. 552a. Your failure to provide the information requested and sign the agreement set forth below will result in your travel, transportation and relocation expenses not being paid by the government.

NAME (Last, first, Middle Initial)

NEW OFFICIAL STATION

I understand and agree that:

1. I will remain in government service for a period of 12 months from the date I report for duty at my new official station, unless separated for reasons beyond my control and acceptable to the Department of Education.
2. If, before the expiration of the agreed period specified above, I fail to fulfill the terms of this agreement, I will repay to the United States Government any monies expended from federal funds for travel, transportation, and relocation allowances, unless separated for reasons beyond my control and acceptable to the Department of Education.

Signature of Employee

Date Signed

Date Reported for Duty:

(This date must be recorded by the servicing personnel office on the Official Personnel Folder file copy.)

Distribution of Copies 1 original - Official Personnel Folder
 1 copy - Employee
 1 copy - Travel Voucher

U.S. Department of Education
Personnel Manual Instruction
Payment of Travel and Transportation
Expenses for Permanent Change of
Duty Station

PMI 572-3
Amendment
Date: September 29, 1994

TABLE OF CHANGES

Personnel Manual Instruction (PMI) 572-3, dated March 29, 1994, was issued as applicable to non-bargaining unit positions only, pending completion of bargaining obligations between the U.S. Department of Education (ED) and the American Federation of Government Employees, Council 252. By the attached Memorandum of Agreement, dated September 29, 1994, bargaining was completed. This Instruction applies to All ED employees, effective this date.

Pen and Ink Change

Page 4, Section III.A:

Paragraph 5 - **Delete**