ADS Chapter 438
Foreign Language Program
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The purpose of USAID’s Foreign Language Program is to strengthen the ability of Foreign Service Officers (FSOs) and other USAID personnel to implement programs mandated by Congress. The Foreign Service Act of 1980, as amended, emphasizes the importance of foreign language competence for members of the Foreign Service (FS). The objectives of USAID’s Foreign Language Program are to:

- Ensure that career candidate employees meet language requirements for tenure;
- Ensure that overseas Language-designated Positions (LDPs) are staffed with employees that meet position language requirements; and
- Provide monetary incentives to encourage employees to acquire and maintain language skills at a higher level for proficiency in incentive languages.

This chapter and USAID-designated sections of the uniform Department of State regulations in Volume 13, Foreign Affairs Manual (FAM) and Volume 13, Foreign Affairs Handbook (FAH) provide the policy directives and required procedures for USAID’s Foreign Language Program. USAID has established a monetary incentive program for qualifying FS employees who have proficiencies in incentive languages and who serve at incentive language-designated posts (see section 438.3.11).

The authority for USAID’s Foreign Language Program comes from Section 702 of the Foreign Service Act of 1980, as amended. Section 704(b)(3) of the Act is the authority for language incentive pay.

This chapter is applicable to all USAID FS and Civil Service (CS) employees, and eligible family members serving or working abroad.

USAID is responsible for making foreign language training available to FS employees to meet tenure requirements and achieve proficiency required for LDPs throughout their careers.

a. The Chief Human Capital Officer (CHCO), Office of Human Capital and Talent Management (HCTM), or designee, makes final decisions on appeals of unfavorable waiver decisions (see section 438.3.10).

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

   1. Develops and implements policy for USAID’s foreign language program including
LPDs:

2. Approves changes in LDPs, as recommended by USAID Mission Directors or USAID Principal Officers and with concurrence from Regional Bureau Assistant Administrators (AAs) and Administrative Management Staff (AMS) Officers;

3. Grants language training waivers;

4. Approves curtailment or postponement of language training for career candidate employees;

5. Decides employee appeals regarding eligibility requirements for language incentive payments under the USAID Language Incentive Program (see section 438.3.11); and

6. Ensures that HCTM Staffing Specialists initiate language incentive payments for qualifying employees serving at language-designated incentive-posts and terminate payments upon their departure from post.

c. The Office of Human Capital and Talent Management, Center for Professional Development (HCTM/CPD):

1. Oversees USAID’s foreign language training program activities to include, but not limited to: developing and managing the language training budget, counseling employees and USAID Mission management on language studies and requirements, arranging for testing for employees to determine if they meet proficiency requirements for tenure or LDP, and making other training determinations, as necessary;

2. Arranges and approves USAID employee enrollment in the Foreign Service Institute (FSI) or other USAID-contracted training facilities; this includes approving language training programs organized at posts overseas or by other United States Government (USG) agencies.

3. Serves as the point of contact regarding USAID employee timekeeping, attendance, and conduct issues and performance during language training assignments;

4. Grants extensions for language training for periods up to a maximum of 40 weeks, on a case-by-case basis, as outlined in section 438.3.10; and

5. Manages the contract for private language training, including directing students to individualized training, verifying hours, and approving payments.

d. Mission Directors and USAID Principal Officers are responsible for:
1. Reviewing language proficiency requirements for existing positions;

2. Certifying that language requirements are adequate for existing positions and needed for new positions;

3. Requesting HCTM/FSC to curtail or postpone an employee’s assignment, or to waive an employee’s language training in Washington to satisfy an urgent staffing need overseas;

4. Ensuring that employees who do not meet the language requirements for language-designated positions are provided training at the overseas post; and

5. Monitoring, reporting progress, and making decisions on the continuation or termination of language training provided at post.

e. **Foreign Service employees** are responsible for:

   1. Acquiring foreign language proficiency within established timeframes and maintaining this competency with the support of USAID. All career FSOs are responsible for using the appropriate language with the degree of proficiency their jobs require; and

   2. Notifying HCTM/FSC that they meet the eligibility requirements for incentive language payments (per section 438.3.11.1).

f. **Supervisors** are responsible for releasing their employees from duties when the employee is assigned to full-time intensive language training.

g. **Assistant Administrators** and **Administrative Management Staff** in Regional Bureaus provide support to USAID Missions and facilitate language training requests. They must concur with Mission-proposed changes to LDP designations of positions and initiate requests to waive foreign language proficiency requirements for Senior Leadership Group (SLG) assignments in their region.

h. The **Foreign Service Institute**, or in some instances, other USAID-contracted training facilities provides foreign language training to FS employees and others as indicated in this chapter.

i. The **Bureau for Management, Office of the Chief Financial Officer, Payroll Office (M/CFO/P)** pays language incentives authorized in this chapter.

### 438.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

#### 438.3.1 Foreign Language Program Policy

Effective Date: 12/02/2021

To the extent possible, FS employees will be trained in the language of their countries.
of assignment based on an assessment of host country conditions and requirements by the Mission Director, Principal Officers, or designees. USAID reserves the right to train employees in any language needed for the accomplishment of the Agency’s mission.

FS employees will be provided language training as required, and will be eligible for language incentive pay regardless of:

- Race,
- Gender,
- Sexual orientation,
- Gender identification,
- Color,
- Age (except as indirectly limited by Section 812 of the Foreign Service Act of 1980, as amended),
- Religion,
- National origin,
- Genetic information,
- Physical or mental disability (except when disqualified for overseas duty by the Medical Division of the Department of State and no waiver is granted (see ADS 414 on waivers),
- Reprisal for participation in the equal employment opportunity (EEO) process,
- Marital and family status, or
- Political affiliation.

FS employees must meet foreign language requirements to obtain tenure. Language training requirements for tenure of career candidates will not be waived. Appointments will not be extended beyond five years to assist career candidates in meeting their language requirements for tenure, except as provided by Section 309(b)(3) of the Foreign Service Act.

FS employees must meet foreign language requirements for assignment to a LDP before departing for an overseas assignment. In extraordinary circumstances or in emergency situations, an exception to this policy may be approved by the Director of HCTM/FSC or designee (see section 438.3.11 for more information on exceptions).

### 438.3.2 Eligibility for Language Training

Effective Date: 12/02/2021

The following categories of employees are eligible for language training:

- Career Foreign Service and Senior Foreign Service Officers and Career Candidates; and
- CS employees who are non-career limited FS appointees under the Civil Service to Foreign Service Appointment Program (see ADS 415) and are assigned to LDPS.
Foreign Service Limited (FSL) employees on non-career appointments are not eligible for language training. If an FSL employee on a non-career appointment is selected for an LDP, they must demonstrate the required proficiency for the position as part of the bidding process, as instructed by the bidding guidance.

HCTM/CPD may approve other individuals for foreign language training on a case-by-case basis, if funding and space are available, as described in section 438.3.8(d).

438.3.3 Language Proficiency Requirements for Tenure and Assignment to Language-Designated Positions
Effective Date: 12/02/2021

Language proficiency requirements for tenure and assignment to LDPs are outlined in ADS 438maa.

a. Tenure

To meet foreign language requirements for tenure, career candidates must have an FSI-tested proficiency in accordance with ADS 438maa of S-3/R-3, S-2/R-2, S-2/R-1 or S-2/R-0. Language requirements for career candidates will not be waived and appointments will not be extended beyond five years to assist career candidates in meeting their language requirement for tenure.

b. Assignment to LDPs

An employee assigned to an LDP must possess the position’s mandatory tested level of language proficiency before assuming duties at the overseas post unless the Director of HCTM/FSC grants a waiver of training in Washington to allow the employee to proceed to post and immediately enroll in training at post until the required proficiency is reached (see section 438.3.11).

438.3.4 Procedures for Changing Existing or Establishing New Language Designated Positions
Effective Date: 12/02/2021

USAID Missions have responsibility for designating positions requiring foreign language proficiency. Generally, HCTM makes changes in language proficiency requirements only at the time of the annual position validation exercise outlined in ADS 436.3.2.1. HCTM/FSC reviews LDPs created after the validation on an ad hoc basis.

Missions must not change language requirements to:

- Avoid delays in recruitment;
- Avoid the assignment of an employee with the right qualifications for the LDP; or
• Establish language proficiency requirements above the S-3/R-3 levels or below the S-2 level for LDPs.

a. New Positions

The criteria for establishing new LDPs are outlined in section 438.3.4c. Procedures for the submission of new LDPs are described in section 438.3.4d.

b. Existing Positions

During the annual validation exercise, Mission Directors and other Principal Officers, or designees:

1. Must review and certify that requirements for existing LDPs are adequate or, if duties and responsibilities have changed significantly, recommend modifications to language proficiency requirements.

2. Must fully justify all recommended changes to the Director of HCTM/FSC. Procedures for submitting changes to language requirements for existing positions are provided in section 438.3.4d.

c. Designation Criteria

In reviewing and arriving at language proficiency designations for existing and new positions, Mission Directors and other Principal Officers must consider the following:

• Program management responsibilities of the overseas post and specific offices;

• Job content and level of contacts in the host country, including the need to conduct official business and develop useful working relations with host country officials, local private sector counterparts, local implementing partners, and other significant donor representatives;

• Representative/social contact;

• Extent of the use of English in the host country;

• Host country requirements for English proficiency for its officials who serve in counterpart positions (this judgment must not be based on a single individual’s English proficiency);

• Host country’s general level of English used by local partners, and local private sector and non-urban stakeholders;

• Host country’s attitude and acceptance of the use of English in the local setting;
Position requirement for direct supervision of Foreign Service Nationals (FSNs), Third-Country Nationals (TCNs), or Personal Services Contractors (PSCs) lacking a working knowledge of English;

Frequency and need to deal with the general public on a continuous basis, including conducting interviews;

Job requirement to comprehend written materials in a local language;

Resources required to monitor translations made by FSNs or translate documents into the local language, where sensitivity requires handling by U.S. personnel; and

Ease or difficulty of maintaining personal safety and carrying out normal daily living requirements without the local language.

d. Submission of Requests for Position Designation

To create new LDPS or to recommend changes to existing positions, the Mission Director or other Principal Officer, or designee, must complete the certification process as described in section 438.3.5(a) and (b) and justify in writing any language designation changes to the HCTM/FSC Director. The Regional Bureau AA and AMS offices must concur with these changes. When creating a new position, the Mission Director, other Principal Officer, or designee must develop a position description stating the language and level of proficiency required. The Mission then requests that the responsible AMS submit Standard Form (SF) 52-B, Request for Personnel Action to HCTM/FSC with the position description and the written statement justifying the action. When feasible and when in furtherance of USAID’s programmatic needs, USAID will expand the number and proficiency level of LDPS to provide opportunities for FSOs to master the languages of the countries where they are serving beyond French, Spanish, and Portuguese. Examples are languages of regional importance such as Arabic or Swahili or those spoken by large numbers of people such as Hausa or Bahasa.

438.3.5 Language Testing

Effective Date: 12/02/2021

The FSI Proficiency Test is required to determine an employee’s speaking and reading levels in a foreign language to qualify for tenure, assignment to a LDP position, and language incentive pay. The following paragraphs contain language testing policy directives and required procedures:

a. Tested language proficiency is rated in quantitative terms. USAID employees are graded according to the foreign language proficiency scale set by the Interagency Language Roundtable, which was adopted by the Department of State and used by other Federal agencies, to rank an individual’s language skills. The scale has six levels, from 0 to 5 -- with 5 being the most proficient -- to assess an individual’s
ability to speak, read, listen, and write in a designated language. USAID requires only proficiency in speaking and reading language skills.

b. USAID adheres to the Terminology and Rating Scales Definitions provided in 13 FAH-1-H-240.

c. Language testing for Eligible Family Members (EFMs) is not supported unless there is a conditional job offer to an EFM-eligible USAID position overseas that requires language proficiency. USAID EFMs should reach out to the Mission who made the conditional job offer regarding testing, where required.

438.3.5.1 Scheduling Tests in USAID/Washington
Effective Date: 12/02/2021

The following are procedures for scheduling language proficiency tests.

a. After appointment, career candidates with a proficiency in a foreign language will be asked to provide a written self-assessment of their language capability to determine their skill levels in speaking and reading the language. Following the self-assessment, HCTM/CPD will schedule career candidates for an FSI test in a language suitable for either meeting tenure requirements or needed for the employee’s country of assignment.

b. HCTM/CPD follows FSI’s procedures and schedules tests at FSI at least three weeks before a test date. Since the test schedule is normally full at FSI, a testing team will only wait 10 minutes past the scheduled time for an examinee to arrive. Employees who do not take a scheduled test or fail to notify FSI of the need to reschedule due to an emergency will be required to pay the testing fee for the test they did not take.

c. FSI requires HCTM/CPD to give a minimum of 24 hours notice of an appointment cancellation or an appointment that needs to be changed; otherwise, USAID will be charged for the testing appointment.

(See 13 FAH-1-H-230 for additional information on Language Testing.)

HCTM/CPD will not schedule language proficiency tests for employees who receive or give notice of separation from the Agency.

438.3.5.2 Tests Overseas
Effective Date: 12/02/2021

Official FSI language proficiency tests given overseas are authorized and funded by FSI in Washington, or by one of its field representatives, in consultation with Mission leadership. Additional information on language proficiency testing in the field is located at 13 FAH-1-H-232.
438.3.5.3  **Validity of Scores**  
Effective Date: 12/02/2021

When determining whether an employee has the language qualifications for an LDP or for tenure, test scores have the following periods of validity:

<table>
<thead>
<tr>
<th>Tested Proficiency</th>
<th>Duration of Validity</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-3/R-3 or below</td>
<td>Five years</td>
</tr>
<tr>
<td>S-4/R-4 or above</td>
<td>Does not expire*</td>
</tr>
</tbody>
</table>

*Except for incentive pay (see section 438.3.11 for more information).

An employee who previously scored at the proficiency level required for a prospective position, but at less than S-4/R-4, and whose test date is past the duration of validity, must be retested by FSI during the employee’s home leave. If proficiency has fallen below the required position proficiency level, the employee must take a refresher course and test at the required speaking and reading proficiency levels before departing for an overseas post.

438.3.6  **Priorities for Language Training in Washington and Overseas**  
Effective Date: 12/02/2021

The priorities for scheduling language training in Washington are as follows:

- **Priority 1** – FS employees who are approved for assignment to LDPs and career candidates who have not met USAID language requirements for tenure.

- **Priority 2** – FS employees who are assigned to non-LDPs at overseas posts where English is not the primary language.

- **Priority 3** – CS employees selected for assignments to LDP under the CS-to-FS appointment program.

- **Priority 4** – FS employees who need training in languages that HCTM determines to be in critically short supply in the employees’ backstops.

- **Priority 5** – FS employees who need to acquire proficiency in a USAID useful language to prepare for future assignments (see section 438.3.8 on Languages Used at USAID).

- **Priority 6** – Spouses, domestic partners, and adult eligible family members 18 years or older of employees assigned to LDPs and non-LDPs at overseas posts, subject to available funding and Missions’ assessment of host country conditions and requirements. EFM with conditional job offers for USAID positions requiring language proficiency will be given preference.
The purpose and priorities for scheduling language training at overseas posts are outlined in 13 FAH-1 H-250.

### 438.3.7 Language Training Scheduling

**Effective Date:** 12/02/2021

#### a. Language training in Washington

FS employees take intensive, full-time language training in Washington at FSI or at a USAID-contracted training facility. Students assigned to full-time language study are relieved of all other duties for the duration of their language training to meet the necessary levels of language proficiency. Only emergency situations are permitted to interrupt or shorten language training assignments (see 13 FAH-1 H-220 for additional information on language training). Employees in full-time language training will not be approved for annual leave during their training period, and should carefully plan with their supervisors to schedule leave before and after their training to avoid forfeiting use or lose leave, in accordance with ADS 480.

Scheduling procedures are as follows:

1. **HCTM/CPD** schedules and provides funding for training in Washington. Employees must submit online an **SF-182, Request, Authority, Agreement and Certification of Training** to HCTM via LaunchPad or the HR Help Desk for authorization and submission to FSI. HCTM/CPD must receive the SF-182 form at least four weeks before the desired training for review and processing. The training form must reach FSI no later than three weeks before the training is due to start. Employees must complete items 7 and 9, Training Purpose and Training Sub Type Code, in the SF-182 form, and sign the Continued Service Agreement on page 5.

2. **HCTM/CPD** may arrange an alternate training program at a contracted language facility. This training is only permitted in the following circumstances:
   - The candidate already has some proficiency in the language;
   - The candidate does not require the full course of training;
   - The candidate will study a language or start on a date not listed in FSI’s Schedule of Courses; and
   - As a reasonable accommodation for a disability, when approved by OCRD.

For all contracted language training, HCTM/CPD must include a note attached to the front of the SF-182 indicating when and who made the special arrangement.
b. Training for Career Candidates for Tenure

1. Career candidates are usually enrolled in language training after completion of new entry orientation and formal on-the-job training programs and immediately before their departure to an overseas post.

2. If the candidate is assigned to an LDP and does not have the required tested level of language proficiency, HCTM/CPD will schedule training in the required language for the amount of time necessary for the employee to achieve the proficiency level (see section 438.3.10.2 for training time limits). If a new FSO is not assigned to an LDP for their first tour overseas and cannot test at the proficiency level required for tenure in a USAID useful language (see ADS 438 maa), the HCTM Language Team will assign the FSO to learn a USAID useful language and schedule training in the required language for the amount of time necessary to achieve the proficiency level (see section 438.3.10.2 for training time limits). Career candidates are expected to achieve the language requirement before departure for the candidate’s initial post.

3. Full-time language training for career candidates may be curtailed or postponed only when there is no reasonable alternative for meeting urgent staffing needs.

4. Mission requests for curtailment or postponement of career candidate language training must be submitted through the Assistant Administrator of the appropriate Regional Bureau and HCTM/FSC Director for their approval, and then to the CHCO/HCTM for final approval.

These requests must include the following:

- Specific programmatic reasons for the curtailment or postponement;
- Proposal for an alternate plan to provide language training;
- Certification that if the employee does not achieve the necessary language proficiency at the end of the first tour or assignment, the employee will remain in the U.S. following home leave until the employee achieves the required language proficiency; and
- A statement signed by the employee indicating agreement with the request and the alternative training plan and acknowledging possible consequences, including separation from USAID for failure to meet language requirements for tenure.

If the employee does not agree with the alternative training plan, the employee must remain in the U.S. until the original training plan is completed. If the employee meets the language requirement, they may proceed to their overseas assignment. If the employee
does not meet the language requirement within their five-year limited appointment, the appointment will not be extended to allow the employee additional time to meet the requirement.

c. Training for Career FS Employees for LDP Assignment

USAID’s Foreign Service assignment policy requires each LDP to be filled with an employee who meets the language proficiency requirements. When individuals assigned to positions requiring language proficiency do not have required language skills, they must receive language training immediately before assuming duties at an overseas post or as indicated below.

1. Reassignment from USAID/Washington: Employees transferring to LDPS from USAID/Washington without the required proficiency must be enrolled in and complete language training before departure for an overseas post.

2. Home Leave and Rest and Recuperation (R&R): Employees on home leave and transfer (HL/T) orders or on home leave and returning to overseas post assignment (HL/RTP) orders, and who have language scores expiring before their return to post, will be tested and enrolled in language training by HCTM/CPD in the U.S. before their departure to post if they do not have the designated proficiency requirements. Employees on temporary duty (TDY) assignments or R&R travel to the U.S. who do not have the designated proficiency requirement may be assigned by HCTM/FSC to language training in lieu of the employee immediately returning to their overseas post.

3. Direct Transfer: Employees reassigned to LDPS may only direct transfer without the required proficiency if an HCTM-approved language training program is available at the gaining post. The employee must be enrolled by the Training or Executive Officer at that post at Mission cost, and may not assume work duties until language training has been completed. If the required proficiency is not documented at the post through an FSI-approved tester, the employee must be tested during USAID/Washington consultation and scheduled for training in connection with home leave. If the gaining post prefers that an employee take training on the way to the post after the end of home leave, the gaining post must provide per diem funding while the employee is in language training. HCTM/CPD provides funding for the actual training.

Employees are encouraged to review the USAID General Notice issued annually by HCTM/FSC entitled “USAID Foreign Service Assignment System – (current cycle) Standard Authorization Language for Travel Authorizations” for additional information on language training.

d. Other Training Authorized in Washington

Other language training in Washington may be authorized by HCTM/FSC as follows:
1. **For assignment to non-LDPs**: If an employee is assigned to a non-LDP, HCTM/FSC may approve language training relevant to the host country or area for the employee based on funding availability.

2. **For anticipated assignment needs**: HCTM/FSC may schedule an employee with no immediate assignment for full-time language training in a language determined by HCTM/FSC to be in shortage for the employee’s particular or prospective backstop. Employees with a USAID/Washington assignment may be trained in such languages on a part-time basis, if available, based on funding availability.

3. **EFMs** who are spouses and domestic partners, age 18 and older, and who are expected to accompany the employee assigned to an overseas post, may be approved for distance language learning training provided by FSI and online, subject to funding and availability. The EFM must be on the FSO’s orders and the language must be spoken at a USAID mission. This training may include distance learning courses such as Mango, FSI-mentored distance learning, or other at-post language training opportunities. Training options for EFMs must be discussed with and approved by the HCTM/OHCI/EFM Unit. Training options for EFMs are subject to change based on budgetary constraints.

4. **CS employees** serving overseas, for example, on extended TDYs, are eligible for language training if language proficiency is required for the TDY assignment, based on funding availability.

**e. Post Language Programs**

Overseas language training usually is provided through the interagency training program administered by the Department of State as outlined in 13 FAH-1 H-250. It may also be organized and funded by the USAID Mission at post. The Director of FSC must approve the use of an at-post program to provide the training required to achieve proficiency for an LDP assignment.

**f. Employee Self-Study**

All USAID employees have access to online foreign language training through USAID University and may take such training at any time after hours. In addition, an employee may request their supervisor’s permission to take on-line language study during regular duty hours at their current post for up to two hours per week for the six months prior to their transfer to an LDP through USAID University. If posts have funding available, employees may also seek Mission support for local language training in the language of their LDP position and be permitted up to two hours a week of duty time to attend such classes. Employees may amend their Individual Learning and Training Plan to include such language study. Employees should keep a record of the hours spent in such training and submit monthly reports to their supervisor.
438.3.8 Language Categories
Effective Date: 12/02/2021

The following language categories are used in USAID and listed in ADS 438maa, USAID Tenuring Languages and ADS 438mab, USAID Incentive Languages.

- **Category A**: Spanish, French, and Portuguese;
- **Category B**: Other Languages Qualifying for USAID Tenuring; and
- **Category C**: USAID Incentive Languages: USAID provides a monetary incentive to FS employees who become proficient in these languages and serve at language incentive designated posts where the language is used (see section 438.3.11).

438.3.9 Monitoring Progress against Training Performance Standards
Effective Date: 12/02/2021

FSI or the USAID-contracted training facility staff regularly assess the performance and progress of employees in language training classes and send reports to HCTM/CPD periodically on their progress.

FSI uses standards of the Interagency Language Roundtable (see www.govtilr.org) to measure progress of employees assigned to full-time language training at FSI. Similar standards are applied to employees trained in USAID-contracted training facilities.

438.3.9.1 Performance Reviews
Effective Date: 12/02/2021

Performance reviews are conducted at regular intervals (every six weeks for 24-week language programs, and every 8 to 10 weeks for 30 or more week language programs) to determine whether the employee is on track and will or will not meet the proficiency level by the end of the planned training. (Note: the maximum length of USAID-paid training is 40 weeks; however, an individual employee’s training plan may be shorter than that depending on factors such as language difficulty, previous knowledge of the language, and learning speed). Any conduct issues raised during the course of these reviews will be referred to HCTM/Employee and Labor Relations for action.

FSI prepares performance reports regularly and the employee (i.e., student) signs these reports to acknowledge receipt and receives copies from FSI.

If, after the first progress interval, FSI determines that the student may have difficulty reaching the required proficiency level by the end of the planned training period, FSI will advise both the student and HCTM/CPD.

If, after a second, third, or fourth progress interval, the student continues to have
difficulty making progress to achieve the proficiency level expected, FSI will again advise both the student and HCTM/CPD. HCTM/CPD will in turn advise the employee’s supervisor, the backstop coordinator, and the USAID Mission of assignment, as appropriate, regarding the employee’s difficulties achieving the language proficiency level. At that time, HCTM management will review the circumstances and determine whether to continue language training.

At any time, HCTM/CPD may terminate an employee’s language training program if FSI reports that the proficiency level needed may not be achieved or if the employee engages in misconduct while at FSI that HCTM/CPD, in consultation with HCTM/ELR, deems to warrant such termination. HCTM/CPD decides whether FSI should administer an end-of-training test for the record.

438.3.9.2 Training Limitations

Effective Date: 12/02/2021

a. Training in USAID Category A Languages

Career Candidate Employees for Tenure

Career candidate employees whose language proficiency requirements for tenure are S-3/R-3 may be granted up to a maximum of 40 weeks of training with periodic reviews. If the employee fails to achieve the required level by the end of the training period, training is terminated, and the employee is responsible for self-study or other available mechanisms to achieve proficiency within the required five-year period for tenure.

Career FS Employees for Assignment to LDPs

Career FS employees assigned to LDPs with language requirements of S-3/R-3, who do not possess the required tested level or any language proficiency, may be granted up to a maximum of 40 weeks to gain the proficiency before assumption of duties at an overseas post. HCTM/CPD will conduct periodic reviews with FSI to determine how the employee is progressing. If the employee fails to achieve the required proficiency during the allowed time, HCTM/CPD will consult with the affected Mission regarding next steps. The Director of HCTM/FSC has the discretion to approve more than 40 weeks of language training for employees assigned to LDPs requiring the S-3/R-3 level in FSI-defined Category IV (formerly “superhard”) languages.

b. Training for Tenure in other Languages

Career candidate employees, whose language proficiency requirements for tenure are S-2/R-1 or better, or S-2/R-0 or better depending on the language, are enrolled for 24 weeks of training and are tested during the 24th week. If the career candidate employee fails to reach the required level, the Director of HCTM/FSC or designee may extend training for up to a maximum of 40 weeks. If the employee fails to achieve the required level by the end of 40 weeks, training is terminated, and the employee is responsible for self-study or other available mechanisms to achieve proficiency.
employees who fail to meet language proficiency requirements are ineligible to be considered for tenure (see ADS 414 for Tenure Requirements).

c. Failure of Career Candidates to Meet Language Requirements

When language training is terminated for career candidates, they may be retained in the FS up to their five-year appointment limitation. In such cases, career candidates will have the opportunity to meet language requirements for tenure through self-study, immersion programs, or other available mechanisms at their own expense. Employees who have not achieved the required language score after the provision of the USAID provided training must sign a “Memorandum of Agreement” confirming that additional language training for tenure will be at their own expense. They must request annual leave or leave without pay (LWOP) if they will be absent during normal work hours to pursue independent study arrangements.

Employees who fail to achieve a language proficiency level required for tenure by the end of the five-year period will be separated from the Agency based on not meeting this condition of employment.

Language training requirements for tenure of career candidates will not be waived, and appointments will not be extended beyond five years to assist career candidates in meeting their language requirements for tenure.

d. Training for Career Employees with LDP Assignments with Lower Proficiency Requirements

Career FS employees assigned to LDPs with language requirements of S-2/R2 or less who do not possess the required, tested level of language proficiency are assigned for a suitable length of language training to gain the required proficiency before assumption of duties at post.

e. Failure of Career Employee to Meet Language Requirements

For career employees who fail to achieve the language requirement of the LDP, Missions may request a waiver of the language training in Washington in accordance with section 438.3.10 or request the assignment be broken and request the assignment of another employee with the required language proficiency.

438.3.10 Language Training Waivers for Employees Regarding Assignment to a Language-Designated Position
Effective Date: 12/02/2021

USAID’s FS assignment policy requires each LDP position to be filled with an employee who meets the language requirements. When employees assigned to positions requiring language proficiency do not have required language skills, they must receive language training before assuming their duties at an overseas post. Exceptions to this requirement will be considered in emergency situations only and will rarely be granted.
Exceptions to this requirement for non-SLG positions must be justified in writing by the Mission Director, other Principal Officer, or the Head of a Regional Bureau to the Director of HCTM/FSC, explaining in specific detail the emergency conditions and compelling circumstances that necessitate a waiver of training in Washington. For SLG assignments, the Regional Bureau AA must submit the waiver request through the CHCO to the Administrator. Language waivers may only be requested when the employee has exhausted the requisite training time for the given language and has achieved the following scores: for languages requiring a S3/R3, a minimum score of S2+/R2+; for languages requiring a S2/R2, a minimum score of S1+/R1+.

Upon receipt of written justification, the Director of HCTM/FSC, or designee, will review the request for waiver of language training in Washington and will either approve or deny the request. The servicing HR Specialist informs the overseas post or the appropriate Regional Bureau and the employee of the waiver decision.

If a waiver is granted, the employee must continue training at the overseas post while performing their regular jobs. If the employee reaches the language proficiency requirement before they are due to take home leave, the post notifies the servicing HR Specialist in HCTM/FSC/FSS that the requirement has been met through testing at an approved testing facility. If the language proficiency requirement is not achieved, the servicing HR Specialist will coordinate with HCTM/CPD to enroll the employee in language training, up to the maximum of 40 weeks allowed per assignment, in connection with home leave and return to post orders, TDY in Washington, or R&R to the U.S.

The Mission Director, other Principal Officer, or the Head of the Regional Bureau may appeal unfavorable waiver decisions by the Director of HCTM/FSC to the CHCO, or designee, for decision. Further appeals beyond the CHCO are not allowed.

If the language waiver is not granted, the corresponding LDP assignment will be cancelled, unless the employee has any remaining training hours available, up to the maximum of 40 weeks. Such employees must retest before the training has been exhausted.

438.3.11 Language Incentive Pay
Effective Date: 12/02/2021

The Foreign Service Act of 1980, as amended, emphasizes the importance of foreign language competence for members of the FS. Section 704(b) (3) specifically authorizes monetary or other incentives to encourage members of the FS to acquire and retain proficiency in a foreign language. To promote the development and use of foreign language skills deemed critical to its mission, USAID provides monetary incentives for proficiency in designated languages while an employee serves at a language-designated incentive post.

The list of USAID incentive languages and language-designated posts for the USAID
Language Incentive Program is found in USAID Incentive Languages. The list may be revised to reflect the Agency’s changing needs.

A language incentive is paid to a qualifying employee when they are assigned to a language-designated incentive post for the duration of that assignment.

438.3.11.1 Eligibility
Effective Date: 12/02/2021

To be eligible for language incentive pay, an employee must meet the following criteria:

1. Must be a member of the FS as defined in Section 103(1) through 103(5) of the Foreign Service Act of 1980, as amended;

2. Must be serving at a language-designated incentive post with a language that is currently on the list of USAID incentive languages; and

3. Must have a current (less than five years old) FSI-tested proficiency of S-3/R-3 or higher in an incentive language of the language-designated incentive post.

438.3.11.2 Testing
Effective Date: 12/02/2021

FS employees whose test scores are no longer valid and who believe they have the required language proficiency level to qualify for language incentive pay must arrange for a test to verify their proficiency before they leave for the overseas post. The employee must contact HCTM/CPD to schedule the test at FSI. FSI requests at least three weeks advance notification before the employee’s desired test date. FSI schedules tests as close to the requested dates as possible. Retesting may only be requested six months after a previous test.

FSI testers or examiners may periodically visit posts. Posts are notified in advance of such visits when the FSI representative may be available to give a limited number of tests. Employees who believe they have the necessary proficiency level to qualify for language incentive pay should arrange for testing through the post language officer. Only FSI-certified examiners may score tests.

438.3.11.3 Employee Appeals
Effective Date: 05/30/2014

Employees may appeal disputes concerning their qualifications under the regulations for incentive payments to the CHCO, or designee, whose decision is final.

438.3.11.4 Monetary Payment Levels
Effective Dates: 12/02/2021

Employees meeting the criteria listed below are eligible for language proficiency
payments:

- An employee who has a qualifying rating at the S-3/R-3 level receives 10 percent of their base salary (includes overseas comparability pay). (Note: if FSI does not give reading tests in the designated language, the reading requirement is waived.)

- An employee who has a qualifying rating at the S-4/R-4 level or better receives 15 percent of their base salary (includes overseas comparability pay). (Note: if FSI does not give reading tests in the designated language, the reading requirement is waived.)

- An employee who has an S-4/R-4 level or higher more than five years old upon arrival at an overseas post, will receive 10 percent of their base salary (includes overseas comparability pay). If the employee subsequently tests at the S-4/R-4 level, or better, the employee receives an additional payment of 5 percent of the base salary, which brings the total incentive to 15 percent of their base salary. (Note: if FSI does not give reading tests in the designated language, the reading requirement is waived.)

- An employee who has tested twice at least four years apart and received a score of S-4/R-4 or above both times is permanently eligible for the incentive pay for that language whenever serving in a language-designated incentive post which requires that language. An employee who has received one test score that demonstrates a proficiency level of S-5/R-5 or higher is not required to take additional tests in that language to qualify for the 15 percent language incentive payment. (Note: if FSI does not give reading tests in the designated language, the reading requirement is waived.)

438.3.11.5 Effective Date of Payments or Termination
Effective Date: 12/02/2021

a. Language incentive payments are effective at the beginning of the first full pay period after the employee’s arrival at the overseas post and continue for the duration of the tour of duty. Payments will continue during periods of R&R, home leave, or other authorized leave or duty away from the post, as long as the employee returns to the same post.

b. When a qualifying language test rating is achieved after the employee’s arrival at the overseas post, the language incentive payment becomes effective at the beginning of the first full pay period after the employee passes the language proficiency test.

c. When a language is added to the USAID incentive language list for host countries, payment for qualifying employees who are assigned to the language-designated incentive post begins at the beginning of the first full pay period after
the language is added to the list.

d. **HCTM/FSC** enters the appropriate percentage code into the National Finance Center (NFC) system within the pay period the approved language incentive payments are effective.

e. Language incentive payments terminate at the end of the pay period during which the employee permanently departs the post for which the incentive is authorized.

### 438.3.11.6 Impact of Incentive Payments on other Pay Actions

**Effective Date:** 05/30/2014

Language incentive payments do not alter the waiting period for the next regular earned salary step increase. Language incentive payments are subject to statutory and Chief of Mission pay caps.

### 438.3.11.7 Notification of Eligibility

**Effective Date:** 12/02/2021

Responsibilities for notification of eligibility are as follows:

a. Employees are responsible for promptly notifying **HCTM/FSC** of possible eligibility for language incentive pay.

b. Employees must provide proof of eligibility, such as an Employee Data Report (EDR), if test scores are not on file in **HCTM/FSC/FSS**. Employees may access their EDR through the Employee Information Management System (EIMS).

c. FSI is responsible for furnishing a certification of test results to the tested employee’s post by cable to facilitate payment and minimize the need for retroactive pay. FSI will continue to make appropriate routine distribution of the test scores after an employee completes training at FSI or is tested in the field. If an employee is tested at the post, the employee must request that the FSI tester provide written results of the test to **HCTM/FSC**.

d. Missions are responsible for cabling arrival dates for qualifying employees so that **HCTM/FSC** will note that language incentive payments should begin.

e. Once Missions notify **HCTM/FSC**, **HCTM/FSC** is responsible for entering the incentive percentage code into the NFC system to indicate that the employee meets eligibility requirements for language incentive payments. This action authorizes M/CFO/P to initiate language incentive payments to the qualified employee.

### 438.3.11.8 Notification to Terminate

**Effective Date:** 12/02/2021

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a. The Executive Officer, or designee, is responsible for promptly notifying HCTM/FSC, by the most expeditious means (by cable or through submission of a ticket to the HR Help Desk/LaunchPad), of the termination date of an employee’s eligibility for language incentive pay.

b. The official USAID departure-from-post message on an employee receiving language incentive pay who transfers or separates (including resignation or retirement), must contain the following statement: “Stop language incentive pay as of the end of the pay period in which the actual time of departure falls.”

c. Upon receipt of such notification, HCTM/FSC deletes the incentive percentage code from employee records in NFC at the end of the pay period the employee departs post.

438.4 MANDATORY REFERENCES

438.4.1 External Mandatory References
Effective Date: 03/01/2014

a. 13 FAM 200-250, Language Training
b. 13 FAH 200-250, Language Training
c. Foreign Service Act of 1980, as amended, Sections 103, 702-704

438.4.2 Internal Mandatory References
Effective Date: 12/02/2021

a. ADS 414, Foreign Service Appointments
b. ADS 436, Foreign Service Assignment System
c. ADS 438maa, USAID Tenuring Languages
d. ADS 438mab, USAID Incentive Languages
e. ADS 459, USAID’s Foreign Service Career Candidate Program
f. USAID Foreign Service Assignment System – Standard Authorization Language for Travel Authorizations (current cycle)

438.5 ADDITIONAL HELP
Effective Date: 03/01/2014

There are no additional help documents for this chapter.
438.5.1  Mandatory Forms
Effective Date: 03/01/2014

a.  SF-52-B, Request for Personnel Action

b.  SF-182, Request, Authority, Agreement and Certification of Training

438.6  DEFINITIONS
Effective Date: 12/02/2021

See the ADS Glossary for all ADS terms and definitions.

Career Candidate
An employee hired for a time-limited appointment that leads to tenure and a full career with USAID. Career candidate appointments are appropriate for people who aspire to a long-term USAID Foreign Service career and whose qualifications meet a continuing requirement. (Chapters 412, 415, 438, 459, and 468)

Category A languages
French, Spanish, and Portuguese are Category A languages. (Chapter 438)

Foreign Service Institute (FSI)
The Federal Government’s primary training institution for personnel of the foreign affairs community, located at the National Foreign Affairs Training Center (NFATC) of the Department of State. (Chapter 438)

Incentive Language Payment
Additional salary payment (10 percent or 15 percent) made to Foreign Service employees for specific Foreign Service Institute-tested language proficiency when assigned to language-designated incentive posts. (Chapter 438)

Incentive Languages
Languages for which USAID provides a monetary incentive to an employee who becomes proficient and works at a language-designated incentive post in a host country where the language is used. (Chapter 438)

Language-Designated Position (LDP)
An overseas position officially designated by USAID as requiring a specified level of language proficiency. (Chapter 438)

Language Proficiency Test
A test designed to provide information regarding an employee’s skill level in speaking and reading in a foreign language. (Chapter 438)

Language Training at Post
Supplementary or substitute training provided in the country of assignment at the Mission’s expense. (Chapter 438)
National Foreign Affairs Training Center (NFATC)
The physical site of the Foreign Service Institute operated by the Department of State. (Chapter 438)

Tenuring Languages
Languages in which USAID employees can be tested to determine if they meet tenure requirements to become career Foreign Service Officers. (Chapters 438)

USAID-contracted Training Facility
A facility that may be used by USAID, as needed, to provide training for employees. (Chapter 438)