

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL NOTICE		NUMBER: 4050-575-003
SUBJECT: Extension of Authority for Recruitment, Relocation and Retention Payments	DATE: April 7, 2009	
	OPI: Office of Human Capital Management	
CODIFICATION/EXPIRATION: Will be codified within one year of the date of this Notice.		

1. PURPOSE

The purpose of this notice is to grant Department of Agriculture (USDA) Agencies and Staff Offices the authority to continue to offer Recruitment, Relocation, and Retention Payments under the parameters of the existing Departmental Manual 4050-575, Recruitment, Relocation, and Retention Payments, dated May 28, 2003, as long as any offers made using these plans are not inconsistent with the law and interim regulations. This notice constitutes USDA's interim plan by extending USDA's Interim Recruitment, Relocation, and Retention Incentive Plan (Departmental Notice 4050-575-002, April 22, 2008) for an additional year or until superseded by issuance of a departmental regulation.

2. REFERENCES

This notice must be used in conjunction with:

- a. Title 5, United States Code (U.S.C.) Section 5753 – Recruitment and Relocation Bonuses;
- b. Title 5, U.S.C. Section 5754 – Retention Bonuses; and
- c. Title 5, Code of Federal Regulations (CFR) Part 575 – Recruitment, Relocation, and Retention Incentives; Supervisory Differentials; and Extended Assignment Incentives; and
- d. USDA's Departmental Manual (DM) 4050-575 – Recruitment, Relocation, and Retention Payments, dated May 28, 2003.

3. SPECIAL INSTRUCTIONS

The Office of Personnel Management issued final regulations on recruitment, relocation, and retention incentives in Federal Register, Vol. 72, No. 231, dated December 3, 2007. In accordance with 5 U.S.C. 5753(f) and 5754(g), Federal agencies are required to establish a

plan before paying any incentives. Accordingly, the final OPM regulations, when read together with USDA's DM 4050-575 constitute USDA's Interim Plan. Incentives which were formally offered prior to May 13, 2005, are subject to separate treatment.

4. DEFINITIONS

- a. Agency. Organizational unit of the Department, other than a Staff Office as defined below, whose head reports to an Under Secretary.
- b. Staff Office. A Departmental administrative office whose head reports to the Secretary.

5. REQUIREMENTS

- a. In accordance with the law, recruitment, relocation, and retention incentives may no longer be paid to an employee in:
 - (1) A position to which an individual is appointed by the President, by and with the advice and consent of the Senate;
 - (2) A position in the Senior Executive Service as a noncareer appointee (as defined in 5 U.S.C. 3132(a)(7));
 - (3) A position excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character; or
 - (4) A position not otherwise covered by the exclusions in paragraphs (1), (2), and (3):
 - (a) To which an individual is appointed by the President without the advice and consent of the Senate;
 - (b) Designated as the head of an agency, including a Department headed by a collegial body composed of two or more individual members; or
 - (c) In which the employee is expected to receive an appointment as the head of a Department.
- b. Under the interim regulations, recruitment, relocation, and retention incentive service agreements must begin on the first day of a pay period and end on the last day of a pay period.
- c. Recruitment, relocation, and retention incentives made using this interim notice may only be granted up to the limitations outlined in DM 4050-575 (i.e., up to 25 percent).

- d. Agencies/Staff Offices must use an employee's special rate or locality rate, as applicable, to compute recruitment, relocation and retention incentives entitlements.
- e. An employee must have a rating of record of at least "Fully Successful" to receive a relocation or retention incentive.
- f. Agencies/Staff Offices must terminate a service agreement if the employee is:
 - (1) Demoted for cause;
 - (2) Receives a rating of record of less than fully successful; or
 - (3) Fails to fulfill any other terms in the service agreement.

6. INQUIRIES

Agency/Staff Office employees should direct their questions to their servicing Human Resources Officer.

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