

ARS □ CSREES □ ERS □ NASS

Policies and Procedures

Title: Transfers and Details to Public International Organizations

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This DIRECTIVE specifies requirements and procedures for effecting the transfer or detail of an ARS employee to a PIO. This revision provides amended channels for (1) approving PIO assignments and (2) reemploying those who have transferred with reemployment rights. Because the changes are extensive, the location of specific changes is not shown.

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1. ABBREVIATIONS

- AD - Area Director
- FPM - Federal Personnel Manual
- IA - International Activities
- IOA/OICD- International Organization Affairs/Office of International Cooperation and Development
- NFC - National Finance Center
- NPS - National Program Staff
- OPF - Official Personnel Folder
- OPM - Office of Personnel Management
- PD - Personnel Division
- PIO - Public International Organization
- USC - United States Code
- WGI - Within Grade Increase

2. FORM

SF-52, Request for Personnel Action

3. POLICY

ARS supports the Government's policy of assisting international organizations in staffing their scientific and administrative management programs. Managers are encouraged to make qualified employees available for detail or transfer to these organizations upon written request.

4. RESPONSIBILITIES

Administrator will approve/disapprove all requests for a transfer or detail to a Public International Organization.

AD's will:

- Confer with IA and NPS to determine whether a request from a PIO should be approved or denied.
- Notify NPS and IA of employee exercising reemployment rights and request they identify a position and location to which he/she may be reassigned.

NPS and IA will:

- Provide input to the AD regarding a PIO request.
- Identify a position and location to reassign employee exercising reemployment rights.
- Notify PD and AD of available position for reassignment.

PD will:

- Process requests received from AD.
- Provide employee with appropriate information regarding pay, benefits, and reemployment rights.
- Provide position offer to employee exercising reemployment rights.

5. AUTHORITIES

5 USC 3343, 3581-3584 (Public Law 85-795)

6. PUBLIC INTERNATIONAL ORGANIZATIONS

PD has a list of international organizations to which employees may be transferred or detailed with reemployment rights (FPM Chapter 352, Appendix A). Assignments to organizations not listed may be approved if OPM, in consultation with the Department of State, agrees that the organization qualifies for inclusion on the list. Program officials should contact PD for information on these organizations.

7. LENGTH OF ASSIGNMENT

Assignments are limited to a maximum of 5 years, but may be extended an additional 3 years upon recommendation by the Secretary of Agriculture, and a determination by the Secretary of State that the extension is in the national interest. The 8-year limit is an absolute lifetime limit which cannot be extended for any individual.

8. DETAILS.

Details may be made on a reimbursable or nonreimbursable basis.

Benefits.

The employee:

- Remains on the rolls of ARS.
- Receives compensation, allowances, and benefits from ARS.

Restrictions.

The PIO may pay or reimburse an employee for expenses incurred in the performance of duty. The employee may not accept reimbursement from both the PIO and ARS for the same expenses.

EXCEPTION: If reimbursement from the PIO is less than that to which the employee is entitled under ARS regulations, ARS will reimburse the employee for the difference.

Documentation.

- AD's will specify the purpose and conditions of the detail in writing and provide copies to PD.
- PD will assure that details in excess of 30 calendar days are documented in the OPF by a properly executed SF-52 and a copy of the reimbursable agreement if appropriate.

NOTE: See DIRECTIVE 422.1 for procedures for processing details.

9. TRANSFERS

Benefits.

Employees are transferred with reemployment rights.

Provided employee makes benefit payments on a timely basis, he/she may retain coverage and ARS will continue the Federal share of contributions under:

- Civil Service Retirement.
- Federal Employees' Group Life Insurance.
- Federal Employees' Group Health Benefits.

NOTE: Failure of the transferred employee to make the payments on a current basis (within 3 months of the pay period covered) **automatically** terminates entitlement to continued coverage on the last day of the pay period for which payments were currently deposited.

- Injury compensation benefits are retained. Payments made by the PIO are credited against benefits payable under Federal Employees' Compensation Act.

Leave.

Employees may opt to:

- Receive lump-sum payment for annual leave or,
- Retain annual leave balance in an account until reemployed.

Sick leave balance is held in an account until reemployed.

10. PROCEDURE FOR PROCESSING TRANSFERS

Employee: If contacted directly by officials of a PIO, advise them to make a formal written request to the AD for the assignment.

AD:

- When written request for services of the ARS employee is received from a PIO:
 - Be sure request specifies length of assignment and whether it is a detail (reimbursable or nonreimbursable) or a transfer.
 - Confirm with PD that the PIO is approved by OPM and verify that the 8-year aggregate limitation (lifetime) for such service is not exceeded.
- Confirm with IA and NPS that the request from the PIO should be approved.
- Prepare letter for the Administrator's signature indicating approval for the transfer to the PIO. Send to Administrator through IA.

IA: Forward letter to Administrator for action.

ADMINISTRATOR: Approve/disapprove Request and notify AD.

AD:

- Submit SF-52, approval letter, and written request from the PIO to PD.
- When SF-52 accompanying documents are received, prepare statement (Exhibit 1) for employee's signature.

NOTE: Contact the IOA/OICD for full listing of equalization allowances for specific organization involved.

- At time of transfer, notify NFC in writing of:
 - Employee's election to retain benefits.
 - Procedures to be followed in billing employee.
 - Appropriation number against which employer payments are to be charged.
- Notify employee of importance of making payments on a current basis.

Chief, Accounting Division, NFC

- Set up benefits account to which employee payments are submitted.
- Bill employee on a quarterly basis for amount due to cover benefits retained.
- Notify employee of any zero balance in benefits account.
- Notify employee of any change in amounts due.
- Notify PD if employee's account is in arrears at the end of 3 months.
- Return any undelivered correspondence to employee to PD.
- Provide PD a copy of any correspondence between NFC and employee.
- Make deduction for employer contribution only after receipt of employee payments.

NOTE: NFC will not "**dun**" employees for payment in arrears. PD must impress upon employees the need to keep benefits payments current.

PD:

- Notify employee of termination of health benefits, life insurance, and retirement coverage for failure to make benefits payments.
- Continue to maintain OPF and process unofficial personnel action to document employee's entitlement to a statutory pay increase or WGI. Notify NFC whenever there is a salary adjustment which would cause a change in the amount of the benefits payments.
- Record in the OPF at the end of calendar year the amounts to which the employee would have been entitled if detailed rather than transferred. Furnish copy to the employee.
- Provide copy of personnel actions affecting employees transferred to PIO's to IOA/OICD.
- Provide special reports to IOA/OICD as requested.

Employee:

- Furnish PD at the end of each calendar year and on termination, a detailed statement certified by the PIO of the salary, allowances, and other monetary benefits (including per diem) paid during the period covered.
- Furnish a statement of any changes in family status and dates of the changes for use in determining living quarters allowances.
- Make payments to NFC for benefits on a timely basis.
- Exercise reemployment rights no later than 90 days after separation from the international organization.
- Assure any requests from the PIO for an extension of the assignment are made in writing to appropriate AD.

11. REEMPLOYMENT

Employees who transfer to a PIO with reemployment rights:

- Are entitled to an amount equal to the difference between the pay and allowances paid by the PIO and the pay and allowances the individual would have been entitled to as an ARS employee on detail to the PIO. An employee who transfers to a PIO for less than 1 year may be paid per diem in lieu of allowances. Such per diem must be included in calculating the equalization allowance. Contact PD for information.

- Will be returned to the position formerly occupied prior to transfer or to one of like seniority, status, and pay, if:
 - Separated, either voluntarily or involuntarily, within the term of employment with the PIO and,
 - Application for reemployment is made not later than 90 days after separation from the PIO.

ARS must reemploy the employee within 30 calendar days after receiving application for reemployment. If application is filed 30 or more calendar days before date of separation, employee is entitled to reemployment upon separation.

12. PROCEDURE FOR REEMPLOYMENT

ARS Official: When notified an individual plans to return to ARS, advise NPS and IA immediately.

NPS and IA:

- Identify position and location to which assignment will be made.
- Submit SF-52 and position description for reemployment.

IA:

- Notify PD and AD of available position for reassignment.
- Work with PD to effect the assignment.

PD:

- Determine employee's:
 - Rights to reemployment.
 - Entitlement to benefits.
- Notify employee of position offer.
- If reemployment is affected:

- Compute equalization allowance.
 - Notify NFC of amount, if any, to be paid to employee.
 - Furnish detailed statements to NFC.
- If reemployment is not affected within 30 days of application, notify the employee in writing of the reasons, and advise him/her of right to appeal the decision to OPM.

ARTHUR H. NIES
Deputy Administrator
Administrative Management

Exhibit

- 1 Sample Statement to be Signed by ARS Employee Before Transfer to a Public International Organization

**SAMPLE STATEMENT TO BE SIGNED BY ARS EMPLOYEE BEFORE
TRANSFER TO A PUBLIC INTERNATIONAL ORGANIZATION**

I acknowledge receipt of a copy of the regulations issued by the Office of Personnel Management, U.S. Department of Agriculture, and ARS (DIRECTIVE 422.4) covering detail and transfer of Federal employees to public international organizations and which preserve certain rights and privileges for me when transferred to (**international organization**).

I agree to accept transfer to the international organization on the understanding, subject to the provisions of 5 USC 3582 and implementing regulations, I will be entitled upon reemployment to receive the difference, if any, between the emoluments paid me by the international organization and the Federal Government which, subject to official amendments, are defined by the Secretary of State as follows: (PD will contact IOA/OICD as indicated in DIRECTIVE 422.4 for correct listing of allowances for the specific PIO. Include per diem if appropriate on transfer of less than 1 year.)

Federal Government

International Organization

Gross salary (minus hypothetical
U.S. Federal Income Tax)*
Living Quarters Allowance
Post Allowance
Post Differential
Education Allowance

Net Salary
Post Adjustment
Dependent Grant
Repatriation Grant
Education Allowance
Special Post Allowance

*This is determined by using the standard deduction considering number of exemptions and appropriate tax table.

I further agree:

- To submit to (PD name and address) as soon as possible after the end of each calendar year and on termination, a detailed statement of my salary, allowances, and other monetary benefits received by me from the international organization, this statement to be certified by an official of the international organization.
- To advise PD of any changes in family status and the effective date.

I understand:

- That if this in **not** my first assignment with a PIO, I must list the name of the organization, inclusive dates or length, and type (detail, reimbursable detail, or transfer) of assignment(s):

- That equalization payments will be made should I be unable to exercise my reemployment rights

because of disability incurred while on transfer, or because of death which occurs during the period of transfer, or during the period after separation when I could exercise my reemployment rights.

- That unless I designate a beneficiary or beneficiaries, disposition of this reimbursement in case of my death will be in accordance with 5 USC 5582.
- That if I now have a valid Designation of Beneficiary form on file, I need **not** complete a separate form for the disposition of this reimbursement.
- That any sick leave balance at the time of transfer will be restored upon reemployment.

It is my intention:

- To retain coverage, rights, and benefits by contributing on a current basis to the Civil Service retirement system while on transfer to the international organization. (Strike out and initial if coverage not desired.) I realize that contributions to the international organization retirement fund may also be required. I understand that any service with the international organization that is used as a basis for an annuity or pension under the retirement system of the international organization will not be creditable under any Federal retirement system.
- To make contributions to continue my insurance under the Federal Employees' Group Life Insurance Program. (Strike out and initial if coverage not desired.)
- To make contributions to continue coverage under the Federal Employees' Health Benefits Fund. (Strike out and initial if coverage not desired.) I realize, that should I cancel my health benefits coverage, I must return to U.S. Government employment for at least 5 years before I retire in order to be able to continue coverage after retirement.
- To retain to my credit all accumulated and current annual leave for which I am eligible to receive a lump-sum payment. (Strike out and initial if not desired.)

I understand my obligation to keep my benefits payments current as specified in DIRECTIVE 422.4 and that my benefits will be terminated if the payments are not kept current.

My current forwarding address is:

My mailing address for future correspondence (including billing by NFC for employee contributions to retain benefits above) is:

SIGNED