

U.S. DEPARTMENT OF EDUCATION
PERSONNEL MANUAL INSTRUCTION

PMB 300-2

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APPROVED:

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for Director of Personnel

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SUBJECT: DETAIL OF NON-BARGAINING UNIT EMPLOYEES

I. AUTHORITY

The contents of this Bulletin conform to the requirements of the statutory authorities cited in Sections IV.A, V.A, and VI.A of this Bulletin.

II. APPLICABILITY

- A. Unless otherwise specified, all references to employees throughout this Bulletin are made to Non-Bargaining Unit employees.
- B. The requirements of this Bulletin apply to detail of employees within the Department of Education (ED) and to detail of employees between ED and other Federal departments and agencies.
- C. This Bulletin does not apply to details within the Senior Executive Service.
- D. This Bulletin does not apply to details between ED and non-Federal organizations under the Intergovernmental Personnel Act of 1970 or to public international organizations.
- E. This Bulletin does not apply to details within the Senior Executive Service.
- F. This Bulletin does not apply to details to unclassified duties. (See PMI 300-4.)

III. DEFINITIONS

- A. Day – For purposes of this Bulletin, a calendar day (not a work day).
- B. Detail – The temporary assignment of an employee to a different position or set of duties and responsibilities for a specified period with the employee expected to return to his/her position of record at the end of the detail, as the affected employee continues to encumber the position from which detailed. “Acting” designations will be considered as details after 30 days of such designation.

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Details are distinguished from the following:

- Temporary duty, which means the performance of duty by an employee in travel status when such duty is related by the employee's position of record;
 - Assignment to perform one or more of the regular duties of the employee's position of record in a location away from the employee's regular work place;
 - Assignment to membership on a task force, when the employee is participating for the purpose of representing his/her agency.
- C. Employee – For purposes of this Bulletin, a Non-Bargaining Unit employee.
- D. Senior Officer – Any official who is the head of an office or Principal Operating Component (POC) of the Department, who reports directly to the Secretary or Under Secretary, e.g. Assistant Secretary or equivalent office head.

IV. DETAILS WITHIN ED

A. Authority

1. This section is in conformance with 5 U.S.C. 3341, which gives the Secretary the authority to detail employees, other than those employees who are required by law to be exclusively engaged in some specific work, among the divisions and offices of the Department. Further, this section is in conformance with FPM Chapter 300, Subchapter 8, FPM Letter 300-32, dated March 26, 1987, and FPM Letter 300-31, dated August 27, 1985.
2. The Comptroller General has decided (B-211373, dated March 20, 1985) that intra-agency details must be on a reimbursable basis except when the detail is:
 - To a position covered by the same appropriation that covers the position from which detailed;
 - To a position covered by a different appropriation where the detail involves a matter related to the loaning organization's appropriation and will aid it in accomplishing the purpose for which appropriations are provided; or

- To a position covered by a different appropriation where, regardless of the purpose of the appropriation, the detail will have negligible impact on the loaning organization's appropriation.
- 3. In ED, responsibility and authority for details has been placed with the Deputy Under Secretary for Management, who has delegated this authority as described in Section IV.B of this Bulletin.

B. Applicability

This section applies to detail of permanent employees in the competitive service and to expected service employees under Schedule A or B appointments. It further applies to detail of temporary employees if the position to which detailed meets criteria for temporary employment. (See FPM Letter 316-21, dated January 2, 1985 for guidance on use of temporary employment.)

C. General Requirements and Responsibilities

1. Supervisors may approve details of employees under their supervision for periods of 30 days or less whether within or outside of the organization where the employees' position of record is located. Supervisors may request details of employees from other offices for 30 days or less.
2. Division Directors and higher level officials in Headquarters and Regional Program Directors in Regional Offices for employees under their supervision may approve initial details to classified positions at the same or lower grade up to 120 days, and extensions of such details up to 120 days, the aggregate not to exceed one year. These officials may also request detail of employees to classified positions from other offices up to 120 days and extensions up to 120 days, the aggregate not to exceed one year.
3. Except for details covered by C.1 of this section, details or extensions of details between Principal Operating Components (POC) must be approved by the Senior Officer, or designee, for the POC in which the employee's position of record is located. This authorization must be obtained before final arrangements are made either with the receiving office or the employee.
4. Details to classified positions at a higher grade are subject to the same levels of approval and general time restrictions as details to positions at the same or lower grade, as described in C.2 and C.3 of this section. In addition, details must be made under the competitive procedures of the Department's promotion plan (PMI 333-1) when:

- the detail is to a bargaining unit position at a higher grade or at the same grade with known promotional potential and is expected to exceed 60 days; or
- the detail is to a non-bargaining unit position at a higher grade or at the same grade with known promotional potential and is expected to exceed 120 days.

In such circumstances however, employers are encouraged to make temporary promotions in lieu of details.

5. Details to an organization undergoing a commercial activity study may be extended in increments up to 120 days to a maximum of two years (including details to same, lower, or higher grades and to unclassified duties).
6. Details of 30 days or less may be on a non-reimbursable basis and do not have to be processed through the Personnel Office. However, in accordance with 5 U.S.C. 3341, written approval by authorized personnel is required. (See C.1 of this section.)
7. Details in excess of 30 days will be on a reimbursable basis, if appropriate under IV.A. of this section, and must be processed through the Personnel Office.
8. For details proposed or expected to exceed one year, the Personnel Office will obtain the concurrence or the Deputy Under Secretary for Management and for approval of the Office of Personnel Management (OPM).
9. Details to Senior Executive Service positions are subject to a maximum period of 240 days. Extensions of such details require the approval of the Office of Personnel Management.
10. Except for emergency details, the detail of an employee within 90 days after an initial competitive appointment is prohibited (e.g. appointment after selection from an OPM certificate or equivalent procedure).
11. In accordance with PMI 430-1 and PMI 430-2, performance plans are required for details expected to last 120 days or longer. Such plans should

be prepared as soon as possible, but not later than 30 days after the beginning of the detail. Interim ratings must be prepared by the supervisor of the detail upon conclusion of the detail or at the end of the appraisal period, whichever is earlier.

D. Procedures for Procession Intra-agency Details

1. Details to be processed by the Personnel Office should be submitted on an SF-52, Request for Personnel Action. The SF-52, which is initiated and signed by the requesting official (receiving office) must also be signed by the approving official (loaning Office). Details to non-bargaining unit positions no longer require an SF-50, notice of Personnel Action, but are documented by placing the SF-52 on the right side of the OPF. In addition, the following information must be provided for all details to be processed by the Servicing Personnel Office (SPO):
 - Reason for the detail;
 - Copy of the position description for the reimbursable or non-reimbursable.
 - Statement indicating whether the detail is to be reimbursable or non-reimbursable.
 - If reimbursable, the loaning organization will forward Form ED-5379 (Intraagency reimbursable Agreement) to the Budget Execution Branch (BEB). Upon authorization of transfer of funds, BEB will forward the approved ED-5379 to the Financial Management Service for preparation of SF-1081 (Voucher and Schedule of Withdrawals and Credits) and final processing.
 - If non-reimbursable, the loaning office will furnish statement indicating how criteria for non-reimbursable details are met. See A.2 of this section.)
2. Request for extension of details requiring OPM approval will be submitted to the SPO in the manner described in D.1 of the Section. The SPO will furnish all documentation for extensions to the Personnel Policy Planning, and Evaluation Staff (PPES), who will submit the request and received the response for the Department. The following documentation if required by PPES for all details requiring OPM approval;

- A statement justifying extension of the detail;
- Current SF-171 for the employee;
- Copy of the position description for the employee's position of record;
and
- Copy of the position description for the position for which extension
of detail is proposed.

V. DETAILS BETWEEN ED AND OTHER AGENCIES

A. Authority

1. This section is in conformance with 31 U.S.C. 686, which authorized the detail of employees between agencies on a reimbursable basis. Although OPM has no jurisdiction over interagency details, this section is in conformance with FPM Letter 300-1, dated August 27, 1985, which provides guidance on the GAO decision on non-reimbursable details.
2. The Comptroller General has Decided (B-211373, dated March 20, 1985) that inter-agency details must be on a reimbursable basis except the detail:
 - Involves a matter related to the loaning agency's appropriation and will aid it in accomplishing the purpose for which appropriation are provided;
or
 - Will have a negligible impact on the loaning agency's appropriations.

All other inter-agency details must be on a reimbursable basis.

B. Applicability

This section applies to inter-agency details only. Details to the Legislative and Judicial Branches are processed in the same manner as inter-agency details.

C. General Requirements and Responsibilities

1. Details under this section will be considered on the basis of the ability of the loaning unit to spare the employee's services without detriment to the work of the unit, the importance of the proposed assignment, and the relevance of the detail to the Department's appropriation.

2. Details to the Department of Education should be requested only when a fully qualified employee is not available for a source within the Department, unless special circumstances necessitate the detail of an individual whose transfer to ED is pending.
3. Neither the provisions of 5 U.S.C. 3341 regarding the duration of details nor the restrictions or approval requirements of OPM apply to interagency details. However, in the interests of good management, details should be limited to the shortest feasible time, and details of personnel to or from other agencies will be made for more than 180 days only when justified by compelling circumstances.
4. Supervisors may approve details of their employees for periods of 30 days or less to other Federal agencies when such details meet the criteria for non-reimbursable details as stated in paragraph A.2 of this section. Similarly, supervisors may arrange for the detail of employees of their Federal agencies to ED for periods of 30 days or less.
5. The Director of Personnel must authorized (See Exhibit 1):
 - All reimbursable details; and
 - All non-reimbursable details in excess of 30 days.
6. For reimbursable details, the loaning organization will forward Form ED-5264 (Transfer of Funds Between Federal Agencies) to the Budget Execution Branch (BEB). Upon authorization, BEB will forward the approved ED-5264 to the Financial Management Service (FMS) for preparation of SF-1081 (Voucher and Schedule of Withdrawals and Credits). FMS will forward the SF-1081 to the finance office of the receiving organization for certification and submission to the Department of Treasury. Non-reimbursable details must meet the requirements of V.A.2 of this section.
7. In accordance with PMI 430-1 and PMI 430-2, when employees are detailed to other Federal agencies or other offices within the Executive Branch for more than 120 days, the loaning organization shall make over effort to obtain from the agency to which detailed performance plans prepared in the ED format. Appraisal should be completed by the supervisor of the detail at the conclusion of the detail or the end of the ED appraisal period, whichever is earlier.

D. Procedures for Obtaining Authorization by the Director of Personnel

1. Federal Departments and agencies must make written request to the Director of Personnel through the servicing personnel office for the detail of ED employees to their organization (Refer to Exhibit1). The request should be signed by the agency head or his/her designee and must provided the following information:

- Reason for the detail;
- Statement of duties to be performed;
- Title, series, and grade range, unless a particular ED employee is requested;
- Duration of the detail;
- Indication as to whether the detail is reimbursable for non-reimbursable, with justification if not reimbursable; and
- Any specific authority the requesting agency may have for the detail.

The servicing Personnel office will furnish the request with all supporting documentation to the Personnel Policy, Planning and Evaluation Staff for submission to the Director of Personnel.

2. ED offices seeking the detail of any employee from another Federal agency will follow the same procedure outlined in D.1. of this section.

VI. DETAILS TO THE WHITE HOUSE OFFICE

A. Authority

3 U.S.C. 112 authorizes the detail of ED employees to the White House Office, the Executive Residence at the White House, the Office of the Vice-President, the Office of Policy Development, and the Office of Administration.

B. Applicability

This section is applicable to the detail of ED employees to the White House Office, and other such offices as covered by the authority cited in paragraph A of this section.

This section is not applicable to details to other offices in Executive Office of the President (e.g. the Office of Management and Budget, Council of Economic Advisor, etc.). Details to these components are handled as details between ED and other agencies as outlined in section V of this Instruction.

C. Approval of Details to White House Office

Details to the White House Office will be coordinated by the Director of Personnel. If a detail is expected to exceed 180 days, the Director of Personnel will obtain the concurrence of the Deputy Under Secretary for Management of his/her designee.

D. Reimbursement

Details of less than 180 days in a fiscal year will be on a non-reimbursable basis. After an employee's detail exceeds 180 days in a fiscal year, reimbursement to the Department of Education is required (3 U.S.C. 112). except when the detail:

- involves a matter related to the Department's appropriations and will aid it in accomplishing the purpose for which appropriations are provided; or
- will have a negligible impact on the Department's appropriations (Comp. Gen. B-211373, date March 20, 1985).

VII. DOCUMENTATION/REPORTING

The Personnel Office for the loaning agency or organization is responsible for recording the detail in the employee's Official Personnel Folder.

P.L. 100-102, dated December 21, 1987 requires all executive agencies to keep a record of their interagency details including White House Office details for each fiscal year. Further, executive agencies must report annually in each fiscal year to the Senate and House Committees on Appropriations on all such employees listing the grade, position, and records will be maintained and reports prepared by the Personnel Policy, Planning and Evaluation Staff.

EXPIRATION DATE:

This Bulletin will remain in effect until collective bargaining obligations have been met and PMI 300-2 is revised.