

AUTHORIZING THE PAYMENT OF RELOCATION WHEN RECRUITING AND FILLING POSITIONS

1. PURPOSE

This Directive transmits the Animal and Plant Health Inspection Service (APHIS) policy for determining when payment of relocation expenses is in the interest of the Government when recruiting and filling competitive service positions, and positions outside the competitive service.

2. SPECIAL INSTRUCTIONS/CANCELLATION

This is a new Directive.

3. REFERENCES/AUTHORTIES

This Directive supplements the following laws, rules, and regulations:

- a. [Federal Travel Regulation \(FTR\) at 41 Code of Federal Regulations \(CFR\) Chapters 301, 302, 303, and 304.](#)
- b. [Agriculture Travel Regulations \(ATR\).](#)
- c. [Departmental Regulation \(DR\) 2300-002, "USDA Relocation Allowance Regulation", dated August 26, 2013.](#)
- d. [DR 4030-335-002, Merit Promotion and Internal Placement.](#)
- e. [MRP Directive 2301.1, Marketing and Regulatory Program Supplements to the Agriculture Travel Regulations.](#)

4. DEFINITIONS

- a. **Agency.** The word "agency" as used in the FTR refers to a Federal Department, for example the Department of Agriculture. "Agency," as used in this Directive, means an organizational entity (such as APHIS) that ultimately reports to the Secretary of Agriculture, is recognized by the Office of Personnel Management (OPM) as an agency, and is included on the Department's list of agencies.

- b. Area of Consideration. The boundaries (area, organization, or group of organizations) within which persons must work to be eligible for consideration for a specific vacancy as prescribed in the DR 4030-335-002, Merit Promotion and Internal Placement.
- c. Authorizing Officials.
 - (1) Financial Management Division (FMD), Financial Services Branch (FSB) Branch Chief, or designee.
 - (2) Selecting Officials.
- d. Commuting Area. The geographic area that usually constitutes one area for employment purposes. It includes any population center (or two or more neighboring ones) and surrounding localities in which people live and can reasonably be expected to travel back-and-forth daily to their usual employment. For example, Washington, D.C., Metropolitan Area includes the District of Columbia; Prince George's, Montgomery, and Charles counties in Maryland; the cities of Alexandria, Fairfax, and Falls Church in Virginia; and Arlington, Fairfax, Loudoun, Prince William, Stafford, and King George counties in Virginia.
- e. Employee. For the purpose of this Directive, the term "employee" denotes:
 - (1) Current Federal Employee. A current Federal employee is an individual who is:
 - (a) Appointed without a break in service; or
 - (b) A former Federal employee with less than a 3 day break in service.
 - (2) New Appointee. A new appointee is an individual who is:
 - (a) Employed with the Federal Government for the very first time;
 - (b) An employee who is returning to the Government after a break in service; or
 - (c) A student trainee assigned to the Government upon completion of education requirements and student trainee program.
 - (3) Transferred Employee. A transferred employee is:
 - (a) An employee who transfers from one official duty station to another; or

- (b) An employee who separates because of reduction-in-force or transfer of functions and is re-employed within 1 year after such separation.
- f. Official Station. The permanent duty station of an employee.
- g. Selection Official. The person designated to fill vacant positions. The immediate supervisor of the vacant position is the Selecting Official unless an appropriate management official designates another individual in the organization.
- h. Service Agreement. A service agreement is a written agreement between an employee and APHIS. The employee and APHIS representative(s) must sign a service agreement stating that the employee will remain with the Government for a minimum of 12 months after the employee reports to his/her new duty station.
- i. Temporary Assignment. Employees relocating for the benefit of the Government are eligible for relocation allowances if the assignment is for a minimum of 12 months. A service agreement must be executed.

For the purpose of this relocation policy, “term appointments” are considered Government employees. Term employees are eligible for transferee allowances. However, since a service agreement is required, the term of the appointment must be for a minimum of 12 months.

- j. Transfer of Station. This term refers to relocation. In this document, all references to relocation will always mean, “transfer of station.”

5. **POLICY**

It is APHIS policy to pay relocation expenses consistent with Comptroller General and General Services Civilian Board of Contract Appeals decisions, the FTR, the ATRDR-2300-002, and DR-4030-335-002.

Payment of relocation expenses may be authorized when the following requirements are met:

- a. Minimum area of consideration is APHISwide.
- b. Change of official station is long term.
- c. Distance test is met, meaning the new official station is at least 50 miles further from the employee’s current residence than the old official station is from the same residence.
- d. Payment is in the interest of Government.

- e. Selectees have signed a service agreement to remain in the Federal service for a minimum of 12 months following the relocation.

6. INTEREST OF THE GOVERNMENT

- a. APHIS will regard payment of relocation expenses to be in the interest of the Government and must be paid when:
 - (1) The transfer of an employee to a new permanent duty station is involuntary (i.e., the organization is relocating or the employee is directed to relocate);
 - (2) The transfer of an employee to a new permanent duty station will facilitate a planned reorganization or restructuring activity within an organization; and
 - (3) The vacancy announcement includes a statement that relocation expenses will be paid **and** the area of consideration is either APHISwide, Governmentwide, or program nationwide.

- b. Other situations in which relocation expenses may be paid:

Payment of relocation expenses may also be allowed in instances other than those listed above where the Selecting Official certifies that such expenditure is necessary in order to recruit qualified and diverse candidates. Factors which a Hiring Manager may consider in determining whether or not to pay relocation expenses include:

- (1) Difficulty in filling the vacancy.
- (2) Cost effectiveness.
- (3) Labor market conditions.

- c. Justification for paying relocation expenses when the government is not required to pay is considered on a case-by-case basis. The request must describe the circumstances in filling the vacancy or provide information about the current labor market conditions for the area of consideration. The actions detailed below must be followed:

- (1) The selecting official will prepare and submit to FMD, Financial Services Branch (FSB) a written justification to explain how the payment is in the interest of the government.
- (2) Exceptions cleared by the FSB Chief, or their designee, are submitted to HRD, Human Resources Operations (HRO).

- (3) All documentation on the exceptions will be maintained with the recruitment file by HRD HRO in accordance with the [Federal Records Act](#).

7. OPTION OF NOT PAYING RELOCATION EXPENSES

When a position is advertised under merit promotion procedures and the geographic area of consideration is outside of the local commuting area, the Selecting Official may determine that relocation expenses will not be paid when it is not necessary to attract qualified and diverse candidates.

The vacancy announcement must contain the following statement:

“Travel, transportation, and relocation expenses will not be paid. Any travel, transportation, and relocation expense associated with reporting for duty to this position will be the responsibility of the selected employee.”

8. PAYMENT NOT IN THE INTEREST OF GOVERNMENT

a. APHIS will not pay relocation costs when:

- (1) The relocation is primarily for the personal convenience or benefit of the employee, such as when an employee voluntarily requests and subsequently accepts a change in duty station and the relocation is primarily for the employee’s personal convenience or benefit; or
- (2) A vacancy announcement states that relocation expenses **will not be paid**; or
- (3) A position is advertised in the “Local Commuting Area” and the announcement includes a statement that relocation expenses will not be paid.

b. If relocation expenses are not authorized, the employee must sign the “Statement of Understanding”, acknowledging that the relocation is primarily for their own benefit and convenience. **See Attachment A, APHIS Form 349.**

9. RESPONSIBILITIES

a. Selecting Officials will:

- (1) Complete the Addendum to Recruitment Request (Attachment B, APHIS Form 348) to make an initial determination about whether relocation expenses will or will not be authorized. A decision to pay or not pay

relocation expenses cannot be changed after the vacancy announcement has been issued.

- (2) Consult with the servicing Human Resources Specialist regarding available areas of consideration under merit promotion procedures.
- (3) Authorize, in consultation with the servicing Human Resources Specialist, the area of consideration for advertisement of a position.
- (4) Consult with the FSB to determine payment or nonpayment of relocation allowances.
- (5) Authorize, in concurrence with the Branch Chief, FSB or designee, payment or nonpayment of relocation allowances.

b. FMD will:

- (1) Advise the Selecting Official of provisions of payment of relocation expenses regulatory requirements, and applicability to relocation of employees and selectees resulting from recruitments.
- (2) Authorize all relocation expenses in compliance with FTR, ATR, Departmental Regulations, and APHIS policy.

c. HRD, HRO will:

- (1) Ensure the “area of consideration” selected meets the requirements of the USDA Merit Promotion Plan.
- (2) Advise the Selecting Official regarding the options to pay or not pay relocation expenses as related to the selected area of consideration when advertising a position under merit promotion procedures.
- (3) Ensure the appropriate statement addressing payment of relocation expenses is presented on the vacancy announcement.

10. SERVICE AGREEMENT

An employment service agreement between the employee and APHIS, stating that the employee will remain in the Government for a minimum of a 12-month period of service, is required when relocation expenses are authorized and prior to commencement of relocation travel and payment of related costs.

If the employee breaks the agreement, all Government money paid for relocation expenses are recoverable as a debt to the Government.

11. INQUIRIES

- a. Direct questions concerning determination related to Area of Consideration to the [servicing Human Resources Specialist](#).
- b. Direct questions concerning relocation expenses, allowances, and entitlements to the FMD, FSB, Travel Services Center at 301-851-2863.

/s/

Marilyn L Holland
MRPBS Deputy Administrator

Attachments