



DEPARTMENT OF DEFENSE
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MEMORANDUM FOR DIVISION CHIEFS, DoDDS-EUROPE
DISTRICT SUPERINTENDENTS, DoDDS-EUROPE

SUBJECT: DoDDS-Europe Rotation Standard Operating Procedures (SOP) for U.S.
Citizen Employees

References:

- (a) DOD Civilian Human Resources Manual, Chap 301, "Rotation of Employees from Foreign Areas," 24 Aug 88
- (b) DASD (CPP) policy memorandum, subject, "Five-Year Limitation on Foreign Employment," 20 Mar 97
- (c) DOD Joint Travel Regulations, Volume II

A. PURPOSE: This SOP supersedes the DoDDS-Europe Rotation policy, dated April 18, 2003, and establishes guidelines regarding the rotation of U.S. citizen employees in conformance with Department of Defense (DoD) policies limiting civilian employment in foreign areas to five years. This guidance also establishes approval criteria as well as approval levels for extensions of civilian tours.

B. APPLICABILITY: This SOP applies to all competitive service positions in DoDDS-Europe, District Superintendent Offices (DSOs), and DoDDS-Europe schools. Employees hired into competitive service positions or appointed to positions leading to the competitive service (e.g., Veterans' Readjustment Act appointees) must, as a condition of their employment, sign an appropriate rotation agreement acknowledging their overseas tour length and the five-year limitation on foreign area employment. This policy applies to employees hired on overseas limited appointments. Excluded from this policy are:

- (1) Employees in positions that require frequent contact with officials of the host nation and a detailed current knowledge of the culture, morals, laws, customs, or government processes of the host nation, which usually cannot be acquired outside the host nation. A position shall not be placed in this category unless the position description clearly specifies that the above duties and special knowledge is required.

- (2) Employees who are family members accompanying military or civilian employees of the DoD components who are stationed in the area. (For this purpose, family members are defined as the spouse, unmarried children, step-children, adopted children, foster children and those under legal guardianship of the sponsor or spouse who have not reached their 23rd birthday.);
- (3) Employees in the Senior Executive Service (SES);
- (4) Employees who have been continuously employed in a foreign area since April 1, 1966;
- (5) Educators (TP) in the DoDDS system; and
- (6) Employees who were employed in GS-6 or below or non-supervisory wage grade positions as of August 1988 may continue to be exempted as long as they remain continuously employed at or below those grade levels.

C. PROCEDURES: Continuous civilian employment in foreign areas will be limited to five years. All prior employment with the DoD (and its components) in a civilian appropriated fund capacity, which has not been interrupted by residence in the continental United States (CONUS) for one continuous year or longer, is counted in computing the five-year period. Procedures are hereby established to consider requests for extensions up to and including five years, and for extensions beyond five years of total continuous foreign area service.

Initial overseas tour lengths for foreign areas are described in Volume II of the Joint Travel Regulations (JTR). Extensions beyond the initial overseas tour that do NOT exceed the five-year limitation may be made at management's discretion at the Division Chief/District Superintendent level. This decision must be coordinated with the DoDDS-Europe Human Resources Office. When making tour extension decisions, managers should take into consideration such factors as:

- (1) Impact on mission/program requirements;
- (2) Ability to recruit;
- (3) The organization's ability to offer continued, meaningful employment throughout the period of the extension; and
- (4) Whether the extension will result in the employee's loss of guaranteed return rights to a CONUS position.

Extensions beyond five years may be approved on a case-by-case basis at the Director, DoDDS-Europe level. DoD guidance contained in reference (b) states that “case-by-case extensions are intended to provide short-term management flexibility based on local needs and conditions and are not intended to provide for permanent employment in the foreign area.” In addition, extensions should be granted only in “extremely rare situations provided an employee is rated fully successful; is current in the knowledge, skills and abilities required for the position; and has successfully adapted to the foreign work and cultural environment.” Compelling reasons related to the educational mission of DoDDS-Europe may be used to justify extensions.

Reference (c), Paragraph C4005-c, requires that extensions for employees who are on a transportation agreement be equal to a renewal tour (24 months). Employees not on a transportation agreement can be extended for less than 24 months. Only the Director, DoDDS-Europe, may approve requests that result in extensions that end more than six months beyond the five-year limitation.

Requests must contain the length of the tour extension requested, a narrative description of the compelling reasons which justify the extension, and any other supporting documentation. Extension requests are to be forwarded to the DoDDS-Europe Human Resources Office (HRO) as soon as the Division Chief/District Superintendent recommends a tour extension. In order to allow both management and the employee the time to comply with administrative requirements, the decision to extend an employee should be made one year prior to the employee’s established rotation date (DEROS).

The DoDDS-Europe HRO sends tour extension decision memoranda to supervisors one year before tour expiration dates for covered civilian employees. The DoDDS-Europe HRO provides supervisors with monthly reports of tours expiring within the following 12 months for covered civilian employees. Additional procedural requirements for documenting tour extension requests and decisions may be promulgated by the DoDDS-Europe HRO if needed.

Extension requests will be considered under the following circumstances:

- (1) Extension requests where failure to extend the civilian employee will have an adverse affect on the organization’s ability to accomplish a specific mission or project. Only in those situations where the impact can be demonstrated to be more severe than could normally be expected under normal rotation of employees would these extension requests be considered.
- (2) When there is failure in the recruitment process to yield desired results, requests for extensions using this justification must demonstrate that documented recruiting efforts have failed to yield qualified applicants. Therefore, if the Division Chief or District Superintendent anticipates difficulty in recruiting for the position, they

must advertise the position well in advance (suggest this be done nine to twelve months in advance) of the potential vacancy using all available recruitment sources. The Division Chief/District Superintendent is responsible for initiating recruitment for the potential vacancy by submitting an updated position description, Request for Personnel Action (RPA) and validated crediting plan to the DoDDS-Europe Human Resources Office at the point a tour extension is recommended. Decisions on these tour extensions by the Director, DoDDS-Europe will be deferred until the results of the recruitment efforts are evident.

- (3) For compassionate or personal reasons. Short-term (less than 6 months) extensions for compassionate or personal reasons may be granted to all civilian employees regardless of transportation agreement. Short-term extensions may be granted at the at the Division Chief/District Superintendent level through the DoDDS-Europe HRO. Subsequent tour extensions will not be considered or granted once a short-term tour extension has been granted. The following are examples of situations that would warrant short-term extensions:
 - a. To allow children to complete the current school year;
 - b. To allow an employee or spouse to complete an educational program; or
 - c. To allow an employee or family member to complete medical treatment that is immediately necessary as documented by medical practitioner. This excludes chronic medical condition.
 - d. To permit an employee to retire if the employee will be eligible to retire during the extension period. Subsequent extension requests will not be considered or granted.
- (4) If an employee's position is under an A-76 study or other similar outsourcing program at the time a decision on extending their tour is due. An extension may be granted to allow that employee to continue in his/her position until the A-76 study or other similar outsourcing program has been completed and the new provider takes over. More than one extension permitted.

Civilian employees who are in the 5th year of an overseas assignment who apply for vacancies may be considered under Merit Promotion Principles. Qualified employees will be referred to the selecting official. If selected, the Director, DoDDS-Europe, must approve an extension of tour prior to a job offer being made. If an employee occupying a position that has been identified for an A-76 study or similar outsourcing program, applies for a position also under (A-76) study or similar outsourcing program in the same organization in which the employee is assigned, he/she may be considered for that position. This opportunity is to allow the organization to accomplish a specific mission

project without adversely impacting or delaying the (A-76) study or similar outsourcing program.

D. IMPLEMENTATION: The goal of DoDDS-Europe is to have no more than 10% of employees covered by this SOP serving on tour extensions that result in total current service in foreign areas of more than five years.

Division Chiefs/District Superintendents should develop a succession plan for their organizations to accomplish and maintain the above goal taking into consideration projected DEROS dates for staff members, anticipated attrition through resignation and retirement, and possible changes in authorized manning levels due to downsizing, downloading and outsourcing. Quarterly reviews of target achievement will be conducted by the DoDDS-Europe HRO and briefed to the Director.

E. EFFECTIVE DATE: This policy is effective December 1, 2006.



Diana J. Ohman
Director, DoDDS-Europe

Attachments:

1. Decision Matrix on 5-year Limitation
2. Acknowledgement of Overseas Tour Length/5-year Limitation

Decision Matrix on 5-year Limitation Coverage

Step 1

Competitive Position?

Yes – Go to Step 2

No – NOT subject to 5-year limitation

Step 2

Employee's Appointment Type?

Competitive

Yes – Go to Step 3

VRA Appointment

Yes – Go to Step 3

Family Member Appointment

Yes – NOT subject to 5-year limitation

Excepted Appointment

Yes – NOT subject to 5-year limitation

Step 3

On sponsor's orders to duty station

Yes – NOT subject to 5-year limitation

No – Subject to 5-year limitation

NOTE:

Overseas Limited Appointments are appointments limited to 5 years.