

ARS □ CSREES □ ERS □ NASS

Policies and Procedures

Title: Appointments and Transfers of U.S. Citizen Employees to Foreign Countries

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This Directive specifies responsibilities, policies, and procedures applicable to ARS employees on permanent appointments who are assigned to ARS locations in foreign countries.

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1. References

For information on:

- foreign correspondence, see MANUAL 261.2.
- home leave, see DIRECTIVE 402.10.
- the Research Position Evaluation System, see DIRECTIVE 431.3.
- Individual Development Plans, see DIRECTIVE 440.1.
- the Service Agreement (ARS-183), see DIRECTIVE 454.2.

2. Summary

This DIRECTIVE specifies responsibilities, policies, and procedures applicable to ARS employees on permanent appointments who are assigned to ARS locations in foreign countries in programs carried on under the terms of various cooperative arrangements and/or Memoranda of Understanding with foreign governments or agencies. This DIRECTIVE also outlines procedures to be used when establishing positions at foreign worksites other than the ARS overseas laboratories and the assignment of ARS scientists to these positions. (See Section 18). This Directive applies to laboratories and worksites organizationally assigned to the Office of International Research Programs. Excepted are worksites organizationally assigned to an Area/Location.

3. Abbreviations

- AAO - Area Administrative Office
- AD - Area Director
- ARMPS - Annual Resource Management Plan System
- ARS - Agricultural Research Service
- CAD - Contracting and Assistance Division
- DA - Deputy Administrator
- FAM - Foreign Affairs Manual
- FAS - Foreign Agricultural Service
- FMD - Financial Management Division
- IDP - Individual Development Plan
- NPS - National Program Staff
- OIRP - Office of International Research Programs
- PD - Personnel Division
- POB - Personnel Operations Branch
- RL - Research Leader
- RPES - Research Position Evaluation System

4. Forms

- AD-202 - Travel Authorization
- AD-332 - Position Description
- AD-750 - International Travel Clearance
- ARS-183 - Service Agreement (Local Reproduction)
- ARS-330 - Travel Authorization Data
- SF-52 - Request for Personnel Action
- DS-1843 - Medical Clearance

5. Definitions

Assigned Abroad means appointed or reassigned rather than detailed or in travel status to a foreign country or area (detailees or those in travel status, and recipients of ARS Research Fellowships, remain assigned to the stateside ARS location). Assigned abroad does not include assignments to Alaska, Hawaii, Puerto Rico, or territories and possessions of the U.S.

Foreign Worksite is a worksite established in a foreign country so that an ARS scientist can be assigned to work there. It must be established prior to an employee's appointment or reassignment.

6. Policy

It is ARS policy that locations or worksites will be established in foreign countries for the conduct of research and to provide services that support and strengthen ARS domestic programs. Only scientists possessing the scientific training, skills, and stature required by the position will be selected for placement at ARS foreign laboratories.

7. Delegations

Assistant Administrator, International Research Programs:

- With the concurrence of the Administrator and NPS, approves the final selection of candidates on appointments for overseas assignment;
- Reviews overseas positions at the end of each 2-year tour and provides the Administrator with recommendations for continuation or termination of foreign assignments.

8. Establishment And Control Of Foreign Positions

Office of International Research Programs will:

- Obtain advance approval of the Chief, U.S. Diplomatic Mission, to the host country before establishing and staffing a location or worksite in a foreign country.
- Obtain required increases in overseas position ceilings from the Department of State.
- Provide ARS management control over salary and ceiling slots for foreign permanent positions under OIRP position staffing plans.

PD will:

- Obtain USDA clearance before establishing or changing the location of a foreign laboratory or worksite.

9. Control Of Stateside Positions Reserved For Return Of Foreign Assignees

- When a current ARS employee is assigned overseas, the position they vacate must remain "obligated" or "reserved." ARS Management Units shall report all stateside positions reserved for foreign assignees in the annual review process by use of Standard Footnote Q (refer to ARMPS User's Manual).

NOTE: See Section 18 under "Temporary or term scientists" below for information on temporary or term scientists.

- ARS Management Units may temporarily backfill reserved positions with the approval of the Area Director and the Deputy Administrator, NPS, but must ensure availability of position funding and ceiling slot effective on the date scheduled for the foreign assignee's U.S. return.
- In the event a reserved position is not temporarily backfilled, and thus remains vacant, salary lapse accrues to ARS Headquarters with the ceiling slot remaining allocated to the location. Requests for exception to the salary lapse policy should be forwarded through the Area Director to the Director, FMD.
- If a returning employee is not reassigned to the original location (refer to Section 16 "Reassignment Upon Completion of Overseas Assignments"), the Area Director may need to make available the position funding and ceiling slot to the receiving location identified for the employee's U.S. reassignment.

If the reserved position was subject to salary lapse, funding must be transferred from ARS Headquarters to the designated return location for U.S. reassignment. The effective date for reinstatement or transfer of position funding and ceiling slot are the returning employee's reporting date; **or** any earlier mutually agreed upon date set by the losing and gaining locations, AD's, OIRP, and DA, NPS. If transfer of function or major reorganization occurs prior to employee's scheduled reassignment to the U.S., AD's are responsible for notifying OIRP of transfers of position funding and ceiling slots.

- OIRP is responsible for advising and coordinating return dates with AD's, NPS, PD, FMD, and ARS Headquarters as appropriate.

10. Length Of Foreign Assignments

Employees are limited to three consecutive 2-year periods of foreign assignments with ARS.

Upon reassignment to the U.S. after serving overseas, employees must serve at least 2 years in the U.S. before assignment to another foreign position with ARS.

Any exceptions to the policies stated in above two paragraphs must have the approval of the Administrator, ARS.

11. Administrative Responsibilities Prior To Foreign Assignment

NPS will:

- Issue instructions and decisions concerning ARS program requirements.

OIRP will:

- Consult with U.S. Diplomatic Missions in advance to inform them of the extent and conduct of program operations.
- Prepare and submit to PD an SF-52, Request for Personnel Action, and an AD-332, Position Description.
- Coordinate with responsible administrative management units to assure predeparture clearances for individuals selected for overseas tour of duty are initiated in a timely fashion.
- Coordinate administrative services provided by appropriate administrative management units to employees while stationed overseas, if needed.

- Arrange for appropriate overseas orientation as necessary.
- Provide cable to notify post of date of employee's arrival at foreign duty station.
- Notify employee of proposed reporting date after consultation with PD and FMD.

PD will:

- Process personnel actions requested by OIRP.
- Initiate appropriate medical clearances for employees to be assigned abroad (DS-1843).

NOTE: Types of clearances vary depending upon country to which employee is being assigned. Consult with OIRP as mentioned under "OIRP will:" above.

- Initiate security clearance for employee.
- Notify OIRP and FMD of receipt of all reappointment and pretravel clearances to coordinate the establishment of an agreeable reporting date.
- Upon completion of all clearances, obtain signed Service Agreement (ARS-183) from employee and furnish original to FMD. A copy of ARS-183 is attached to Directive 454.2 and should be locally reproduced.
- Obtain residency and dependency reports from employee, and forward original to FMD and copy to OIRP.
- Notify FMD of employee selected for foreign post of duty so that foreign travel documents can be initiated.

Note: A minimum of 60 days is required to obtain diplomatic passports and required visas.

- Classify positions and arrange for mandatory research peer reviews of employees assigned abroad.
- Provide on-going personnel services and information related to personnel matters to employees assigned abroad.

FMD (for Headquarters Staffs) or AAO (for Area employees) will:

- Advise employees of the specific allowances, benefits, and differentials which they are entitled to receive upon reassignment to an overseas duty station.

- Request employee to complete ARS-330, Travel Authorization Data.
- Initiate and/or process paperwork to obtain diplomatic passports for employees and their families.
- Initiate and obtain approval for AD-202, Travel Authorization, which authorizes payment of travel expenses for employee and family as well as shipment of household effects.
- Prepare and process request for advance of funds for employees.
- Provide copies of the approved Travel Authorization to CAD and OIRP.
- Schedule foreign travel for employees.
- Notify Agricultural Counselor/Attache by cable of employee's arrival and travel schedule.
- Prepare AD-750, International Travel Clearance, based on employee's travel schedule.
- Provide original signatures and documents to NFC and State Department Dispatch Agent.
- Provide advice on all financial matters related to persons assigned overseas.

CAD will:

- Arrange for shipment and storage of household goods, and issue Government Bill of Lading for employee, upon receipt of Travel Authorization and Service Agreement from FMD.

12. Status, Rank, And Special Benefits Accruing To Employees Assigned To Foreign Posts

Position Classification Issues

- Positions of citizen employees assigned to foreign posts will be given appropriate position titles under the Classification Act.
- Research scientist Category I positions will be evaluated under the provisions outlined in DIRECTIVE 431.3 and in accordance with established Research Position Evaluation System guidelines especially regarding reassignments.

Passports

Full-time U.S. citizen employees of the U.S. Government permanently stationed abroad under the direction of a U.S. Chief of Mission are entitled to receive a diplomatic passport. Dependents (up to age 21) of these employees are also eligible for such passports.

Residential Quarters

- Employees assigned abroad may occupy private housing; **or**,
- Under certain circumstances, employees may occupy quarters furnished (leased or owned) by the U.S. Government or by non-U.S. cooperating agencies.

Employee Benefits

Provided eligibility requirements are met, employees are entitled to:

- Allowances and differentials paid in accordance with Standardized Regulations (Government, Civilian, Foreign Areas) issued by the Department of State.
- Travel and related expenses in accordance with Uniform Foreign Service Travel Regulations (6 FAM 100-179).
- Benefits under the Foreign Service Medical and Health Program (3 FAM 680).
- Home leave as provided in 3 FAM 450.

Note: See DIRECTIVE 402.10 for detailed information on home leave.

Transportation Allowances

- For Home Leave or Rest and Recuperation Travel: Employees are entitled to transportation allowances for themselves and their families to take leave between foreign tours of duty, and rest and recuperation travel, subject to certain specific conditions.
- For Returning Home for Reassignment or Separation: Employees may be entitled to certain expenses if they are being reassigned or are separating, in accordance with appropriate regulations.

13. Employee Action Upon Arrival In Foreign Country

Employees will contact the Agricultural Counselor (or other Embassy official or the Science Attache if there is no Agricultural Counselor) to arrange for Embassy/Mission contacts and to discuss their official duties.

14. Communications

All foreign communications and contacts are subject to provisions outlined in Departmental Regulation 1051-1. "Coordination of USDA Activities with Foreign Countries," dated April 27, 1984, issued by FAS.

Policy and administrative matters will be handled through State Department and Foreign Agricultural Service facilities as provided in the ARS Correspondence Manual (MANUAL 261.2).

Technical and program matters will be handled in accordance with procedures established under cooperative agreements, joint Memoranda of Understanding, or other mutually acceptable arrangements.

15. Conduct Of Employees Assigned To Foreign Headquarters

Employee will:

- Perform duties in accordance with U.S. foreign policy objectives as defined by the Secretary of State through the Agricultural Counselor's office.
- Work under the leadership of the Chief of the U.S. Diplomatic Mission to the country concerned.
- Keep the Agricultural Counselor (or other Embassy official) informed of activities and of any potential problems encountered.
- Follow conduct guidelines issued by ARS, USDA, The Department of State (i.e., FAM) and Embassy officials or the Agricultural Counselor.
- Seek the following approvals and document them to U.S. Diplomatic Mission officials and PD in accordance with procedures prescribed in the FAM prior to marriage to a person who is not a U.S. citizen:

- Chief of U.S. Diplomatic Mission to the host country.
- Office of Personnel, USDA.

NOTE: Marriage cannot take place until a security investigation has been completed on the prospective spouse.

16. Reassignment Upon Completion Of Overseas Assignments

Scientists reassigned to the U.S. will be assigned to positions at a comparable grade and salary equal to that which they attained in foreign assignment provided:

- Employee has not accepted a position elsewhere prior to return to the U.S. or termination of the foreign assignment.
- Employee maintains satisfactory or better performance in foreign assignment.
- Employee will report for duty within 60 days after return to the U.S. unless otherwise approved by the Administrator, ARS.
- Employee's assignment overseas was not terminated as a result of any disciplinary action, misconduct or suitability reason.
- Employee reassigned to a Category 1 Research Scientist position sustains the classification determination made by the RPES review process. (Refer to DIRECTIVE 431.3).

Whenever national research program priorities permit and as documented in ARS short- and long-range plans, returning scientists will be given priority placement consideration in the organization and at the location from which they left to assume overseas assignments. Factors which will be evaluated and may affect the final reassignment offer include:

- ARS need for resources in programs of highest national priority.
- Determination that assignment will best utilize the knowledge, skills, and abilities of the employee.
- Financial obligations incurred by ARS in the placement.
- Conformance with sound position management principles as documented and approved in the annual ARMPS review process.
- Effects of a major reorganization, reduction-in-force, or transfer of function occurring during employee's overseas assignment or anticipated within 1 year after employee's return.

- Possible displacement of current ARS permanent employees as a result of the reassignment.
- Mutual benefits afforded to ARS and the employee in terms of employee's career development plans and reorientation needs.
- Adverse effects on the employee's ability to perform work assignments or ability to sustain grade level determinations for Category I Research Scientists.

If placements in the organization, program, or location from which the employee left to assume an overseas assignment are not feasible, the factors considered in second paragraph above will be used to offer an alternative reassignment.

Reassignment offers to returning scientists will be processed as directed reassignments. An employee's failure to report or declination of placement offer or location in no way obligates ARS to provide further placement offers.

Returning employees may compete for any vacant position by submitting an application.

Responsibilities for Reassignment Placements

- **Assistant Administrator OIRP** will:
 - Consult with the NPS and Area Director(s) on the placement of scientists returning from overseas duty (See Section 9).
- **Area Director of Area to which scientist is returning** will:
 - Submit to PD an SF-52, AD-332, and position description.
- **Administrator, ARS** will:
 - Approve final placements.
 - Approve any exceptions to established ARS policy and procedures.
- **PD-POB** will:
 - Process reassignment actions for returning scientists.
 - Provide classification review and determinations for Category I Research Scientist position reassignments.

- **FMD** (for Headquarters Staffs) **or AAO** (for Area employees) will:
 - Arrange for travel and transportation of returning employee.

17. Reorientation Of Scientist Returning From Overseas Assignment

General Policy

ARS recognizes the need for scientists returning from overseas assignments to have an established program and plan for reorientation to the U.S. and stateside ARS agriculture and research programs. All returning scientists are required to outline a reorientation plan within 60 days before reassignment to the U.S.

Purpose

Reorientation is intended to ease the transition from overseas assignment to domestic assignment.

Reorientation Period

A reorientation plan must be developed for each returning scientist. Reorientation plans will vary in terms of content and Agency resources needed to carry them out since each plan is based on the individual needs of the scientist involved. An Individual Development Plan (IDP) is the recommended vehicle for documenting reorientation needs. See Directive 440.1.

Scientists returning from overseas assignments will normally need 3 months to a year to become fully acclimated to reassignment positions.

Scientists who have been in overseas assignments for extended tours or who return to Category 1 Research Scientist positions from Category 4 Service Scientist positions will require an intensive and longer reorientation period.

Responsibilities

- **Returning scientists** will:
 - Identify reorientation needs and discuss these with the immediate supervisor or RL, AD, and NPS staff specialist.
 - Document reorientation needs.
 - Complete activities and any formal training in accordance with the plan.

- Take initiative in self-development activities aimed at keeping abreast of significant technological, scientific, economic, and social changes and advances related to research programs.
- **RL's/Supervisors of returning scientists** will:
 - Incorporate reorientation and developmental opportunities and assignments into the first year reassignment plan of the returning scientist.
 - Assist in the preparation of reorientation plans by identifying appropriate activities and assignments to meet reorientation needs and monitoring performance deficiencies associated with new assignments.
 - Counsel returning scientists on performance expectations, career planning issues, and classification concerns relevant to sustaining grade level determination of Category 1 Research Scientist positions.
 - Approve reorientation plans of scientists who held short-term overseas assignments.
 - Identify and make available adequate resources including funding, to accomplish reorientation needs.
- **Area Directors** will:
 - Assist in the identification and fulfillment of reorientation plans of scientists returning from extended tours in overseas assignments.
 - Approve reorientation plans of scientists returning to U.S. from extended overseas assignments.

18. Replacement Of A Scientist in A Non-ARS Foreign Laboratory

When RL, AD, and appropriate NPS scientist(s) agree that placement of a scientist in a non-ARS operated foreign laboratory is in the best interest of ARS, a foreign worksite must be established so that the scientist can be formally assigned and enter the foreign country as an employee of the U.S. Government (State Department interests) and can be paid, receive benefits, etc., as an ARS employee (NFC personnel/payroll system).

RL will:

- Contact OIRP to obtain information necessary for final decisions and commitments.

- Provide to OIRP the following information:
 - outline of the project
 - amount and source of funds
 - duration of the project in the foreign country
 - if known, the grade of the employee, number of dependents, school-age children, and other factors that might affect entitlement and costs.
- Submit SF-52 for reassignment of current employee to OIRP with duty station overseas.

OIRP will:

- Contact State Department and Chief, U.S. Diplomatic Mission in the foreign country to obtain a determination whether a formal request to establish the overseas position would be favorably received.
- If favorable response is received, work with FMD and the Area Budget and Fiscal Officer, to provide advice to the RL on cost-of-living, quarters allowances, medical and security clearance expenses, moving expenses, and other costs associated with locating a scientist overseas.

NOTE: State Department provides certain services for Federal employees assigned abroad, including assistance in leasing housing, adding security equipment to the home, furnishing the home with appliances familiar to Americans, etc. Services provided by the State Department are charged back to the project, so the RL needs to be sure adequate funding is available.

- Submit formal request to State Department to establish the overseas position.
- Submit SF-52 for recruitment if scientist is to be recruited to fill the overseas position.

PD will:

- Submit request to USDA Office of Personnel to establish a foreign worksite.
- Initiate recruitment of a scientist or reassignment of current employee.
- Extend offer of employment or process reassignment action ONLY after the worksite is established AND final approval of the position is received from the State Department.

Temporary or term scientists

- Temporary or term scientists hired for the purpose of serving in overseas positions are not entitled to be reassigned to an ARS position upon their return from an overseas position.
- Previous Sections of this DIRECTIVE which apply to temporary and term scientists assigned abroad are: Section 11 paragraphs under “PD Will”, “FMD will”, and “CAD will”; and all of Sections 12, 13, 14, and 15.

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