

ADS Chapter 436 Foreign Service Assignments Process and Tours of Duty

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ADS 436 – Foreign Service Assignments Process and Tours of Duty
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ADS 436 - Foreign Service Assignments Process and Tours of Duty

436.1 OVERVIEW

Effective Date: 09/14/2023

This chapter covers the responsibilities, policy directives, regulations, and required procedures for assignments and tours of duty for USAID's Foreign Service Officers (FSOs). It also outlines the policy for special bidding opportunities, and when Civil Service (CS) and Foreign Service Limited (FSL) employees may express interest in Foreign Service (FS) assignments. This chapter does not apply to FS employees assigned to executive-level Senior Leadership Group (SLG) positions, or FS employees of the Office of the Inspector General (OIG).

436.2 PRIMARY RESPONSIBILITIES

Effective Date: 09/14/2023

- a. The **Administrator**, or designee, is responsible for:
 - Determining assignment priorities and may designate posts, assignments, and/or programs critical to meeting Agency objectives, according to the criteria in section 436.3.4; and
 - Approving extensions of domestic (U.S.-based) assignments beyond eight years for Senior Foreign Service (SFS) Officers.
- b. The Chief Human Capital Officer (CHCO), Office of Human Capital and Talent Management (HCTM), or designee is responsible for:
 - Rendering final decisions when there are disagreements on any assignmentrelated matter among Bureaus, Missions, and other USAID offices;
 - Approving extensions of non-SLG domestic assignments beyond eight years for FSOs up to the rank of FS-01; and
 - Rendering final decisions on changes to tour designations for overseas posts on appeal.
- c. The Senior Deputy Assistant to the Administrator (SDAA), HCTM is responsible for:
 - Rendering final decisions on appeals from decisions made by the Director, Foreign Service Center (HCTM/FSC), on employee and management (i.e., Missions, Bureaus, and Independent Offices [B/IOs]) appeals of assignment decisions, tour curtailments, and tour extensions;

- Approving changes to tour designations proposed by geographic Bureau Assistant Administrators (AAs); and
- Approving third tours.

d. The Office of Human Capital and Talent Management, Office of Employee and Labor Relations (HCTM/ELR) is responsible for:

- Managing all suitability, performance, and conduct-based actions;
- Investigating, evaluating, and addressing a broad range of employee concerns; and
- Providing conflict resolution, advice, and guidance to management to facilitate fulfillment of managerial and supervisory responsibilities related to this chapter.

e. The Office of Human Capital and Talent Management, Foreign Service Center, (HCTM/FSC), Director is responsible for:

- Overseeing the FS assignments process, in compliance with applicable laws, regulations, and internal policies and procedures;
- Ensuring that the Agency optimizes the use of FS personnel through the
 assignments process, by working closely with geographic, central, and
 functional Bureaus and Backstop Coordinators (BSCs), in advertising and
 filling those positions most critical to achieving the Agency's mission;
- Approving the positions to be advertised during the assignment cycle, including the establishment of new positions;
- Coordinating the annual position prioritization process;
- Overseeing the annual review of past bidding data to adjust incentives and bidding requirements;
- Approving all FS employee assignments, including assignments of employees to positions with grades that are three pay grades higher or lower than the employee's individual rank;
- Rendering decisions on employee and management (*i.e.*, Mission or B/IOs) appeals of assignment decisions;
- Rendering decisions on direct transfers, curtailment of tours, extension and curtailing of tours by more than 90 calendar days, and out-of-cycle bid

requests;

- Rendering decisions on extensions of domestic (U.S.-based) assignments up to eight years;
- Ensuring that HCTM/FSC assists FS employees who are curtailing, going on the complement or are evacuated, by working with Missions, B/IOs, BSCs, and Assignment and Career Counselors (ACCs) to find an appropriate rotation and be formally detailed under a Memorandum of Understanding (MOU) and workplan (see section 436.3.17.1(g)(3));
- Rendering decisions on requests for safehavening Eligible Family Members
 (EFMs) in locations other than where the FSO is assigned when: (a) the FSO
 is assigned to a post where family members are not authorized to reside; (b)
 safehavening is authorized; and (c) the Mission Director and the Chief of
 Mission (COM) concurs; and
- Directing assignment of employees outside of the assignment process to meet the needs of the Foreign Service, including directing the first overseas assignment of career-candidate FSOs.
- f. The Office of Human Capital and Talent Management, Foreign Service Center, Assignments and Career Counseling Division (HCTM/FSC/ACC) is responsible for:
 - Providing assignment counseling to employees and managers, as appropriate, and in coordination with BSCs;
 - Counseling FS employees, as requested, on future assignment options to help employees pursue their career goals, and assisting them with Individual Development Plans by advising them of assignments and training needed to develop skills and broaden their experience;
 - Serving as Senior Advisors to HCTM/FSC management and as an initial point
 of contact for FSOs and employees from other hiring categories (e.g., CS and
 FSL) on a range of FS personnel issues, policies, and processes, including the
 assignment process. (Note: HCTM/ELR is the point of contact for performance
 counseling, performance improvement plans, conduct, and disciplinary issues,
 per section d. above);
 - Providing advice to FS employees, as requested, on issues including, but not limited to, tenure policy, tandem couple or FS military spouse situations, medical clearance requests and implications, telework options, and language training considerations;

- Informing Assignments Board participants of the interests, preferences, and career development needs of FS employees, when such information is available;
- Coordinating with B/IOs and Missions on FSO, FSL, and CS assignments to FS positions overseas;
- Coordinating with the HCTM/FSC Foreign Service Assignments Team (HCTM/FSC/FSA) to formulate the annual list of eligible bidders, and communicating with bidders and BSCs in their area of responsibility to verify and confirm bidding status;
- Contacting FSOs who are not assigned to advise on next steps and assist them with their bidding strategy for the next bidding phase;
- Supporting FS employees who are curtailing, going on the reassignment complement or are evacuated by working with Missions, B/IOs, and BSCs to find an appropriate rotation and be formally detailed under an MOU and workplan (see section 436.3.17.1(g)(3)); and
- Providing feedback from the senior leadership 360 assessment process to FSOs, including those participating in the Bridge Officer Program.

g. The Office of Human Capital and Talent Management, Foreign Service Center, Foreign Service Assignments Team (HCTM/FSC/FSA) is responsible for:

- Administering the FS assignments process (see section 436.3.3), in accordance with all applicable laws, regulations, and internal policies and procedures, and disseminating information to all participants;
- Supporting the effective management of FS positions through bidding rules that reflect Agency priorities, requiring position validations/ revalidations, and issuing Special Bidding Opportunities, when required; and
- Monitoring adherence to process guidelines.

h. The Office of Human Capital and Talent Management, Foreign Service Center, Foreign Service Staffing Division (HCTM/FSC/FSS) is responsible for:

- Coordinating the completion of personnel actions required for employee transfers to new posts, including assignment cables, travel, and mandatory training, in accordance with established service level agreements;
- Assisting officers to resolve cross-Agency coordination issues during transfers;

and

- Ensuring that the Agency's systems of record for FS positions are up-to-date and accurate by regularly reviewing positions with B/IOs and BSCs. This may require removing positions no longer needed, updating positions that are modified, or adding newly created approved positions.
- i. The Foreign Service Assignments Board, which includes B/IO management, BSCs, HCTM/FSC/FSA, and ACCs is responsible for assisting and supporting the HCTM/FSC Director in reaching assignment decisions by reviewing each individual case and recommending assignments, in accordance with applicable laws, regulations, guidelines, policies, procedures, and Agency needs and priorities.
- j. The Office of Civil Rights (OCR) is responsible for:
 - Managing the Agency's Equal Employment Opportunity (EEO) and Affirmative Employment programs, pursuant to <u>ADS 110, Equal</u> Employment Opportunity Program;
 - Advising and making recommendations to HCTM regarding EEO practices and principles throughout the FS assignments process;
 - Advising and making recommendations to HCTM regarding reasonable accommodation requests, pursuant to <u>ADS 111, Procedures for Providing</u> <u>Reasonable Accommodation</u>; and
 - Processing allegations of discrimination and/or harassment pursuant to 29 CFR Part 1614, Federal Sector Equal Employment Opportunity.
- **k.** The Office of the General Counsel, Ethics and Administration Division (GC/EA) is responsible for providing legal advice and counseling to HCTM to ensure the FS assignments process and tours of duty are administered, in accordance with legal authorities.
- I. The Office of Security, Counterterrorism and Information Security Division, Counterintelligence Branch (SEC/CTIS/CI) is responsible for:
 - Reviewing proposed assignments to specific posts to determine the employee's suitability, in accordance with 12 FAM 260; and
 - Notifying HCTM/FSC, HCTM/ELR, and the employee when an employee's security clearance is suspended or revoked.
- m. Deputy Assistant Administrators (DAAs) and/or Independent Office Directors in USAID/Washington (USAID/W) are responsible for:

- Ensuring that Operating Units (OUs) within their areas of responsibility comply with the policies, procedures, and deadlines of the FS assignments process;
- Deciding which USAID/W positions should be submitted for advertisement during the assignment cycle, including whether existing positions should be modified or if new positions should be proposed to meet the needs of the OU. Before proposing new positions, B/IOs are encouraged to consult with the appropriate BSCs;
- Ensuring that all positions are reviewed annually and work with HCTM/FSC to remove positions that are no longer needed or update existing positions;
- Participating in the annual position prioritization process (see section 463.3.4), consulting with BSCs in the designation of priorities, as appropriate;
- Ranking candidates on Certification forms (CERTs) or providing written
 justification for not ranking candidates from the eligible bidders on the CERT
 for each open position at the OU, provided that there are sufficient eligible
 bidders;
- Appealing assignment decisions by providing substantive written justification to HCTM/FSC (see section 436.3.3); and
- Ensuring that the B/IO supports FS employees who have curtailed, evacuated, or are otherwise on an FS reassignment complement, by working with HCTM/FSC, BSCs, B/IOs' Administrative Management Services (AMS) offices, and ACCs to find an appropriate rotation and be formally detailed under a Detail Memorandum and workplan (see section 436.3.17.1(g)(3)).
- **n. Mission Directors,** or designees, are responsible for:
 - Rendering final decisions regarding an employee's request for curtailing or
 extending tours of duty for up to 90 calendar days, except in cases where the
 tour adjustment would cause the employee to move into another assignment
 cycle, or when the HCTM/FSC Director has already adjusted the end-of-tour
 date:
 - Identifying Mission positions to be submitted for advertisement during the
 assignment cycle, including whether existing positions should be modified or if
 new positions should be proposed to meet the needs of the Mission, through
 the Position Validation process. Before proposing the creation of new
 position(s), Missions must consult with the appropriate BSC and the B/IO AMS
 staff;

- Ensuring all positions are reviewed annually, which includes working with HCTM/FSC and B/IOs' AMS staff to inactivate positions no longer needed or update existing positions;
- Ensuring that all position narratives include an accurate designation of language requirements, and that any changes to such requirements are cleared with HCTM/FSC at least 30 calendar days in advance of position validation;
- Ensuring the Mission's advertised positions are an accurate reflection of the Mission's needs, available resources, planned reorganizations, and Agency strategic priorities. FSOs are expected to assume the role and duties as advertised in the position announcement. For any General Development Officer (GDO) positions, or other positions that may be suitable for multiple backstops, the position narratives must include a list of the backstops from which eligible bidders are encouraged to apply;
- Ensuring the COM approves each position, in accordance with <u>National Security Decision Directive 38 (NSDD-38)</u>, prior to its advertisement;
- Ensuring that, if the post has Foreign Service National (FSN) staff, where practicable, at least one interview panel member is a FSN employee when interviewing for FSO positions;
- Reviewing and ranking all qualified eligible candidates from each CERT, or providing a written justification for not doing so for each eligible candidate for every open position at the OU; and
- Submitting substantive written justification to support appeals of assignment decisions (see section **436.3.3**).

o. Bureau and Independent Office (B/IO) Administrative Management Services (AMS) Offices are responsible for:

- Assisting and supporting the FS assignments process by participating in the position validation process, including identifying priority positions;
- Providing information, including position narratives, on open positions and eligible bidders through the FS assignments process;
- Supporting FS employees who are curtailing, going on complement or evacuated, by working with HCTM/FSC, BSCs, and ACCs to find an appropriate rotation, identify space and other logistical support, and be formally outlined under a Detail Memorandum and workplan (see section 436.3.17.1(g)(3));

- Processing Mission requests for NSDD-38 clearances and verifying that positions on the bid list have NSDD-38 approval;
- Engaging with ACCs, BSCs, and other relevant geographic, technical, and central Bureaus (once CERTS are issued), in advance of the assignment meetings, to review ranked candidates and share perspectives on bidders' technical suitability for positions; and
- Representing B/IOs and Missions at assignment meetings.

p. Backstop Coordinators (BSCs) are responsible for:

- Managing the full range of respective Backstops' workforce planning, placement, and professional development interests;
- Coordinating with OUs and B/IOs to identify new positions, as part of the position validation process;
- Participating in the annual position prioritization process, consulting with Geographic Bureaus on the designation of priorities, as appropriate;
- Determining whether a bidder has the skills and competencies necessary to perform the duties of a position within the backstop;
- Participating in identifying qualified candidates for multi-sectoral positions (i.e., GDO);
- Consulting with prospective bidders and help them determine current and future bidding opportunities, given their specific skills, competencies, and desired career path, and needs of the Agency;
- Engaging with ACCs and the relevant geographic, functional, and central Bureaus (once CERTS are issued and well before the assignment meetings) to review rankings and provide input on technical suitability and best possible solutions for assignments from the backstop perspective on technical priorities; and
- Providing concurrence or non-concurrence at the assignments meeting based on whether a bidder can technically perform the requirements of the positions the officer is being considered for and/or if the bidder would be better suited elsewhere from the BS perspective.
- **q.** The **Tandem Couple Coordinator** in HCTM/FSC/ACC is responsible for:

- Serving as an advisor and information resource for USAID FSOs, BSCs, B/IOs, and Missions regarding tandem couples and FS military spouses in assignments and career path planning;
- Maintaining the Agency's roster of tandem couples and FS military spouses;
- Serving as the representative of the interests of the tandem couple or military spouse during the assignments meeting or other decision-making processes (e.g., approval of leave without pay (LWOP), remote telework, or detail);
- Working with the tandem couple or FS military spouse, ACCs, Missions, BSCs, and Geographic Bureaus to identify possible assignments that would accommodate the tandem couple;
- Maintaining points of contacts (POCs) with other foreign affairs agencies, the
 Department of Defense, or the Department of Homeland Security (Coast
 Guard) to help identify and coordinate assignment and other options for
 tandem couples and FS military spouses; and
- Coordinating with HCTM/FSC/FSS to address funding, logistical, and other issues that may arise regarding interagency tandem couples or FS military spouses.

r. Foreign Service (FS) employees are responsible for:

- Reviewing and complying with all FS assignment instructions and procedures;
- Consulting with appropriate resources, including HCTM/FSC, ACCs, BSCs, and listed POCs for advertised positions to inform their bids. FSOs should inform the respective ACC of any personal or family circumstances that might affect the assignment;
- Providing detailed information to the BSC and relevant Mission(s) to include resume, training, and explanations of qualifications and prior work experience that meet the requirements of the advertised position, especially when bidding on a position in a new backstop;
- Submitting an Employee Bidding Form (EBF) electronically, through <u>LaunchPad</u>, in accordance with the bidding instructions of the FS assignments process and in line with their qualifications;
- Initiating the necessary arrangements in <u>LaunchPad</u> to facilitate arrival at post (by the date agreed to between the losing and gaining Missions or B/IOs), within 30 calendar days of the assignment announcement;

- Identifying themselves to HCTM/FSC, as part of a tandem couple or FS military spouse, as appropriate;
- Maintaining up-to-date medical clearances for themselves and any EFMs who will accompany them at the assignment post, in accordance with 16 FAM 210 (employees and their eligible family members should renew their medical clearances prior to bidding on their next assignment), and inform the respective ACC of any medical clearance limitations, prior to submitting bids (or seeking a waiver in accordance with ADS 414mab and/or a reasonable accommodation pursuant to ADS 111, Procedures for Providing Reasonable Accommodation); and
- Submitting appeals to individual assignment decisions by providing substantive written justification to the HCTM/FSC Director with a copy to the ACC, in accordance with the provisions of 436.3.15.

436.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

436.3.1 Worldwide Assignment Requirement

Effective Date: 09/14/2023

As a condition of employment, FS career and career-candidate employees must sign an agreement to accept assignments on a worldwide availability basis, as required by the Agency and stipulated in the Foreign Service Act of 1980, as amended. If one or more EFMs are not able to accompany the employee for any reason, the employee remains available for worldwide assignment. Whenever practicable, HCTM takes into consideration an employee's personal situation, career aspirations, if shared by the employee in the Remarks on their bidding form, as well as their professional development when making assignments. The Agency maintains the right to assign an FS employee to any available vacancy worldwide, at any time. Worldwide availability is a condition of employment in the FS, and failure to accept any assignment for which the employee is medically cleared and technically qualified is cause for termination of employment (see ADS 485, Disciplinary Action – Foreign Service). An FS employee who refuses an assignment must be referred to HCTM/ELR for disciplinary action, up to and including separation from the Agency.

FSOs may request to be removed from the eligible bidders list or have an assignment canceled based on a planned retirement that would result in the FSO serving less than 12 months in the new assignment. These requests must be submitted to HR-Helpdesk@usaid.gov. When doing so, they must inform HCTM/FSC of the planned retirement date. If the officer does not retire on the date provided, the officer reverts to worldwide availability, may be directly assigned, and should consult with the relevant Assignments and Career Counselor on next steps.

During the course of an FS career, employees must expect to serve in unaccompanied posts, hardship posts, and/or posts for which an assigned employee is eligible to receive

danger pay. Additionally, FS employees should expect to serve in the United States at least once during each period of 15 years, in accordance with <u>Section 504(b) of the Foreign Service Act of 1980, as amended.</u>

If an employee must go on an overseas assignment or remain at an assigned post without one or more of the employee's EFMs, a Separate Maintenance Allowance (SMA) may be authorized to help defray the cost of maintaining two households for an extended period of time (see ADS 477, Allowances and Differentials).

436.3.2 Assignment Decisions Based On Merit Principles Effective Date: 09/14/2023

The Agency must make FS assignments without regard to race, color, national origin, sex (including pregnancy, gender identity, sexual orientation or transgender status), age (except, as it relates to the mandatory retirement age, explained below), religion, genetic information, physical or mental disability, marital status, veteran status, status as a parent, geographic or educational affiliation within the United States, or political affiliation. Retaliation for opposing unlawful discrimination or for engaging in a protected equal employment opportunity activity is also prohibited. All persons identified in section 463.2 must make recommendations and decisions without regard to these factors. This is in accordance with Section 105 of the Foreign Service Act, as amended.

Pursuant to <u>Section 812 of the Foreign Service Act of 1980, as amended</u>, there is a mandatory retirement age (MRA) of 65 for FSOs. Preference-eligible veterans who are qualified may be appointed into the FS at any time before they turn age 65. If appointed between the ages of 60 to 65, a qualifying, preference-eligible veteran may serve five years prior to being mandatorily retired. However, the CHCO can extend this appointment (and the MRA) up to a maximum of five additional years for any FS employee in certain circumstances (see <u>ADS 414, Foreign Service (FS)</u> <u>Appointments</u>).

436.3.3 Foreign Service Assignments Process

Effective Date: 09/14/2023

The goal of the assignments process is to support the strategic allocation of the Agency's human capital to meet the Agency's programmatic, legislative, and administrative requirements. The assignments process aims to ensure the Agency's priority positions are adequately filled, before making assignments to all other positions. The process also ensures, to the extent possible, employee preferences and the career development needs of USAID's FS workforce are considered in the allocation of available assignments.

HCTM/FSC makes assignment notices and information available to all USAID FS employees through Agency Notice, by email, and/or in <u>Launchpad</u>. HCTM/FSC issues three major communications during the assignments process:

- a. A calendar of events for the cycle: which is issued prior to the beginning of the validation process (see section 436.3.3.1 for a description of validation). At its discretion, HCTM reserves the right to reschedule the calendar of events for the assignment cycle. In addition, HCTM may also delay assignments to specific backstops or positions, due to management considerations.
- **b.** A Listing of Available Positions and Amendments: including position narratives, bidding instructions, posts with one-year assignments, and one-and two-tour post designations.
- c. Approved Assignment Actions: which are published in USAID Agency Notices and on the <u>Foreign Service Assignments</u> intranet page. Subsequent assignment notices reference all of these notices throughout the cycle. In addition, each notice regarding the assignments process may be issued via selected Agency email networks (e.g., EXONET).

The assignment cycle encompasses positions and bidders that become available from January 1 to December 31 in a calendar year, as well as language-designated positions (LDPs) that become available in the first portion of the following year. The process begins in May of the year preceding the assignment cycle.

There are eight major steps in the assignments cycle:

- 1) HCTM/FSC issues a calendar of events;
- 2) B/IOs and Missions validate positions for their respective OUs;
- 3) HCTM/FSC determines the priority designation of positions, in consultation with B/IOs and BSCs, and issues Major and Update Listings of open positions for employee bidding;
- 4) Required bidders submit an EBF for each listing until assigned (see section 436.3.5.1);
- **5)** HCTM/FSC issues CERTs to OU ranking officials for selection consideration and decision;
- OUs rank bidders;
- **7)** The Assignments Board and HCTM/FSC/FSA provide recommendations to the HCTM/FSC Director; and
- 8) The HCTM/FSC Director approves assignments and HCTM/FSC issues notices of assignment decisions, including employees approved for home leave/return to

post (HL/RTP), and approvals of employees' requests for tour extensions and curtailments beyond 90 calendar days.

436.3.3.1 Pre-Validation, Validation, and Announcement of Open Positions Effective Date: 09/14/2023

a. Pre-Validation

OUs must review and electronically certify their upcoming FS staffing needs, NSDD-38 status, current language designation of positions (or requests for changes to designations, when applicable), and pending vacancies by the deadline established in the validation request that HCTM/FSC issues annually. OUs must submit requests to establish new positions, reclassify or delete existing positions through the appropriate Bureau's management unit to HCTM/FSC, at least 30 calendar days before the initiation of the validation process. It is recommended that OUs consult with BSCs on any changes to existing positions in that backstop. Failure to complete any necessary actions by the published deadline can result in a position not being advertised or disapproval of a personnel action. Once published, only DAAs, AAs, or Independent Office Directors can request changes to the bid list that must be approved by the HCTM/FSC Director, or designee. Changes should be based on factors outside of the control of the B/IO or Mission (e.g., a Mission being notified of the need to downsize or the approval of a reorganization that changes the location or grade of positions).

b. Validation

At the start of the assignment cycle, HCTM/FSC issues validation requests and instructions to all Missions and USAID/W Offices. The validation exercise requires B/IOs and Missions to review positions that are expected to become vacant during the period of the assignments process. Further, B/IOs and Missions must describe and certify all positions to be advertised that must be filled during the cycle. All positions overseas must have NSDD-38 approval. Positions that do not have NSDD-38 approval must not be advertised.

In the position narratives, B/IOs and Missions must include information on the position's roles and responsibilities, the skills and abilities required and desired, the position's supervisory and reporting lines, the portfolio, and a contact person(s) for additional information, as well as other information, as required in the instructions provided by HCTM/FSC. In addition, if the position is for a GDO (BS-12), or in another backstop for which officers from more than one backstop would be qualified, the position narrative must list all appropriate backstops. Position narratives also may indicate if the position is suitable for different types of telework (situational, regular/recurring, or remote telework, as defined in ADS 405, Telework and Remote Work Program). Missions and B/IOs must, unless otherwise approved by HCTM/FSC, adhere to the position descriptions, language designations, and organizational structures advertised in the narratives.

The validation process also includes any employee HL/RTP requests, same post reassignments (formerly known as intra-Mission/ intra-Washington reassignments), and employee or Mission requests for extension or shortening of tours.

1) Extensions in Washington

<u>Section 504 of the Foreign Service Act of 1980, as amended</u>, provides the authority for limiting career FSOs' service time in the United States. Under the terms of this provision, continuous domestic service may not exceed eight years from the initial date of assignment to the United States, including time spent on the reassignment complement, absent approval granted, due to special circumstances.

LWOP is a non-duty status and does not count towards continuous duty in the United States. The period of service resumes when the employee returns to duty status.

The HCTM/FSC Director must review and approve any extensions of domestic assignments for FSOs at all class levels, beyond the three-year length of tour, up to eight years. The first extension beyond the third year is usually for one year, but an initial two-year extension may be approved, if medical (for the employee), compassionate, or programmatic justification is provided. All subsequent extensions are approved in yearly increments, up to a maximum total of eight years. Requests for extensions beyond four years (or five years in cases where a two-year extension was initially granted) require a medical (for the employee), compassionate, or a programmatic justification (see section 436.3.17.2). Employees seeking extensions, due to personal medical reasons, must engage the Reasonable Accommodation Manager (RAM) in OCR, pursuant to ADS 111, prior to requesting the extension. The RAM engages in the reasonable accommodation interactive process with the employee, their supervisor, and the HCTM/FSC Director, after which the RAM provides a recommendation to the supervisor and HCTM/FSC Director regarding the request. Ultimately, the HCTM/FSC Director makes the determination on the reasonable accommodation request and the assignment.

The CHCO, or designee, approves requests beyond eight years for FSOs with the personal rank of up to FS-01, and the Administrator, or designee, approves requests for SFS officers or FS-01 assigned to SLG positions. Because of the statutory nature of the eight-year rule, requests for extensions of this limitation receive close scrutiny (see section 436.3.17.2 for additional guidance on extensions of domestic tours).

2) Extensions Overseas

Employees assigned to an overseas position may request an extension at that post during the validation phase of the assignments process. Extensions that result in

more than 36 months between home leaves generally are not approved. The HCTM/FSC Director may approve extensions that result in more than four years total at a post (excluding time on home leave); however, these extensions are highly exceptional and are only approved in extreme circumstances, and are generally related to personal medical clearance issues that cannot be addressed elsewhere or programmatic needs of the highest priority to USAID (see section 436.3.17.1(g)). Where feasible, the HCTM/FSC Director considers the views of the BSC in deciding on extension requests. The CHCO, or designee, must approve extensions that result in more than a total of five years at a post (see section 436.3.17.1 for additional guidance on extensions of overseas tours of duty).

3) Same Post Reassignments (SPR)

Reassignments at the same post (formerly known as intra-Mission/intra-Washington reassignments) may occur as pre-assignment actions during the validation period. Such actions, when approved, appear on the Pre-Assignment Action Report (PAAR). The Mission Director, DAA, IO Director, or their designees submit these requests. HCTM/FSC must seek input from BSCs on any proposed reassignment that involves a three class spread or a reassignment into a different Backstop.

Per section **436.3.5** (a), eligible bidders have the option to include bids on their own position, if advertised, as well as any other openings at their present duty post, if their EBF complies with all bidding rules.

Employees who are otherwise not required to bid may submit a one-bid EBF and be considered for an announced position at their current duty post, provided the assignment does not require an extension of their tour of duty beyond four years at the same overseas post or eight years in the United States.

Any overseas OU in the same geographic location (*i.e.*, country) is considered to be the same post. All positions in the United States are collectively in one post.

4) Early Advertisement of Language-Designated Positions

Missions with LDPs must review each LDP and determine if language skills continue to be required for the performance of the duties associated with the position, or if a formerly undesignated position should be language-designated in future - LDPs that become vacant during the first half of the subsequent year (next assignment cycle) should be validated to be advertised early if the Mission anticipates an ongoing need for language skills in the position, and if there is a shortage of FS employees with tested skills in the designated language.

For example, if a Mission has an ongoing LDP that will become vacant in the first half of 2023, that position can be advertised with the 2022 cycle, which is validated in 2021. The incumbent of an early-advertised LDP may not bid until the cycle of

the incumbent's end-of-tour date.

c. Announcement of Open Positions

HCTM/FSC publishes lists of positions available during the assignments cycle through a series of USAID Agency Notices and on the <u>HCTM FS Assignments</u> website. The General Notices include bidding instructions for required bidders and narratives for all open positions.

436.3.4 Designation of Priority Positions

Effective Date: 08/27/2020

Foreign Service positions are designated as: 1) priority and 2) all other FS. The HCTM/FSC establishes bidding and assignment requirements and procedures to create an adequate pool of employees to assign to priority positions. HCTM/FSC determines the total number of priority positions to be allocated in a given assignment cycle.

Priority Positions: HCTM/FSC determines, with input from the Administrator, Bureau DAAs, IO Directors, or their designees, and BSCs, which FS positions are considered a priority for assignment purposes. The positions are designated as priority on the Major Listing/Agency Notice and on subsequent updates.

Designation of priority positions are based on:

- An assessment of the post's geopolitical significance;
- Developmental or foreign policy significance to a sector, country, or office;
- Size, complexity, and developmental stage of program/sector;
- Organizational structure; and
- Skill level required of the position.

Other Foreign Service Positions: HCTM/FSC may categorize other positions and/or posts, as needed, to meet the needs of the Agency. HCTM/FSC identifies the categories in the bidding instructions. The HCTM/FSC Director makes assignments to these positions after determining that priority positions will be adequately filled.

For example, positions created for the leadership development program, known as the Bridge Program, are labeled as "Bridge." These positions provide opportunities for FSOs to develop and demonstrate the skills needed to transition into senior leadership roles. Bridge positions offer exposure, visibility, and management and leadership challenges, and officers serving in these positions are offered tailored training and mentoring.

436.3.5 Bidding Requirements and Employee Bidding Forms (EBFs) Effective Date: 09/14/2023

a. Requirement to Bid

Foreign Service career or career-candidate employees whose first tour is at a one-tour post, or second tour is at a two-tour post, or third year in a domestic assignment, which ends during the assignment cycle, are required to bid on the first listing for which they are eligible to bid, unless they have been approved by HCTM for HL/RTP or an extension into the next bidding cycle. Required bidders must review the instructions for bidding in the Major Listing/Agency Notice, examine each vacancy announcement, and submit an EBF through LaunchPad that complies with the bidding instructions on or before the deadline listed in the relevant notice.

Bidding instructions may change from year-to-year to meet the needs of the Agency and often requires employees to include bids on certain types of positions (e.g., priority positions or categories of posts (hard-to-fill)) to ensure an adequate distribution of bids. Filling prioritized positions or posts takes precedence over non-prioritized positions or posts, regardless of employee preference, as expressed on the EBF.

Required bidders have the option to include bids on the position to which they are currently assigned, if advertised, as well as any other openings at their present duty post, if their EBF complies with all bidding rules.

Employees who are not required to bid may submit a one-bid EBF and be considered for an announced position at their current duty post (this includes USAID/W), provided the assignment does not require an extension of their tour of duty beyond four years at the same post overseas or in USAID/W. A one-bid EBF cannot be used when a full EBF is required.

In the Agency Notice issued at the beginning of the bidding process, HCTM/FSC provides additional guidance on bidding instructions and criteria for determining employee bidding eligibility.

Bidders must remain responsive to Missions and B/IOs that they bid on, and must provide information and participate in interviews when requested. Failure to do so may result in the bidder being disqualified from the position, directly assigned to the position if qualified, or considered worldwide available for any other position for which the officer is qualified.

b. Completing an EBF

Other than one-bid EBFs, an EBF must comply with the bidding instructions posted in the Agency Notice, relevant to that listing. Bids on positions for which employees

are not qualified, as determined by HCTM/FSC, do not count towards the bidding requirements.

Bidding instructions establish a deadline for bidding, and required bidders must submit their EBFs through <u>LaunchPad</u> by the established deadline. Bidders are urged to consult with their ACCs, BSCs, and POCs identified on the vacancy before submitting their bids. These individuals will be able to provide additional information on the position(s) that may assist bidders in identifying and ranking positions that best meet their qualifications, desired career path, and individual circumstances.

Bidders may utilize the employee remarks section of the EBF to identify personal/family circumstances (*e.g.*, family considerations, spouse, children, aging family members, etc.) that they would like to have considered in the decision-making process, as well as the bidder's career aspirations. Only HCTM/FSC personnel can see the comments entered in the employee remarks section of the EBF and use the comments to assist in making assignment decisions, when appropriate. Bidders should not comment on any personal medical issues, but they may state the status of their medical clearance.

All bids listed on the EBF, including required bids, as defined in the bidding instructions, are considered acceptable assignments for that employee and their circumstances. Employees are urged to carefully select positions they are able to perform, taking into consideration personal, family, medical, and educational requirements before including a position on their EBF.

Employees should exercise great care when bidding on positions three grades above or below their personal rank (see section **436.3.9**). These assignments are exceptions and receive close scrutiny.

While HCTM considers employee preference to be assigned where they can be accompanied by EFMs, such assignments are not guaranteed. In instances where EFMs have educational or medical needs that are incompatible with required bidding, a family separation may result. As a reminder, all bids are valid assignment possibilities. The Agency maintains the right to assign an FS employee to any available vacancy worldwide, at any time (see section **436.3.1**).

Note: Only an EBF submitted by the deadline can officially record an employee's onward assignment preferences. Bids may not be changed after the submission deadline. If an employee who is required to bid fails to submit an EBF or submits an EBF that does not comply with the published bidding rules, HCTM/FSC exercises its authority to assign the employee to any vacant position that it deems appropriate.

c. Bid Out-of-Cycle (BOC) Requests

Employees who are not required to bid can submit requests to bid at the beginning of an assignment cycle during the validation period (*i.e.,* request to bid out-of-cycle). Employees must submit such requests to the HCTM/FSC Director for consideration. The HCTM/FSC/FSS and HCTM/FSC/ACC Divisions consider these requests, which may involve consultation with the BSCs, and recommend approval/disapproval to the HCTM/FSC Director, based on all applicable laws, regulations, guidelines, policies, procedures, and Agency needs and priorities. The HCTM/FSC Director considers the recommendation and makes a decision. The HCTM/FSC Director must review and make a decision regarding requests to bid out-of-cycle that are submitted outside of the position validation window, in accordance with the guidelines above. If approved, employees become eligible bidders and must submit bids, in accordance with the bidding instructions. Employees who receive an approval to bid out-of-cycle during an active bidding phase (i.e. once the position list has been issued) are not be permitted to bid in that phase and must wait until the next phase.

d. Special Bidding Opportunities

At its discretion, HCTM/FSC may announce a Special Bidding Opportunity (SBO) at any time during an assignment cycle to meet compelling needs arising from new Agency initiatives, the opening of new offices, a significant unexpected increase in a program's size and/or scope, due to conflict or emergencies, and/or to meet other critical Agency needs. Bidding eligibility may be expanded to any or all categories of U.S. direct hires and is announced via an Agency Notice. SBOs may be offered, in conjunction with Update 1, if the position has been advertised twice and remains unfilled, in accordance with ADS 415, Civil Service (CS) to Foreign Service (FS) Appointment Program. If bidding eligibility is expanded beyond career and career-candidate FS employees, at any point in the bidding cycle, qualified bidders are given consideration in the following order:

- 1) FSO priority consideration bidders (see subsection e below);
- 2) FSO (career or career-candidate):
- CS (career, including those serving on FS non-career limited appointments); and
- 4) FSL (non-career).

Civil Service and FSL employees can only be ranked if there are no qualified FSO bidders available for a specific position.

e. Priority Consideration Bidding Status

Priority consideration (PC) is a service benefit for career and career candidate

FSOs completing a full tour in the Agency's most difficult-to-staff posts and/or positions. Posts and/or positions that grant the PC benefit are announced in the bidding instructions for each bidding phase. Priority consideration is not a guarantee of an onward assignment to an eligible employee's first preference bid, or to any bid. Rather, it is a guarantee of priority consideration, before non-PC bidders, for bids that meet the following criteria:

- 1) The position is in the backstop in which the bidder is currently serving, a backstop in which the employee has previously served as a USAID FSO, or a General Development Officer position with a sub-backstop that aligns with the bidder's current or previous backstop;
- 2) The position is within two classification levels (up or down) from the bidder's current personal rank. For example, an FS-04 is not given a PC for an FS-01 position or vice versa. This does not mean that a bidder cannot bid on such positions; however, it does mean that the bidder is not given a PC for such a position; and
- 3) The vacancy date of the position is within six months of the bidder's actual potential reporting date. For a position that requires language training, the bidder's potential reporting/availability date includes the time needed for language training. An assignment is still possible for positions with more than a six-month gap, but the PC does not apply.

f. Domestic (U.S.-based) Only Bidding

Foreign Service Officers may be excused from the bidding requirements and can bid on vacancies based in the U.S. only in the following circumstances:

- 1) The employee received a Class 5 medical clearance, which has been disclosed to HCTM/FSC. (Note: FSOs who are no longer medically cleared to serve overseas on a permanent or long-term basis are encouraged to contact OCR to discuss potential options for reasonable accommodation since worldwide availability is a condition of employment); and
- 2) The employee submitted a request to be exempted from the bidding requirements for personal, compassionate, or their own medical reasons, and HCTM/FSC approved the request.

436.3.5.1 Certification of Eligible Bidders

Effective Date: 08/27/2020

After the bidding deadline, HCTM/FSC makes a CERT for each open position available to the OU where the position is located. Each CERT contains the names, personal rank, and backstops of all officers who bid on the position and the ranking of their bid preference.

436.3.6 Ranking Process

436.3.6.1 Ranking Bidders

Effective Date: 09/14/2023

HCTM/FSC issues instructions to OU ranking officials with a timeframe to review bids on their positions, select and rank all qualified bidders for each position, provide written justification(s) as to why each eligible bidder was not ranked/selected, and return the CERTs to HCTM/FSC/FSA. Each OU undergoes its own process to interview and rank candidates, but are encouraged to review and adopt Diversity, Equity, Inclusion and Accessibility (DEIA) best practices documents around this process. For information on DEIA good practices for FS assignments, please search Agency Notices for the latest FSC-issued Agency Notice on "DEIA core practices." All Missions with FSN staff must have FSN involvement during the interview process to inform decisions, where practicable.

Failure to rank order bidders or sufficiently justify ranking a candidate may result in either a directed assignment or the position being left unfilled at the end of the assignment phase.

Ranking officials may add FS employees who did not bid on the position to the CERT. For example, this may happen in rare circumstances when a bidder agrees to be assigned to a priority position after the bidding deadline. Ranking officials must always submit written justification to HCTM/FSC outlining the reason for not ranking each bidder on the CERT. If the employee agrees to be considered for the position in writing, HCTM must review the ranking official's reason for passing over bidders on the CERT and decide whether to allow the assignment of the requested employee.

OUs are required to follow non-discrimination practices outlined in section 436.3.2 in their ranking of potential bidders.

436.3.7 Assignment Approvals

Effective Date: 09/14/2023

After consultation with the Assignments Board and HCTM/FSC/FSA, the HCTM/FSC Director makes all final FS assignment decisions.

HCTM/FSC/FSA must ensure the rankings are entered onto the assignments agenda and distributed to the FS Assignments Board prior to the Assignments Board meeting. Assignment agendas are manager-to-manager documents and must be treated as Sensitive But Unclassified (SBU) by all Assignments Board members to protect the privacy of all bidders.

The Assignments Board's purpose is to assist in the strategic allocation of the Agency's human capital. The Board includes the HCTM/FSC Director, HCTM/FSC/FSA, ACCs, B/IO management staff from the relevant geographic Bureau(s), and BSCs. Representatives from the FS exclusive bargaining unit and OCR may also attend as observers.

The Assignments Board holds meetings after each vacancy listing as indicated in the schedule of events during the assignments cycle. Dates may vary depending on the availability of team members. During these meetings, a member of the HCTM/FSC/FSA records the comments and assignment preferences of all parties. All consultations, discussions, and comments made during assignment meetings are pre-decisional and must not be discussed outside the meetings. [Note: The information may be disclosed to the extent required by law, such as pursuant to an administrative or judicial proceeding, including a grievance, EEO complaint, or other litigation. However, prior to any disclosure, the participants must confer with GC/EA to determine the extent of any legal requirement.]

Foreign Service assignments are made, according to the following precedence:

- 1) Priority positions;
- 2) Other categories of positions (e.g. hard-to-fill positions), per section 436.3.4;
- 3) Remaining overseas positions; and
- 4) Remaining United States positions.

HCTM/FSC publishes approved assignment decisions in a USAID Agency Notice or other form of notification (*e.g.*, letters, memoranda, or email). These constitute official notification to employees of assignment decisions.

When HCTM/FSC must meet critical Agency needs and make assignment decisions before the next scheduled Assignments Board meeting, HCTM/FSC may solicit expressions of interest in order to make such assignments.

436.3.8 Unassigned Officers at the End of a Cycle Effective Date: 09/14/2023

If an assignment cycle concludes and an officer remains unassigned, the HCTM/FSC Director may direct the assignment of the officer to a remaining vacancy for which the officer is qualified and eligible. If no appropriate assignment is identified, the officer must return to USAID/W on the Reassignment Complement and be formally detailed under a Detail Memorandum with an appropriate B/IO. While on the Reassignment Complement, the employee must continue to bid on all listings for which the employee is eligible until formally assigned.

Factors in Assignment DecisionsEffective Date: 09/14/2023

When making assignment decisions, HCTM/FSC considers the following factors, in decreasing order of importance:

- The Agency's priorities and the needs of the FS;
- Skills, experience, documented performance, service history, and personal rank, relative to the requirements of the available position, as reflected, in part, by ranking official decisions:
- Employee medical clearance status (or waiver); and
- The employee's assignment preferences, career interests, tandem assignment, as well as educational and medical needs of the employee's EFMs.

In approving individual assignments, as noted above, HCTM also considers the employee's rank versus the level of the position that is under consideration. Employees are generally assigned to positions classified no more than two levels higher or lower than their personal FS rank. Assignments made to positions three or more levels above or below the employee's individual rank are exceptions and require justification by the OU seeking the assignment, and approval by the HCTM/FSC Director.

When CS and non-career FSL employees are allowed to bid on positions during any phase of the assignment process, HCTM/FSC must only assign such bidders to a position for which no career or career-candidate FSO is available or qualified. The order of preference in making assignments is: 1) FSO bidders who have priority consideration, 2) other FSO bidders, and 3) CS bidders of grade 13 and above who are suitably qualified, and non-career FSL bidders.

436.3.10 Assignment to Language Designated Positions (LDPs) Effective Date: 08/27/2020

Before departure to post, all employees (career candidates, career officers, and non-career appointees) who are assigned to LDPs must meet the language proficiency level of the position. If they do not have the required proficiency, they must receive training by the Foreign Service Institute (FSI) or one-on-one training by an instructor, as specified in ADS

438, Foreign Language Program to satisfy the language requirement for the position. Exceptions to this requirement are considered only in emergency situations (see ADS 438.3.11 for policy and procedures for waivers).

436.3.11 Initial Overseas Assignments of Foreign Service Career Candidate Employees

Effective Date: 09/14/2023

The Agency is committed to finding appropriate assignments to meet the developmental needs of new FS employees.

To facilitate a smooth transition for career candidate employees in their first overseas placement, HCTM directs the initial overseas assignment for each new FS career

candidate employee in consultation with the BSC. An individual's experience, education, and progress determine when the individual is ready for an initial overseas assignment. HCTM/FSC begins the process of identifying an initial overseas assignment, based upon the career candidate employee's projected completion of training and other requirements.

Missions may identify overseas positions appropriate for new employees during the position validation phase of the assignments process.

The Agency works to avoid unplanned dislocation. To facilitate first overseas assignments for new FS employees, the Agency may occasionally need to exercise its right to reassign any employee.

First-tour assignments must be for a period of two years, with the rare exception of first-tour assignments to posts with a one-year tour length.

Tandem AssignmentsEffective Date: 09/14/2023

HCTM/FSC makes an effort to accommodate tandem couples who are both USG FS employees and FS military spouses with assignments to the same posts, recognizing that Agency programmatic needs are the priority and that equal opportunities must be provided to other employees, regardless of marital status. In the case of interagency tandem couples or FS military spouses, where another Foreign Affairs agency, the Department of Defense (DoD) or Department of Homeland Security (DHS) employs the spouse of a USAID FS employee, the other Foreign Affairs agency, DoD or DHS must first conduct its own anti-nepotism/conflict review, consistent with its policies and procedures. USAID then coordinates with that agency to determine if an interagency tandem assignment at the same post is feasible under both agencies' policies.

Tandem couples, especially interagency couples, must initiate future assignment planning well in advance of the relevant assignment cycle and inform both Foreign Affairs agencies, DoD or DHS of their desire for an onward tandem assignment. USAID employees should contact the Tandem Coordinator, their ACC in HCTM/FSC, and BSC. Spouses of USAID employees working at other Foreign Affairs agencies, DoD or DHS, should contact the equivalent personnel in the Human Resources Departments at their organization. The employee's ACC and BSC are available to provide advice to tandem couples and should be consulted with, as their first step in this process. The assignment of one spouse to a post does not negate bidding requirements and possible assignment elsewhere for the other spouse.

When an assignment to the same post is not approved, one spouse has the option of requesting LWOP approval to accompany the other spouse to their post of assignment, for up to the full length of the spouse's assignment, as verified in their assignment cable or other official documentation (see <u>ADS 480, Leave</u>). Employees should keep in mind the effect on Federal benefits of LWOP exceeding one year, and on security clearance status for LWOP of more than 30 calendar days. The Agency expects members of USAID,

interagency tandem couples, and FS military spouses to balance the burdens and opportunities of assignments and LWOP status between the spouses.

A USAID tandem employee or FS military spouse may also seek to use one of the flexible work arrangements the Agency permits in some circumstances, if policy requirements are met (see ADS 405, Telework and Remote Work Program, ADS 432, Details-Civil and Foreign Service, and OPM.GOV for information on telework, detail or part-time/job-share arrangements in Washington, respectively).

Tandem couple and FS military spouse arrangements could pose issues under the antinepotism statute (5 U.S.C. 3110), financial conflict of interest statute (18 U.S.C. 208), and the Executive Branch Standards of Ethical Conduct (5 CFR Part 2635). If one or both spouses are of a senior-level, these issues become more sensitive. The tandem couple or FS military spouse must address these issues as early as possible in the assignment process, before arriving at post, as there are mechanisms to mitigate any potential conflict of interest or appearance of a conflict of interest. As early in the process as practical, one or both members of the tandem couple or FS military spouse must contact the Resident Legal Officer (RLO) at the assigned/onward post to receive counseling on the appropriate or anticipated mitigation. The RLO must prepare a mitigation plan, also known as a screening arrangement, as soon as possible, following approval of tandem assignments to the same post. The employees, RLO, and, where required, the Designated Agency Ethics Official (DAEO) (i.e., the Assistant General Counsel for Ethics and Administration) must finalize the screening arrangement, in consultation with HCTM/FSC, before the employees' arrival at post. Compliance with the screening arrangement is a condition of employment, and failure by either employee to comply may result in curtailment pursuant to this chapter, disciplinary action, and/or referral to the Office of the Inspector General by the DAEO (see ADS 109.3.3.4a).

436.3.13 Anti-Nepotism

Effective Date: 08/27/2020

<u>5 U.S.C. 3110</u> and <u>5 U.S.C. 2302(b)(7)</u> states that a public official may not advocate for, or appoint, employ, promote, or advance in a civilian position in the agency in which the public official is serving, or over which the public official exercises jurisdiction or control, any individual who is a relative, including spouses. In most instances, an individual appointed, employed, promoted, advanced, assigned, or for whom such action is advocated, in violation of this paragraph, is not entitled to pay, and the Department of Treasury may not pay such an individual.

Neither an employee nor anyone the employee supervises may participate in an assignment process when a relative of that employee is likely to be a candidate for a position under consideration. The assignment process includes, but may not be limited to, involvement in the bidding process or any other determinations related to the position to which an employee is to be assigned. An employee's participation in an assignment process, or the participation in the assignment process of an individual under the line of

supervision of that employee, may disqualify the employee's relative from consideration for that position.

436.3.14 Feedback on Assignment Decisions

Effective Date: 09/14/2023

Foreign Service Officers are encouraged to reach out to their ACCs if they would like feedback on the ranking or assignment approval process, including information on why they were or were not ranked for positions. HCTM/FSC can inform employees on whether and how they were ranked in the selection process, upon request.

436.3.15 Appealing Assignments

Effective Date: 09/14/2023

Only the interested parties listed below may appeal assignments. Appeals must be submitted within ten calendar days after notification of the approved assignment decision. If substantial new information becomes available after the ten calendar day period has expired, the HCTM/FSC Director may grant an additional period to submit an appeal and/or comments.

The HCTM/FSC Director has the authority to review and decide assignment appeals at the initial stage and to request additional information, as appropriate. If one or more of the parties below disagree with the Director's decision, the assignment case is discussed between HCTM/FSC and the interested parties. If an agreement is not reached, the case is referred to the HCTM/SDAA for a final decision.

- a. Principal USAID Officer. The principal USAID officer (Mission Director or designee) of an overseas post may submit an appeal of an employee assignment to that post. The principal USAID officer must send a written appeal to the HCTM/FSC Director within ten calendar days of notification of the assignment. The appeal should clearly explain the minimum requirements and duties of the position, and which of those the principal officer believes the assigned employee is unable to meet or perform. In forwarding the appeal, the principal officer must protect the privacy of the assigned employee, to the extent possible. HCTM/FSC must notify the assigned employee that an appeal has been made. The employee has the option to obtain from HCTM/FSC a copy of the principal officer's appeal. The employee has ten calendar days from notification to submit comments on the appeal to the HCTM/FSC Director.
- b. DAA or IO Head. The Bureau DAA or IO Director may appeal the assignment of an employee to a respective B/IO or Mission position under their authority. In addition, the DAA for the Bureau for Management (M Bureau), on behalf of the Office of Acquisition and Assistance (OAA) or Chief Financial Officer (CFO), may also appeal the assignment of Contracting Officers and Controller/Financial Management Officers to any position in the backstop, even if that position is not

located in the M Bureau. The Bureau DAA or IO Director must send the appeal in writing by memorandum or email with substantive justification for the assigned employee's inability to meet the minimum requirements of the position to the HCTM/FSC Director within ten calendar days of notification of the assignment. In forwarding the appeal, the Bureau DAA or IO Director must protect the privacy of the assigned employee, to the extent possible. HCTM/FSC must notify the assigned employee of the appeal. The employee has the option to request a copy of the Bureau DAA's/IO Director's appeal to HCTM/FSC. The employee has 10 calendar days from notification to submit comments to the HCTM/FSC Director.

- c. Assigned Employee. An employee may submit an appeal in writing, through LaunchPad or via email to hr-helpdesk@usaid.gov, which must include a substantive justification for their appeal, within ten calendar days of notification of the assignment. Upon receipt of the employee's appeal, the HCTM/FSC Director may request additional relevant comments from the concerned B/IO or Mission and render a decision.
- d. Additional Appeal. If an employee, B/IO, or Mission is not satisfied with the decision rendered by the HCTM/FSC Director, they can make a final appeal to the HCTM/SDAA in writing, through LaunchPad or by email to hr-helpdesk@usaid.gov. HCTM/FSC must notify the affected employee that a B/IO or Mission has submitted an additional appeal. The employee may request that HCTM/FSC provide a copy of the appeal. The employee has ten calendar days from the date of notification of the additional appeal (or receipt of a copy of the additional appeal, if requested) to submit comments to the HCTM/SDAA. The SDAA may request additional information from the concerned B/IO or Mission, the employee, or others. The HCTM/SDAA's decision is final.

Other than the parties listed above, no other parties have the right to appeal. This includes:

- 1) Employees may not appeal the assignment of another employee.
- 2) Management officials may not appeal the assignment of an employee to another organizational unit, and
- Management officials may not appeal when an employee is not assigned to their OU.

436.3.16 Release and Effective Dates

Effective Date: 08/27/2020

Once an employee is assigned to a new position, the gaining and losing OUs negotiate a mutually acceptable release date. If a mutually acceptable release date cannot be negotiated, the previously approved end-of-tour date is the release date. HCTM/FSC/FSS

documents the effective date of the transfer on a SF-50.

The involved B/IOs negotiate release of FS/SFS employees who are completing SLG assignments. HCTM/FSC assists in the process, as necessary.

436.3.17 Tours of Duty

Effective Date: 08/27/2020

The following sections contain policy descriptions and required procedures pertaining to various types of tours of duty. See section **436.3.17.1** for overseas tours of duty; and section **436.3.17.2** for policy descriptions and required procedures pertaining to domestic (U.S.) tours of duty.

436.3.17.1 Tours of Duty – Overseas

Effective Date: 09/14/2023

A tour of duty, or "a tour," is a period of overseas service uninterrupted by home leave. The standard length of a USAID tour of duty (one tour) is 24 months, unless otherwise specifically approved and noted in the assignments listing. Overseas posts are designated as one-year, one-tour, or two-tour posts.

a. One-Year Posts: Exceptionally challenging posts are designated as one-year assignments. With approval from HCTM/FSC, these assignments may be extended for a second year (in one-year increments) but cannot be extended for a third year without approval from the HCTM/SDAA.

For more information about one-year posts, see https://pages.usaid.gov/M/MS/OMD/post-allowances-benefits-summary.

b. One-Tour Posts: Assignments to one-tour posts are made for one 24-month tour. An employee may request up to a 12-month extension or an additional 24-month tour at the same post at the time of assignment.

If an employee is assigned to a one-tour post that is changed to a two-tour post, after the assignment is made, the employee has the option of transferring upon completion of one tour unless the Agency's needs dictate otherwise.

c. Two-Tour Posts: Assignments to two-tour posts are made for two 24-month tours separated by home leave, as described in <u>3 FAM 3430</u> and <u>ADS 480</u>.

USAID expects employees to serve no more than 48 months at post of assignment from the initial date of arrival to post, excluding time for home leave. Employees may take home leave when eligible.

Employees assigned to two-tour posts that change to one-tour after they have been assigned and before their arrival, have the option of transferring at the end of one

tour.

- d. Changes to Post Tour Designations: The HCTM/SDAA, with input from HCTM/FSC and geographic Bureau AAs, determines changes to tour designations, as follows:
 - AAs must submit requests for tour designation changes to the HCTM/SDAA for review and decision;
 - AAs may appeal the HCTM/SDAA's decision to the CHCO, or designee, within 30 calendar days from the date of decision; and
 - HCTM announces changes to tour policy in a USAID Agency Notice and in the assignment system bidding instructions.
- e. Extending an Overseas Tour by One Year or Less: Overseas tour extensions of one year or less may be requested at the beginning of the assignments process during the position validation period. Once a position has been advertised, an extension can only be made via the FS bidding process. The following policies apply to overseas extensions:
 - 1) Per section 436.3.3.1(b)(2), the HCTM/FSC Director must approve extensions that would result in an employee remaining at post more than four years; these are rarely granted;
 - 2) Extending a tour of duty must not result in the employee being assigned continuously overseas for more than 36 months without home leave. If HCTM/FSC or the Mission Director grants an extension on the first tour at a two-tour post, the FS employee must return after home leave to complete the time remaining on their second tour (the second must not be less than a year). The expected departure date for the end of the tour would not change;
 - 3) An employee's tour may be extended for up to 90 calendar days by the Mission Director or Principal Officer at the post to which the employee is currently assigned, on a one-time-per-assignment basis, without HCTM/FSC's approval; as long as such an extension does not move the employee or the position into the next bidding cycle or the HCTM/FSC Director has not already approved an adjustment to the end-of-tour date. The Mission must notify HCTM/FSC before approving tour extensions to factor into planning for training and onward assignments; and
 - 4) HCTM/FSC may authorize extensions of an employee's tour beyond 90 calendar days, but not to exceed one year (for a total of 36 months at post before home leave) or may authorize a second full tour for the employee at the same post. Input from the BSC may be considered prior to decision, if

appropriate.

f. Third Tours: Assignments of more than two tours at a post are rare and exceptional. Third tours include a third year in a one-year post, or an assignment up to six years in a one-or-two-tour post. A tour extension longer than 12 months constitutes a third tour in a two-tour post.

Employees interested in a third tour should include a bid on their own position during the assignment cycle, with a justification in the comments section. Ranking officials should also include a justification in their CERT if they rank an employee for a third tour. If recommended by the Assignment Board and cleared by the FSC Director, HCTM/FSC forwards third tour assignment proposals to the HCTM/SDAA for a final decision.

g. Curtailing an Overseas Tour: Overseas tours may be curtailed for programmatic reasons, as identified by the Agency, or for personal, compassionate reasons of the employee. Foreign Service employees must maintain a top secret security clearance to remain overseas. An employee whose security clearance is revoked or suspended must be curtailed immediately.

The Mission Director can approve a tour curtailment of 90 calendar days or less, on a one-time-per-assignment basis, except in cases where the tour adjustment would cause the employee to move into another assignment cycle, or when the HCTM/FSC Director has already adjusted the end-of-tour date. The Mission Director must notify HCTM/FSC of the action, so that it can be factored into planning for training and onward assignments.

h. The employee or Mission must submit requests to curtail a tour by more than 90 calendar days to HCTM/FSC for approval on a case-by-case basis (see below for the process).

The process identified in this section is typically known as curtailment. However, it is a process distinct from the definition of curtailment in <u>3 FAM 2440</u>, as it does not require a formal role for the Chief of Mission.

1) Curtailment Request by Employee

Employee curtailment requests are not guaranteed. Employees may request a curtailment of their overseas tour of duty for any reason, including, but not limited to, health, personal safety, need to care for family members, schooling requirements for family members, and other changing family circumstances. Employees are encouraged to consult with Staff Care if there are compassionate, family, or medical circumstances related to a curtailment request. Employees are also encouraged to reach out to OCR about reasonable accommodations regarding personal medical limitations

impacting assignments. However, an employee may not request, and a Mission Director may not approve, a curtailment, in order to avoid a situation where the employee's performance or conduct issues should be addressed, in accordance with ADS chapters 461, 464 and 485. The employee must submit a request for a curtailed tour in writing to the Mission Director if the request is for 90 calendar days or less, and a tour curtailment has not already been approved by HCTM/FSC. If the period exceeds 90 calendar days, or HCTM has already approved a tour curtailment, the employee must submit the request to the HR Help Desk (hr-helpdesk@usaid.gov), for review by the HCTM/FSC Exceptions Committee and approval by the HCTM/FSC Director.

Input from the BSC and the Geographic Bureau may be considered prior to a decision, as appropriate. The employee's request must outline the reasons for curtailing the tour and must include Mission support for, or in opposition to, the request.

These requests must also address whether the employee has taken rest and recuperation (R&R) travel. Employees may be responsible for reimbursing the Agency for R&R travel costs expended, unless a waiver is granted, as described in **3 FAM 3724**.

2) Curtailment Request by Mission

A Mission may request immediate curtailment of an employee's tour of duty if the Mission Director determines that such curtailment would be in the best interest of the employee and/or the post. If for performance reasons, such requests may be made only after post management has documented the issues and given the employee the opportunity to correct them, pursuant to ADS chapters 461 and 464, except in exceptional circumstances, which is determined at the HCTM/FSC Director's discretion. If for conduct reasons, such requests may be made only after post management has consulted with HCTM/ELR and received concurrence from the HCTM/ELR Director or designee, except in exceptional circumstances. The Mission must submit the request in writing and describe the matters giving rise to the request, including any supporting background information. Regardless of the nature of the request, it is in the Mission's interest to first consult with HCTM/FSC, HCTM/ELR, GC/EA, GC/RLO, and/or the BSC, to determine the appropriateness of the request.

The Mission Director must advise the employee of the request for curtailment, provide the employee with a copy of the request, and advise the employee that they may submit their own statement to the HCTM/FSC Director. The Mission Director must submit the curtailment request to the HCTM/FSC Director, along with supporting background information. The

employee may also submit a statement to HCTM/FSC within 14 calendar days of HCTM's formal notification to the employee of receipt of the Mission request. The HCTM/FSC Director may request additional information from Agency stakeholders, as needed. The HCTM/FSC Director makes the final decision, for which there is no appeal.

3) Curtailments by the HCTM/FSC Director

The HCTM/FSC Director may direct an immediate curtailment of an employee's tour of duty if the HCTM/FSC Director determines that such curtailment would be in the best interest of the employee, Agency, and/or the post.

If for performance, conduct, or behavioral issues, such curtailments may be made only after management has documented the issues and given the employee the opportunity to correct them, pursuant to ADS chapters 461 and 464, except in exceptional circumstances (which are determined at the HCTM/FSC Director's discretion). If for conduct reasons, such curtailments may be made only after the employee's management has consulted with HCTM/ELR and received concurrence from the HCTM/ELR Director or designee, except in exceptional circumstances.

The HCTM/FSC Director must advise the employee of the curtailment in writing and describe the matters giving rise to the action, including any supporting background information. The HCTM/FSC Director's decision is final and there is no appeal, as this is an assignment decision.

A curtailment is an assignment action, not a disciplinary one, and is not a substitute for taking disciplinary action or documenting poor performance, and an employee who is curtailed continues to be subject to these actions, as appropriate (see <u>ADS 485</u> and <u>ADS 464</u>).

FS career and career-candidate employees who are curtailed overseas and return to USAID/W are placed on the Reassignment Complement and are formally detailed under a Detail Memorandum and work plan with an appropriate B/IO. While on the Reassignment Complement, the employee must continue to bid on all listings for which the employee is eligible, until formally assigned.

i. Direct Transfers

A direct transfer is the transfer of an FS employee from one post to another without taking home leave. Normally, reassignments from one post to another occur after employees complete a tour and take home leave. Exceptions to the normal process are direct transfers resulting from the approval of an employee's request to bid out

of cycle, to delay home leave when eligible, or to meet urgent Agency needs. Direct transfers are decided on a case-by-case basis. The request for a direct transfer must be justified by urgent Agency programmatic or compelling compassionate reasons. Approval of a direct transfer does not change the total length of assignment at the new post, which is calculated based upon the employee's initial arrival date at post, regardless of whether home leave has been deferred.

If an FSO has completed 18 months of a 24 month overseas tour, early departure is considered a curtailed tour, to be followed by home leave, and a transfer to the new post. In both cases, home leave must be taken as soon as possible after 36 months of the last home leave taken (see 3 FAM 3431.2(c)).

Employees transferring to or from a one-year hard-to-fill assignment may not directly transfer, due to the training and entitlement travel requirements that apply to these posts, as defined in their Service Recognition Packages (SRP). (Note: The Department of State issues SRP for a select number of countries annually. The conditions of service in those countries are governed by the SRP in which the employee has been assigned.)

j. Limit on Continuous Duty Overseas

In accordance with the Foreign Service Act of 1980, Section 504(b), as amended, HCTM/FSC seeks to assign each career FSO to a position in the U.S. at least once during each period of 15 years that the member is in the FS, consistent with the needs of the service. To ensure that FSOs serving overseas comply with the Foreign Service Act requirement, HCTM may require bids on Washington-based positions in the annual bidding instructions.

LWOP is a non-duty status and does not count towards continuous duty requirements or limitations overseas; continuous service is suspended, and the period of service resumes when the employee returns to duty status.

436.3.17.2 Tours of Duty – Domestic (United States) Effective Date: 09/14/2023

A domestic tour of duty lasts 36 months and may encompass more than one position in the U.S.

Employees on domestic assignments are normally assigned to positions in USAID/W that are designated as FS positions. However, FS employees can be temporarily assigned to any vacant position listed in the Agency's Staffing Pattern in USAID/W for which they are qualified, subject to the needs of the Agency (see The Obey Amendment, Sec.220.04(d)(d)).

a. Extending a Domestic Assignment

The extension of a domestic assignment beyond three years requires approval at different levels of authority.

- 1) The HCTM/FSC Director approves/disapproves requests for extensions from three years to four years, or to five years - for employee medical, compassionate, or programmatic justifications, as non-assignment board actions during the validation phase for open FS positions. Approved extensions are announced in the PAAR.
- 2) Domestic tour extensions beyond four years and up to a total of eight years require a written request from the employee to the HCTM/FSC Director in advance of the bidding cycle. The views of the BSC may be considered prior to decision, if appropriate. All extensions are reviewed and approved in oneyear increments in advance of a bidding cycle.
- 3) Since assignments in the United States for any period of continuous service are generally limited to no more than eight years, according to the Foreign Service Act of 1980, Section 504, as amended, an employee requesting such an extension must support the request to HCTM/FSC with written justification indicating the exceptional circumstances (e.g., employee's medical clearance limited to Class 5 Domestic Assignment Only level; compassionate reasons). Employees in this situation are encouraged to contact the OCR Reasonable Accommodation Manager (reasonableaccommodations@usaid.gov) immediately. Requests based on programmatic needs must be submitted by a Bureau DAA or IO Director. The CHCO, or designee, approves extensions of domestic tours of duty beyond eight years for FSOs up to FS-01 rank. The Administrator, or designee, approves SFS Officer extensions beyond eight years.
- **4)** Domestic duty is calculated from the first date that an employee is reassigned to a duty location in the United States, including any assignment on the Reassignment Complement, domestic detail complement or long-term training.

b. Shortening a Domestic Assignment

An FS employee may be assigned to an overseas post after less than 36 months in the United States. The FS employee must submit a request with written justification to shorten the domestic tour to the HCTM/FSC Director, in advance of the start of a bidding phase. The views of the BSC may be considered prior to decision, if appropriate. The HCTM/FSC Director bases the decision to allow bidding earlier than the regular rotation schedule on special or critical needs for the employee's service overseas, such as, for example, lack of eligible bidders or insufficient bidders for the positions available in the employee's skill area. If approved, the

timing of such transfers is established following consultation with the B/IO or Mission to which the employee is assigned.

436.3.18 Voluntary Separation Repayment Requirements

Effective Date: 08/27/2020

An employee is responsible for repayment to the Agency of home leave expenses if the employee fails to complete one year of a foreign assignment or six months of a domestic assignment following return from home leave, in accordance with <u>3 FAM 3439</u>. In addition, an employee is responsible for repayment to the Agency of R&R travel expenses if the employee fails to complete their full tour of duty, in accordance with <u>3 FAM 3720</u>.

All FSOs must sign Conditions of Employment forms (<u>AID 400-33</u> for career employees; <u>AID 400-34</u> for time-limited career candidates; and <u>AID 400-35</u> for time-limited non-career employees assigned overseas), which include provisions regarding repayment of costs for certain training, travel and transportation of the employee and EFMs, and shipment of Household Effects (HHE) and Privately Owned Vehicle (POV) if the employee does not meet service requirements.

436.4 MANDATORY REFERENCES

436.4.1 External Mandatory References

Effective Date: 09/14/2023

- a. 3 FAM 2440, Curtailment
- b. 3 FAM 3430, Home Leave
- c. 3 FAM 3720, Rest and Recuperation (R&R) Travel
- d. <u>5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch</u>
- e. <u>5 U.S.C. 3110, Employment of relatives; restrictions</u>
- f. 18 U.S.C. 208, Acts affecting a personal financial interest
- g. <u>22 U.S.C. 3922, Utilization of Foreign Service personnel system by other</u> agencies
- h. 29 CFR Part 1614, Federal Sector Equal Employment Opportunity
- i. Executive Order 11478, as amended
- j. Foreign Service Act (FSA) of 1980, as amended, Sec. 105, 504, and 812

- k. The Age Discrimination in Employment Act of 1967
- i. The Fair Labor Standards Act of 1938, as amended
- m. The Genetic Information Nondiscrimination Act of 2008
- n. The Rehabilitation Act of 1973
- o. <u>Title VII of the Civil Rights Act of 1964</u>

436.4.2 Internal Mandatory References

Effective Date: 08/27/2020

- a. ADS 109, Ethics and Standards of Conduct
- b. ADS 110, Equal Employment Opportunity Program
- c. <u>ADS 111, Procedures for Providing Reasonable Accommodations</u>
- d. ADS 405, Telework and Remote Work Program
- e. ADS 414, Foreign Service (FS) Appointments
- f. <u>ADS 414mab, Waiver Process for Medical Clearance Requirements for Initial Appointments, Tenure Review and Overseas Assignments in the Foreign Service</u>
- g. ADS 415, Civil Service (CS) to Foreign Service (FS) Appointment Program
- h. ADS 422, Personnel Operations: Senior Foreign Service
- i. ADS 432, Details Civil and Foreign Service
- j. ADS 438, Foreign Language Program
- k. <u>ADS 440, Time-in-Class (TIC) Limitations and Limited Career Extensions (LCEs)</u>
- I. ADS 450, Termination of Time-Limited Appointments
- m. ADS 456 Mandatory Reference, The Obey Amendment
- n. ADS 458, Training and Career/Professional Development
- o. <u>ADS 461, Foreign Service and Senior Foreign Service Performance</u>

 <u>Management and Development Programs</u>

- p. <u>ADS 463, Foreign Service Promotion Boards and Consolidated Senior</u> <u>Foreign Service Performance Board: Promotion Eligibility Requirements</u> <u>and Procedures</u>
- q. ADS 464, Foreign Service Performance-Based Actions
- r. ADS 477, Allowances and Differentials
- s. ADS 480, Leave
- t. ADS 485, Disciplinary Action Foreign Service

436.4.3 Mandatory Forms

Effective Date: 08/27/2020

- a. AID 400-33, Conditions of Employment for Foreign Service Career Employees
- b. <u>AID 400-34, Conditions of Employment for Time-Limited Foreign Service</u> <u>Career Candidate Employee</u>
- c. <u>AID 400-35, Conditions of Employment for Time-Limited Foreign Service Non-</u>Career Employees Assigned to Overseas Mission

436.5 ADDITIONAL HELP

Effective Date: 08/27/2020

There are no Additional Help documents for this chapter.

436.6 DEFINITIONS

Effective Date: 09/14/2023

See the **Glossary of ADS Terms** for all ADS terms and definitions.

Assignment and Career Counselors (ACCs)

Individuals assigned to the Office of Human Capital and Talent Management, Foreign Service Center (HCTM/FSC) who provide counsel to Foreign Service (FS) employees on future assignments, advising of assignments and training needed to develop skills and broaden experience. ACCs ensure that the employee's interests, preferences, and career development needs are considered in the assignments process. (**Chapter 436**)

Assignment Cycle (non-Senior Leadership Group (SLG))

The period of January 1 through December 31 of each calendar year during which non-SLG positions are scheduled to become vacant. (**Chapter 436**)

Assignment Process (non-Senior Leadership Group (SLG))

The steps in which all facets of non-SLG assignment-making (from pre-validation through the point at which assignments are announced by Office of Human Capital and Talent Management, Foreign Service Center (HCTM/FSC) are executed. (**Chapter 436**)

Backstop

Numeric code and title used to identify the skill category of a particular position. The Agency classifies Foreign Service positions by backstops, recruits officers based on backstop, and designates "Backstop Coordinators" to carry out key functions in association with the hiring, development, and assignment of Foreign Service Officers.

- 01 Senior Leadership Group Mission Director, Deputy, and Comparable Executive Level
- 02 Program Analysis and Project Development
- 03 Administrative Management
- 04 Financial Management
- 10 Agriculture
- 11 Economics
- 12 Program Management (multi-sectoral)
- 21 Business, Industry, and Private Enterprise
- 25 Engineering
- 40 Natural Resources
- 50 Health, Population, Nutrition
- 60 Human Resources, Education, and Participant Training
- 70 Humanitarian Assistance
- 76 Crisis, Stabilization, and Governance
- 85 Legal
- 93 Contract Management
- 95 Junior Officer
- 00 Undesignated positions may be filled by employees from any backstop (Chapter 436)

Backstop Coordinator

A Civil Service or Foreign Service employee appointed by the home Bureau or Independent Office of each backstop to advise and assist on human capital, talent management, and operational matters that require backstop-specific technical knowledge and/or knowledge of the Agency's policy priorities within the backstop.

BSCs advise and assist: a) the backstop's Foreign Service (FS) Officers; b) supervisors and senior management at USAID field Missions who have direct supervisory or oversight responsibility for Foreign Service staff in the backstop; and c) Civil Service employees who are interested in non-career or career appointments in the Foreign Service. They also support recruiting, onboarding, and professional development of FS career candidates. (Chapter 436)

Certification Form (CERT)

A document (certificate) that contains specific open position information and a list of

bidders who expressed a preference for a position. (Chapter 436)

Critical Position

A position designated by the Administrator, or designee, which determines Foreign Service positions deemed as critical. Assignments to these positions are addressed first in the assignments process. (**Chapter 436**)

Curtailment

Shortening of the tour of duty to which the employee is currently assigned, up to and including the employee's immediate departure from a Bureau, Independent Office or post. (**Chapter 436**)

Direct Transfer

The transfer of a Foreign Service (FS) employee from one post to another without taking home leave. (Chapter 436)

Domestic Assignment

The assignment of a Foreign Service (FS) employee to the United States for three years, including long-term training. (Chapter 436)

Employee Bidding Form (EBF)

The basic source of information from Foreign Service (FS) employees for planning assignments for the Office of Human Capital and Talent Management, Foreign Service Center, Foreign Service Assignments Team (HCTM/FSC/FSA). The EBF is submitted online through LaunchPad. Employees list their ranked preferences for a next assignment, proposed departure date, and any other information that might be useful in making the most appropriate onward assignment. Additional information might include education needs (e.g., high school) of eligible family members, medical needs, and any statements concerning qualifications for listed positions out of the employee's normal technical area. (Chapter 436)

Foreign Service Assignment Process/Foreign Service Assignment System (FSAS) The assignment system used to fill non-Senior Leadership (SLG) Foreign Service (FS) vacancies. Open positions are advertised and all eligible bidders participate by bidding on positions. (Chapter 436)

Foreign Service (FS) Military Spouse

A legally married couple, of which one spouse is a career or career candidate employee of the Foreign Service (FS) or Senior FS and the other spouse is a member of the United States military under the Department of Defense or Department of Homeland Security/Coast Guard. (Chapter 436)

Foreign Service Reassignment Complement (COMP/REASSIGN)

A mechanism to temporarily accommodate Foreign Service (FS) employees who become available for assignment off-cycle. The Office of Human Capital and Talent Management,

Foreign Service Center (HCTM/FSC), in coordination with the appropriate Bureau and Independent Office (B/IO) and Backstop Coordinator, arrange a detail for employees assigned to the complement. Employees on the complement are required to bid on all position listings for which they are eligible. Other forms of complement are used for employees in various non-standard assignment situations, such as separation, long-term training, leave without pay (LWOP), language training, etc. (**Chapter 436**)

Medical Clearance

The medical examination of an individual that has been completed and the individual has been found either medically cleared with or without limitations (16 FAM 100); or not cleared for service abroad. The medical clearance may also report that the final evaluation is pending further examination or treatment; or that the previous clearance is annulled. Department of State (DS) form 823 is used to issue and report medical clearance determinations by the U.S. Department of State's Medical Director. Employees are notified of medical clearance decisions for themselves and their EFMs via emails issued by State/MED. (Chapter 436)

National Security Decision Directive 38 (NSDD-38)

Presidential directive that gives the Chief of Mission (COM), in coordination with the U.S. Department of State, approval authority on any proposed changes to the size, composition, and mandate of overseas full-time Mission staffing for all U.S. Government agencies. (**Chapter 436**)

One-tour Posts

A U.S. Department of State designation indicating that assigned employees are only required to stay at the post for one tour (24 months). Employees are not required to extend for a second tour. (**Chapter 436**)

One-year Posts

Exceptionally challenging posts designated for one-year assignments. (Chapter 436)

Operating Unit (OU)

USAID field Missions, regional entities, and USAID/Washington Bureaus and Independent Offices that expend funds to support Agency program objectives. In particular, OUs perform the functions of formulating policy, strategic and budgetary planning, achieving results, procurement, personnel management, financial management, and statutory requirements. (Chapters 200, 201, 204, 260, 436, 623)

Priority Position

Position designation made after the Office of Human Capital and Talent Management (HCTM) determines that the critical positions in the particular backstop or relevant clusters of backstops have been adequately filled. HCTM determines, with input from Bureau's Assistant Administrators, Independent Offices Directors or their designees, and Backstop Coordinators which Foreign Service (FS) positions are considered priority for assignment purposes. These positions are designated as priority on the Major Listing/General Notice

and on subsequent updates. (Chapter 436)

Spouse

A partner in any legally recognized marriage, regardless of the employee's state of residency. The term spouse does not include unmarried domestic partners, unless they meet the requirements of being spouses in a common-law marriage in states where such marriages are recognized. (**Chapter 436**)

Standard Tour

A tour of duty that is 24 months in duration. (Chapter 436)

Tandem Couple

A legally married couple, of which one spouse is a career or career candidate employee of the Foreign Service (FS) or Senior FS and the other spouse is an employee of one of the agencies (Department of Agriculture, Department of Commerce, Department of State, United States Agency for Global Media, and U.S. Agency for International Development) authorized to use the Foreign Service Personnel System (22 U.S.C. 3922), with both individuals assigned by orders to positions at an overseas post. (Chapter 436)

Tour of Duty, or Tour

A period of overseas service uninterrupted by home leave. (Chapter 436)

Two-tour Posts

A designation indicating that assigned employees are required to stay at the post for two standard tours (24 months each) separated by home leave. (**Chapter 436**)

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