ADS Chapter 434

Details and Transfers to International Organizations–Civil Service and Foreign Service

Hyperlink Check Date: 05/29/2012
Reformatted Date: 05/29/2012
New Edition Date: 09/16/2002
Responsible Office: OHR/PPIM
File Name: 434_052912

Functional Series 400 – Personnel
ADS 434 – Details and Transfers to International Organizations—Civil Service and Foreign Service

(THIS CHAPTER SUPERSEDES HANDBOOK 25, CHAPTER 21A)

Table of Contents

434.1 OVERVIEW 4

434.2 PRIMARY RESPONSIBILITIES 4

434.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES 5

434.3.1 Details and Transfers to International Organizations 6

434.3.2 Eligibility for Details and Transfers to International Organizations 6

434.3.3 Approved Agencies for Details and Transfers 6

434.3.4 Policy of Nondiscrimination 6

434.3.5 Selection of Employees for Details and Transfers 7

434.3.6 Terms of Employees on Detail 7

434.3.7 Length of Details 7

434.3.8 Oath of Office 7

434.3.9 Status of Employees on Detail 8
434.3.9.1 Reimbursement of Employee Expenses 8
434.3.9.2 USAID Ceiling Charge 8
434.3.9.3 Employee Evaluation and Promotion 8

434.3.10 Length of Transfer 8

434.3.11 Status of Transferred Employees 9
434.3.11.1 Annual Leave 9
434.3.11.2 Sick Leave 10
434.3.11.3 Employee Evaluation and Promotion 10
434.3.11.4 Step Increases 10
434.3.11.5 Reemployment Rights 10

434.4 MANDATORY REFERENCES 11

434.4.1 External Mandatory References 11

434.4.2 Internal Mandatory References 12

434.5 ADDITIONAL HELP 12

434.6 DEFINITIONS 12

ADS 434 – Details and Transfers to International Organizations—Civil Service and Foreign Service

434.1 OVERVIEW
Effective Date: 09/16/2002

This chapter provides the authorities, policies, responsibilities, and procedures for details and transfers of USAID Civil Service (CS) and Foreign Service (FS) personnel to qualified public international organizations under authority of 5 USC 3343 and sections 3581 through 3584 **(See 434.3.2)**. **(See Mandatory Reference 5 USC 3343, 3581, 3582, 3583, 3584)**

434.2 PRIMARY RESPONSIBILITIES
Effective Date: 09/16/2002

a. The Secretary of State is responsible for:

(1) Approving, in cooperation with the parent agency of the employee, extensions of details or transfers to international organizations beyond the five year limitation specified in 5 USC 3343 and 3581-3584 in cases where it is determined to be in the national interest. **(See Mandatory Reference 5 USC 3343, 3581, 3582, 3583, 3584)**.

(2) Defining and specifying the pay, allowances, post differential and other monetary benefits to be considered in determining the basis on which the equalization allowance is made **(See 434.3.11.5)**.

b. The USAID Administrator (for Foreign Service Only) is responsible for approving extensions of details beyond the limitation of five continuous years under section 503 of the Foreign Service Act (FSA) of 1980. Recommending to the Secretary of State for approval extensions of transfer of USAID employees beyond the five year limitation in 5 USC 3343, sections 3581-3584 in cases where such extensions are in the national interest. **(See Mandatory Reference 5 USC 3343, 3581, 3582, 3583, 3584)**

c. The Bureau for Management, Office of Human Resources, Personnel Operations Division (M/HR/POD) is responsible for:

(1) Taking action on written requests from international organizations and from agencies and other bodies for the detail or transfer of USAID employees, and for extensions unless the total time (including an extension) exceeds five years (four years in the case of details under Section 503 of the FSA of 1980).

(2) Regulatory responsibility to inform the employee in writing of status during transfer particularly with respect to effect on benefits, reemployment rights, and that the employee will be required to obtain a performance evaluation in accordance with Agency regulations.

(3) Furnish the employee with specific information as to how, when, and where the payments are to be made for continued coverage of benefits.

(4) Coordinate with international organization on terms of the agreement and the effective date of the transfer. The regulations require that the Agency shall send a written letter of consent to the international organization and provide the employee with a copy.

d. The Bureau for Management, Office of Financial Management, Payroll Division (M/FM/P) is responsible for:

(1) Pay, allowances, and related matters for employees on detail.

(2) Serving as accounting and depositing office for contributions made by a transferred employee for retirement, health benefits, and insurance coverage.

e. The employee transferring to an International Organization is responsible for:

(1) Acknowledging, in writing, receipt of the notice from USAID concerning benefits, and states intentions concerning retention of retirement, health benefits, and life insurance coverage while on the rolls of the international organization.

(2) Remitting contributions on a timely basis, as appropriate for retirement, health benefits, and insurance to the Bureau for Management, Office of Financial Management, Cash Management and Payments Division (M/FM/CMP), USAID/W Cashier.

(3) Indicating disposition to be made of accumulated and current accrued annual leave.

(4) Forwarding annually a completed Equalization Allowance Information **(Form AID 410-1) [This document is only available on the USAID Intranet]** to M/FM/P Division.

(5) Seeing that required performance evaluations are prepared by the organization on employee and forwarded to M/HR/POD in a timely manner.

434.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

Effective Date: 09/16/2002

The statements contained within the .3 section of this ADS chapter are the official Agency policies and corresponding essential procedures.

434.3.1 Details and Transfers to International Organizations

Effective Date: 09/16/2002

USAID shall assist international organizations in making well-qualified U.S. citizen USAID personnel available for participation in their programs, subject to Agency needs.

434.3.2 Eligibility for Details and Transfers to International Organizations

Effective Date: 09/16/2002

Any USAID Civil Service (CS) or Foreign Service (FS) employee who is a U.S. citizen is eligible to be detailed to an international organization, except for career candidates, and non-career employees appointed under section 309 of the FSA of 1980, as amended. **(See Mandatory Reference, FSA, Section 309)** An employee so detailed remains an employee of USAID for all purposes throughout the term of the detail, including extensions.

Career Foreign Service members who are U.S. citizens may be assigned (detailed) under Section 503 of the Foreign Service Act of 1980, as amended, not only to qualified public international organizations, but also to duty in a non- Foreign Service (including Senior Executive Service) position in the Department of State or in another agency, or with an international organization, international commission, or other international body.

Transfers: Any USAID CS or FS employee who is a U.S. citizen is eligible to be transferred to an international organization, except for Presidential appointees and employees serving under Schedule C appointments; non-career, limited, emergency, or limited term appointment in the Senior Executive Service; appointments specifically limited to one year or less; or appointments that are intermittent or part-time **(See 5 CFR 352.307 for exclusions)** and certain personnel serving in other career appointments. A transferred employee enters a new position and is separated from USAID, except for retention of the rights and benefits specified in this chapter. **(See 434.3.11)**.

Transfers of FS members to international organizations, with reemployment rights, must be authorized in accordance with 5 USC 3581-3584. **(See Mandatory Reference, 5 USC 3581, 3582, 3583, 3584)**

434.3.3 Approved Agencies for Details and Transfers

Effective Date: 09/16/2002

The Agency may detail or transfer an employee to another public international organization only after consultation with the Department of State, and OPM concurs that the organization is qualified for inclusion on the list. (See Mandatory Reference, **(OPM) List of International Organizations)**

434.3.4 Policy of Nondiscrimination

Effective Date: 09/16/2002

Details and transfers of USAID personnel to international organizations shall be made without regard to race, sex, age, color, religion, or national origin.

434.3.5 Selection of Employees for Details and Transfers

Effective Date: 09/26/2002

Details or transfers to international organizations shall, to the extent possible, be based on the preference, skills, experiences, abilities, and career interests of the USAID employee being considered for the detail.

USAID employees under consideration for detail or transfer shall be notified by Personnel Operations as soon as possible and prior to being notified by the international organization.

434.3.6 Terms of Employees on Detail

Effective Date: 09/16/2002

USAID employees on detail or transfer with an international organization are subject to Agency regulations governing employee responsibilities and conduct, including limitations on political activity, financial disclosure requirements, and post employment restrictions.

During a detail or period of transfer to an international organization, employees are considered in continuous government service. Employees shall continue to be covered by the retirement system to which their appointment with USAID otherwise entitles them.

434.3.7 Length of Details

Effective Date: 09/16/2002

Employees detailed under 5 USC 3343 may be detailed to an international organization for period up to five years, which may be extended for not more than three years when the Secretary of State, at USAID's request, determines the extension to be in the national interest. **(See Mandatory Reference, 5 USC 3343)** Normally, the initial period of the detail is three years or less.

A FS employee may be detailed to an international organization or to any of the agencies or bodies specified under Section 503(a)(1) of the Foreign Service Act of 1980, as amended, for not to exceed five years of continuous service, unless the Administrator approves an extension on the basis of special circumstances. **(See Mandatory Reference, Foreign Service Act of 1980, section 503(a)(1))**

434.3.8 Oath of Office

Effective Date: 09/16/2002

The international organization may require an employee on detail to sign a declaration form. Signing this form shall not be considered a conflict with the employee's USAID

oath of office, provided that the declaration is merely a formal written recognition of an employer-employee type relationship.

434.3.9 Status of Employees on Detail

Effective Date: 09/16/2002

An employee on detail shall continue to be a USAID employee and to draw pay and allowances from USAID throughout the period of the detail. The employee retains privileges, rights, seniority, and all other employee benefits. Leave is earned and used under USAID regulations.

434.3.9.1 Reimbursement of Employee Expenses

Effective Date: 09/16/2002

A USAID employee on detail may be reimbursed for allowances and expenses by an international organization without regard to 18 USC 209 **(See Mandatory Reference, 18 USC 209)** An employee may not accept reimbursement from both USAID and the international organization, or other agency or body, for the same expense. However, if reimbursed less by the international organization than permitted under USAID regulations, the Agency shall reimburse the employee for the difference.

434.3.9.2 USAID Ceiling Charge

Effective Date: 09/16/2002

Employees on detail shall continue to be counted against the USAID position ceiling.

434.3.9.3 Employee Evaluation and Promotion

Effective Date: 09/16/2002

An employee's work performance while on detail shall be evaluated according to USAID regulations, and this requirement shall be contained in the detail agreement with the international organization.

An employee on detail may apply for and be considered for every position for which the employee would be considered if serving in the employee's USAID position.

Any promotion or upgrading of the employee's USAID position, made while the employee is on detail, shall be effective the day it would have been effective if the employee were present and actually serving in the USAID position.

434.3.10 Length of Transfer

Effective Date: 09/16/2002

An employee may be transferred to an international organization for a period of up to five years, which may be extended for not more than three additional years when the Secretary of State, at the request of USAID, determines the extension to be in the national interest. The initial period of a transfer is typically three years or less.

434.3.11 Status of Transferred Employees

Effective Date: 09/16/2002

For the duration of the transfer an employee shall retain retirement benefits, health benefits, and insurance coverage provided that the appropriate contributions are deposited in a timely manner with USAID, Financial Management. In accordance with 5 CFR 352.309c, employee payments are currently deposited if received by the Agency before, during or within three months after the end of the pay period covered. **(See Mandatory Reference, 5 CFR 352.309c)** Except for health benefits, payments and contributions to those funds are based on the rate of pay the employee would have received if the employee had not transferred. The Agency shall determine this rate. Thus, the Agency must establish when the transferred employee would have received a within-grade or general pay increase. Also, any promotions made during the period of transfer must be taken into account. Health benefits payments depend upon the premium of the plan in which the employee is enrolled and type of enrollment (family or self only). The Agency must ensure that the employee payments are adjusted whenever necessary.

Employee payments are considered to be deposited in a timely manner if received by USAID before, during, or within three months after the end of the pay period during which coverage is provided. Failure to deposit these payments in a timely manner terminates the transferred employee's coverage on the last day of the pay period for which payments were deposited in timely manner, subject to a 31-day extension of life insurance and health benefits coverage as provided by regulations. Terminated coverage may not be renewed until the employee actually reenters on duty in a pay status in USAID.

An employee who transfers retains coverage and all benefits and rights to compensation for work injuries. However, such compensation may not be drawn from both the international organization and the U.S. Government.

434.3.11.1 Annual Leave

Effective Date: 09/16/2002

A transferred employee may elect to retain with USAID all accumulated and current accrued annual leave for which the employee is eligible or the employee may request a lump-sum payment at any time prior to reemployment with USAID.

Upon reemployment, an employee is entitled to have the period of separation covered by the effect reemployment counted as creditable service for determining the rate at which annual leave is accrued. If not previously liquidated by lump-sum payment, the transfer is reinstated upon reemployment. Leave earned in the employ of the international organization is not creditable when exercising reemployment rights.

434.3.11.2 Sick Leave

Effective Date: 09/16/2002

Upon reemployment, an employee's sick leave shall be restored to the status at the time of the employee's separation and transfer, in accordance with 5 CFR 630.502. **(See Mandatory Reference, 5 CFR 630.502)** Sick leave earned while in the employ of the international organization shall not be credited to the employee's account upon reemployment in USAID.

434.3.11.3 Employee Evaluation and Promotion

Effective Date: 09/16/2002

Bureau for Management, Office of Human Resources, Personnel Operations Division (M/HR/POD) shall request that the international organization evaluate the work performance of an employee on transfer in accordance with USAID regulations.

Any USAID promotion made while the employee is on transfer shall be effective the day it would have been effective if the employee were on the USAID rolls.

434.3.11.4 Step Increases

Effective Date: 09/16/2002

The personnel and pay records of a transferred employee shall be updated to reflect step increases as they become due. Appropriate adjustments shall be made in the amounts due from the employee for retirement and life insurance.

434.3.11.5 Reemployment Rights

Effective Date: 09/16/2002

An employee who transfers to an international organization has a right to reemployment in the USAID position held at time of transfer, or to one of like seniority, status, and pay within 30 days of submission of an application for reemployment, if the following conditions are met:

a. The employee is separated either voluntarily or involuntarily, at the expiration of or within the period of transfer and employment with the international organization.

b. The employee applies for reemployment to USAID no later than ninety calendar days after separation from the international organization.

Upon reemployment within the statutory limitations, an employee is entitled to have the period necessary to effect reemployment counted as creditable service for all appropriate Federal employment purposes, such as determining the rate at which annual leave is accrued.

A transferred employee is entitled, upon reemployment, to an equalization allowance. An equalization allowance is defined as the difference between the specified pay, allowances, post differential, and other monetary benefits a transferred employee receives from the international organization, and the amount which would have been received if detailed to the international organization from the Federal Government under 5 USC 3343, "Detail; to international organizations". Factors considered in calculating the difference noted above are set forth in 5 CFR 352.310(a)(1) through (4).

At the end of each calendar year and at the end of the term of employment, the employee must furnish a statement of all pay, allowances, and other monetary benefits received from the international organization; changes in family status and the applicable dates; and appropriate supporting evidence prescribed by USAID to substantiate employee's claim for equalization amounts. An Equalization Allowance Information form **(Form AID 410-1) [This document is only available on the USAID Intranet]** is to be used to submit this information to the Office of Financial Management, Payroll Division (M/FM/P). Copies of this form shall be given to a transferred employee at the beginning of the transfer.

434.4 MANDATORY REFERENCES

434.4.1 External Mandatory References

Effective Date: 09/16/2002

a. **Executive Order (EO) 11552, Providing for details and transfers of Federal employees to international organizations**

b. **5 USC 3343, Details; to international organizations**

c. **5 USC 3581, Definitions**

d. **5 USC 3582, Rights of transferring employees**

e. **5 USC 3583, Computations**

f. **5 USC 3584, Regulations**

g. **5 CFR 352, Reemployment Rights**

h. **The Foreign Service Act of 1980, as amended, Section 503**

i. **OPM List of International Organizations**

j. **5 CFR 630.502, Sick leave recredit**

k. **18 USC 209, Salary of Government officials and employees payable only by United States**

434.4.2 Internal Mandatory References

Effective Date: 09/16/2002

There are no Internal Mandatory References for this chapter.

434.5 ADDITIONAL HELP

Effective Date: 09/16/2002

There are no Additional Help documents for this chapter.

434.6 DEFINITIONS

Effective Date: 09/16/2002

detail
The temporary assignment or loan of a direct-hire employee to an outside organization, or within USAID, without change of position from that held in USAID and/or the temporary assignment of non-USAID personnel to USAID, with the expectation that the employee will return to the official position of record upon the expiration of the detail. (Chapters 434, **432** and **418**)

international organizations
Public International Organizations or International Commissions, identified by OPM after consultation with the Department of State, to which Federal employees may be detailed or transferred with reemployment rights to his/her agency following separation. It is the policy of the U. S. Government to assist international organizations to obtain well-qualified U. S. citizens to serve in their secretariats and technical assistance programs. (Chapters 434 and **432**)

434_052912