

DIRECTOR'S ORDER #31B: RELOCATION POLICIES

Approved: _____
Director

Effective Date: _____

Duration: This Order will remain in effect until amended or rescinded.

The provisions of this Director's Order, along with its accompanying Resource Manual 31B, supersede all previous National Park Service instructions, requirements, and statements of policy relating to the relocation program that may be in conflict.

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1. PURPOSE

This Director's Order (Order) establishes an updated policy for the National Park Service (NPS) regarding the authorization and payment of relocation expense allowances for new appointees and for current employees transferred in the interest of the government or primarily for the convenience or benefit of the employee or at his/her request. This policy covers NPS employees in the Competitive Service, Excepted Service, and Senior Executive Service. These changes will provide consistency in interpreting and applying the regulations for relocating employees.

One of the most important tools available to help us meet the Service's mission requirements is the ability to place the right employee in the right job. This often requires that we move an employee from one duty station to another. The costs associated with this activity are significant and must be controlled to the maximum extent possible.

It is also important that relocation activities be carried out in strict compliance with applicable policies, laws, regulations, and required procedures. We are accountable for: travel authorizations, travel advances, use of the government-issued charge cards, eligibility for relocation expense allowances, computation of relocation expense allowances, use of relocation service companies, and relocation income tax allowances. Our primary source of guidance on these matters is the Federal Travel Regulation (FTR). The FTR can be found at <http://www.gsa.gov/portal/category/21222>.

This Order: 1) sets forth the most salient NPS relocation expense allowance policies and required procedures for managing an effective program for relocation employees; 2) establishes a system of internal instructions and other guidance that ensures managers and other personnel performing relocation functions have an understanding of the FTR; 3) ensures control measures are in place to prevent fraud, waste and abuse; and 4) designates and prescribes specific responsibilities for the relocation program.

2. BACKGROUND

Several years ago, in the wake of a down-turned housing market and the elimination of the guaranteed home sale policy, NPS leadership began a review of the relocation process. This review resulted in the issuance of HR bulletin 09-03 and Directors Order #31B: Relocation Policies, which included the Resource Manual 31B, and the Permanent Change of Station Employee Handbook.

Shortly after the issuance of these policies many field and regional office managers expressed concern about the long-term fiscal impact of these policies. Program Managers, Human Resources (HR) Specialists, and NPS employees administering these policies needed to know exactly who was covered by relocation expense allowances, and what wording to use in a vacancy announcement regarding relocation. As a result, a joint team consisting of the Accounting Operations Center (AOC) and the HR policy, Field Advisory Services and Executive Resources (FASER) Division representatives was established to review and revise the existing policies. These concerns were brought to the attention of the Department of the Interior (DOI), Office of Financial Management (PFM).

Upon review by PFM, it was found that many of the other bureaus faced similar dilemmas. Accordingly, PFM established a joint team, consisting of representatives from all the DOI bureaus and offices to review and revise the existing DOI policies. The culmination of this effort resulted in the release of the Financial Management Memorandum 2013-012, and the accompanying revised DOI Permanent Change of Station Policy. These policies are now the controlling policies for each bureau and are available online at: <http://www.doi.gov/pfm/fmm/index.cfm>.

3. AUTHORITIES

Authority to issue this Director's Order is found in the National Park Service Organic Act (16 USC 1 through 4) and the delegations of authority found in the following provisions of the Department of the Interior Manual (DM): 205 DM 15; 245 DM 1 and 5; and 347 DM 1.

Statutory authority governing employee relocation expense allowances is found in 5 USC ch. 57 (Travel, Transportation, and Subsistence), in particular 5721 through 5739). The FTR governing employee relocation is found in 41 CFR ch. 302. Department of the Interior guidance and procedures required to implement the FTR are issued as Financial Management Memoranda (FMM) and are available online at: <http://www.aoc.nps.gov>.

This Director's Order is intended only to improve the internal management of the NPS and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at

law or equity by a party against the United States, its department, agencies, instrumentalities or entities, its officers or employees, or any other person.

4. TERMS AND DEFINITIONS

Relocation Expense Allowances:

Relocation expense allowances are specific entitlements and allowances that an eligible employee may be authorized to receive reimbursement for when he/she is assigned to his/her first official duty station or when he/she transfers in the interest of the government from one official duty station to another on a permanent basis. These entitlements and allowances are governed by the FTR which is found in 41 CFR ch. 302, subchapters A through F. The FTR is further supplemented by the DOI Permanent Change of Station (PCS) Policy, this Order, and Resource Manual 31B.

Service Agreement:

A written agreement between the employee and the agency, signed by the employee and an agency representative, stating the employee will remain in the service of the Government for a period of time, after the employee has relocated.

New Appointee:

1. An individual who is employed with the Federal Government for the very first time (including an individual who has performed transition activities under section 3 of the Presidential Transition act of 1963 [3 USC 102 note], and is appointed in the same fiscal year as the Presidential inauguration);
2. An employee who is returning to the Government after a break in service (except an employee separated as a result of reduction in force or transfer of functions and is re-employed within one year of such action); or
3. A student trainee (i.e. student intern, indefinite; student intern, not to exceed) assigned to the Government upon completion of his/her college work.

Transferring Employee:

1. A career, career conditional, term, or temporary employee who transfers from one official station to another; or
2. An employee who separated as a result of reduction in force (RIF) or transfer of functions who is re-employed within one year after such separation.

Transfer:

The transfer, reassignment, promotion, or change-to-lower-grade of an employee from one “commuting area” in the NPS, or any other agency of the Federal Government, to another “commuting area” in the NPS.

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 the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment. See 5 CFR 351.203.

Long-Term Assignment:

An assignment to a new duty station that is not permanent in nature and lasts for at least 6 months but not more than 30 months.

Permanent Duty or Permanent Basis:

For the purpose of relocation expense allowances, this refers to assignment of an employee, without a break in service, to a duty station where without additional HR actions the assignment would last for the entire duration of the individual’s employment. It does not refer to the tenure (i.e. intern, term, temporary, career conditional, or career) of his/her employment.

Involuntary Transfer:

Any management-directed transfer requiring an employee to move 50 or more miles distant from his/her old residence than the old official station is from the same residence, where the relocation is not predicated on the employee accepting the reassignment. An involuntary transfer includes any of the following management-directed:

1. Employees relocated under a management-directed reassignment;
2. Employees who receive some type of notification which indicates a clear intent on the part of the NPS to reassign the employee to a different duty station, at which possible involuntary separations due to RIF are anticipated; and
3. Employees of the NPS or any other Federal agency/Bureau involuntarily separated as a result of a RIF and reemployed within one year in a different commuting area (when placement on the DOI Reemployment Priority List at the time of reemployment can be verified).

An involuntary transfer is considered to be “in the interest of the government” and allowable relocation expense allowances must be paid.

Voluntary Transfer:

Voluntary assignments are either “primarily for the employee’s convenience and benefit and are at his/her request” or “in the interest of the government.” Voluntary transfers deemed to be primarily for the benefit of the employee are not authorized reimbursement for relocation expenses. Voluntary transfers that are in the interest of the government are authorized reimbursement of relocation expenses.

Primarily for the Convenience or Benefit of the Employee or at His/Her Request:

A transfer that has resulted from either of the following:

1. The selection of an employee for transfer whose primary interest is in relocation, rather than in placement in a specific position, and who has signed the following statement:

“I voluntarily request consideration for assignment to a position in another commuting area (or description of the particular position). I am making this request primarily for my personal convenience or benefit. I understand that, if selected, I will be responsible for all travel, transportation and relocation expenses associated with reporting for duty in that position.”

Offices must require an individual to sign a declaratory statement when the individual submits an unsolicited application for placement consideration. An application in response to a vacancy announcement is not considered to be unsolicited.

2. The selection of an employee for transfer who has responded to a vacancy announcement that contains the following statement:

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

5. POLICIES, INSTRUCTIONS, AND REQUIREMENTS

5.1. Overview

he NPS Comptroller is delegated function authority relating to official travel and relocation expenses allowances by NPS employees, and for ensuring that the policies, procedures, and other guidance applicable to these activities are efficiently communicated throughout the Service. To a large extent, the policies and procedures governing employee travel and relocation expense allowances are prescribed by authorities outside the NPS—in particular, the General Services Administration (GSA) and the DOI. Under the NPS Directives System, policies and procedures imposed by these higher authorities may be issued as “Level 3” guidance by a subordinate manager.

In addition, the relocation of employees is closely linked to the staffing of positions within the Service. As an extension of the staffing process, relocation guidance should be viewed holistically, along with the Office of Personnel Management's (OPM) rules regarding recruitment and relocation bonuses and other staffing flexibilities available to the NPS. Guidance on the applicability and use of the recruitment and relocation bonus authorities is separate from the entitlement to reimbursement of relocation expense allowances under the FTR. Use of the bonus authorities is the responsibility of the Associate Director, Workforce, Relevancy and Inclusion. In light of these circumstances, this Order contains only the most significant policy and procedural requirements applicable to relocation under the FTR. The full array of policies and procedures is deferred to the manual and handbook to be issued by the Comptroller, and human resources management guidance appropriately issued by the Associate Director, Workforce, Relevancy and Inclusion.

5.2. General Rules

When must relocation expense allowances be authorized?

Relocation expenses must be authorized when:

1. The relocation is considered to be "in the interest of the government";
2. Relocation is incident to his/her change of official station; and
3. The individual relocating has signed a service agreement.

What is the process for authorizing relocation expense allowances?

In general, the process for authorizing relocation expenses allowances is as follows:

1. Determine if relocation expense allowances are in the interest of the government (see 5.3)
2. As necessary, issue a vacancy announcement (see 5.4)
3. Select an individual for the position
4. Determine if the selected individual is eligible for relocation expense allowances (see 5.5)
5. Notify the individual of his/her entitlement to relocation expense allowances (see 5.6)
6. Provide counseling to the individual on his/her entitlements
7. Have the individual sign a service agreement (see 5.7)
8. Determine the specific entitlements that the individual is entitled to (see 5.8)
9. Issue a travel authorization to the individual (see 5.9)
10. Risk management (See 5.10)

5.3. Determining if Relocation Expense Allowances are in the Interest of the Government

When is relocation considered to be "in the interest of the government?"

Relocation is considered to be "in the interest of the government" when:

1. An employee is involuntarily transferred from one official station to another and they meet the distance rule requirements for eligibility of relocation benefits (generally must be more than 50 miles from current duty station);
2. An employee is voluntarily transferred from one official station to another and the transfer is not "primarily for the convenience or benefit of the employee or at his/her request";

3. The vacancy announcement, or equivalent, does not specify whether relocation expense allowances will be paid;
4. A vacancy announcement is issued beyond the local commuting area and the following conditions are met:
 - a. The position is reasonably expected to exist for at least 3 years or more;
 - b. The position is listed for a GS-07 (or equivalent) and above, or for career ladder position with promotion potential to at least a GS-07 (or equivalent). (Note: If there is significant information showing that a position with a lower grade level cannot be filled with locally available applicants, then an exception may be made to this rule); and
 - c. An administrative determination has been made that necessitates the payment of relocation expense allowances to a transferring employee or new appointee.
5. An employee is hired under a direct hiring authority and the transfer is not “primarily for the convenience or benefit of the employee or at his/her request”;
6. A student trainee is assigned to any position upon completion of college work and the transfer is not “primarily for the convenience or benefit of the employee or at his/her request”;
7. An employee is performing travel in accordance with the overseas tour renewal agreement;
8. An employee is returning to the place of residence after completion of a prescribed tour of duty for the purpose of separation from government service or separation from the overseas assignment for reassignment to the same or different government agency;
9. An employee is eligible for a “last move home” benefit upon separation from the government (and the immediate family, i.e., spouse and dependents, in the event of the employee’s death prior to separation or after separation but prior to relocation); or
10. A career appointee to the Senior Executive Service (SES) as defined in 5 USC 3132(a)(4), and a prior SES appointee who is returning to the official residence for separation and who will be retaining SES retirement benefits.

What factors must be considered in making the administrative determination that the payment of relocation expense allowances is necessary?

In making the administrative determination, the management official must evaluate the impact that non-payment may have on identifying the best qualified person to place in the position. A record of this determination must be placed in the recruitment case file. Factors to be considered include:

1. The number of well-qualified employees in the local commuting area;
2. The diversity of the local candidate pool;
3. How quickly the position must be filled;
4. Hiring “freeze” constraints;
5. Alternative considerations for meeting the human resource needs, such as details, training, automation, etc.;
6. The cost effectiveness of offering relocation;
7. The existence of direct hire authority for the position;
8. The need to provide incentive to prospective candidates due to labor shortages, working conditions, or other factors; and
9. The possibility of offering other financial incentives such as relocation bonuses, recruitment bonus, advance pay, etc. in lieu of relocation expense allowances.

Will I be required to pay relocation expense allowances if the area of consideration of the vacancy announcement is beyond the local commuting area?

Issuing a vacancy announcement beyond the local commuting area, solely as part of your hiring strategy, does not necessitate the payment of relocation expense allowances. However, if the area of consideration is increased beyond the local commuting area due to a lack of diversity within the local candidate pool based on the Civilian Labor Force in your area, or if the position is being re-advertised beyond the local commuting area due to a lack of well-qualified candidates within the local commuting area, then the payment of relocation expense allowances will be considered “in the interest of the government” and must be authorized and applicable to any applicant who is otherwise eligible under the FTR.

May I request for an employee to waive his/her right to the reimbursement of relocation expense allowances?

Managers may not select an employee for an involuntary transfer or a voluntary transfer “in the interest of the government” and subsequently ask the selectee to waive his/her right to the reimbursement of relocation expense allowances.

5.4. Vacancy Announcements

What information must the Vacancy Announcement contain?

In accordance with HR policies, all vacancy announcements must indicate whether relocation expenses ‘will’ or ‘will not’ be paid. So that all potential applicants are fully informed, **one of the following statements addressing relocation expense allowances must be included in all vacancy announcements advertised as of the effective date of this Order:**

1. When advertising within the local commuting area, or when it has been administratively determined that the payment of relocation expense allowances is not “in the interest of the government,” relocation expenses will not be paid. As such, the vacancy announcement must contain the following statement:

*“Travel, transportation, and relocation expenses **will not be paid**. All travel, transportation, and relocation expenses associated with reporting for duty in this position will be the sole responsibility of the selected employee.”*

2. When it has been administratively determined that the payment of relocation expense allowances is “in the interest of the government,” relocation expenses must be paid. As such, the vacancy announcement must contain the following statement:

*“Travel, transportation, and relocation expenses **will be paid** if the selectee lives outside of the local commuting area and is otherwise eligible for reimbursement of relocation expenses in accordance with the Federal Travel Regulation.”*

What if the Vacancy Announcement does not contain one of the statements provided above?

If the vacancy announcement does not contain one of the required statements that indicates whether relocation expense allowances ‘will’ or ‘will not’ be paid, the original announcement

should be rescinded and a new announcement, which contains the required statement, should be issued. Additionally, when an announcement is rescinded due to the lack of the required statement, all applicants on the original announcement must be notified of the new announcement.

5.5. Employee Eligibility for Relocation Expense Allowances

Who is eligible for relocation expense allowances?

1. A new appointee appointed to his/her first official duty station;
2. An employee transferring in the interest of the Government from one agency or duty station to another for permanent duty and his/her duty station is at least 50 miles distant from his/her old duty station;
3. An employee of the United States Postal Service transferred from permanent duty, under 39 USC 1006, from the Postal Service to an agency as defined in 5 USC 5721;
4. An employee performing travel in accordance with his/her overseas tour renewal agreement;
5. An employee returning to his/her place of residence after completion of a prescribed tour of duty for the purposes of separation from government service or separation from the overseas assignment for reassignment to the same or different Government agency;
6. A student trainee assigned to any position upon completion of college work;
7. An employee eligible for a "last move home" benefit upon separation from the Government (and his/her immediate family in the event of the employee's death prior to separation or after separation but prior to relocating);
8. A Department of Defense overseas dependents school system teacher;
9. A career appointee to the SES as defined in 5 USC 3132(a)(4), and a prior SES appointee who is returning to his/her official residence for separation and who will be retaining SES retirement benefits; or
10. An employee who is being assigned to a temporary duty station in connection with long-term assignment.

Who is not eligible for relocation expense allowances?

1. A Foreign Service Officer or a Federal employee transferred under the rules of the Foreign Service Act of 1980, as amended;
2. An officer or an employee transferred under the Central Intelligence Act of 1949, as amended;
3. A person whose pay and allowances are prescribed under title 37 USC, Pay and Allowances of the Uniformed Services;
4. An employee of the Department of Veterans Affairs (VA) to whom 38 USC 235 applies; or
5. A person not covered in 41 CFR 302-1.1.

Are there any distance requirements in order for an employee to be considered eligible for relocation expense allowances?

When the transfer of an employee or the hire of a new appointee is determined to be in the interest of the government and the move meets the distance test, as defined by FTR, relocation benefits may be authorized for reimbursement. Generally, an employee may not be reimbursed for relocation expense allowances if he/she does not meet this distance test.

The distance test is met when the new official duty station is at least 50 miles further from the employee's current residence than the old official duty station is from the same residence. For example, if the old official station is 3 miles from the current residence, then the new official station must be at least 53 miles from that same residence in order to receive relocation expenses for the residence transactions. The distance between the official station and the residence is the shortest of the commonly traveled routes between them. The distance test does not take into consideration the location of the new residence. This follows the distance guidelines found in the FTR, Chapter 302-2.6, and Internal Revenue Service (IRS) Publication 521, Moving Expenses.

5.6. Employee Notification of Entitlement

Are there additional requirements to notify the employee?

In addition to including the required relocation expense allowance statements in the vacancy announcement, the selectee must be notified in writing, in the firm offer letter, whether relocation expenses will or will not be reimbursed. The SF-50 Personnel Action must indicate that relocation expenses are or are not authorized. Informing the employee verbally that his/her relocation costs will not be reimbursed does not relieve the Government from liability.

5.7. Service Agreements

What are the requirements for Service Agreements?

Once it has been determined that the payment or relocation expenses allowances is "in the interest of the government" and that the employee is eligible for relocation expense allowances, the relocating employee must sign a service agreement before he/she may be issued a travel authorization for relocation. Employees relocating to an official duty station within the continental United States will be required to enter into a service agreement that requires him/her to remain in the service of the Federal Government for a period of one (1) year from the effective day of transfer. Employees relocating to an official duty station outside of the continental United States will be required to enter into a service agreement that requires him/her to remain in the service of the Federal Government for a period of 36 months from his/her effective date of transfer.

What if the employee fails to sign a service agreement?

If the employee fails to sign a service agreement, he/she will not be paid or reimbursed for any relocation expenses.

Will the employee be penalized for violation of the service agreement?

Yes, if the employee violates the service agreement, other than for reasons beyond the employee's control and are accepted by the agency, he/she must reimburse all costs that the agency has paid towards his/her relocation expenses.

5.8. Allowable Relocation Expense Allowances

What relocation expense allowances should be paid?

When an employee has been authorized relocation he/she must be paid or reimbursed all mandatory expenses. Discretionary expenses may be paid when they are requested by the employee and approved in accordance with the NPS Delegations of Authority for Travel, Transportation, and Relocation. The mandatory and discretionary relocation expense allowances are contained in FTR 302-3.2, Subpart A, Table-A and B (for new appointees), and FTR 302-3.101, Subpart B, Tables-A through I (for transferring employees).

5.9. Travel Authorizations

What information is required in a travel authorization?

Travel authorizations must state the specific allowances that the employee is authorized and the procedures that the employee is authorized to follow. Generally, employees may not be reimbursed for any relocation expense allowances that are incurred before his/her travel authorization has been approved.

Are there time limitations on incurring expenses?

Yes. Once authorized, employees will have one year from the time he/she reports to his/her new official duty station to incur all authorized relocation expenses. An employee may request an extension of one additional year to incur relocation expenses under specific compelling reasons that are related to the sale or purchase of a residence, and are acceptable to the NPS Comptroller.

5.10. Risk Management

When making travel arrangements and performing travel incident to relocation, the overall safety of employees is of the utmost importance. In particular, the following rules apply:

1. **Employee Safety while Driving.** All employees will take the appropriate steps to reduce fatigue-related driving and will consider factors such as physical condition, weather, length of trip, and road conditions to determine reasonable travel times within this policy's limits. No employee will exceed a total of 10 hours driving time behind the wheel while on official travel in a duty day. Please refer to the NPS Policy Memorandum 13-01 for complete details on the NPS driving policy. This policy is available at http://www.nps.gov/policy/PM_13-01.pdf.
2. **Employee Safety when making Lodging Arrangements.** When making lodging arrangements employees should always stay in a "fire safe" facility; this is a facility that meets the fire safety requirements of the Hotel and Motel Fire Safety Act of 1990 (the Act), as amended. In general, the Act requires (1) that a hard-wired, single station smoke detectors are installed in each guest room, and (2) that an automatic sprinkler system be installed in each guest room if the property is more than three stories in height. Additionally, employees are encouraged to report properties that do not meet the requirements of the Act. A listing of lodging facilities that meet the government requirements and a form to report non-compliant properties is on the U.S. Fire Administration's website at <http://apps.usfa.fema.gov/hotel/>.

6. RESPONSIBILITIES

6.1. Comptroller

1. Ensure that control measures are in place to prevent fraud, waste, and abuse.
2. Establish and maintain a system of internal instructions and other guidance that provides managers and other personnel performing relocation functions with an understanding of the FTR and other laws, regulations, and policies that govern employee relocation.
3. As appropriate, re-delegate authority relating to relocation expense allowances to the most effective level.
4. Prepare and update, as needed, a detailed handbook to guide employees through the permanent change of station process.

6.2. Manager, Accounting Operations Center

1. Ensure that vouchers for relocation expenses are audited properly within the timeframe established by policy.
2. Approve and process payments in accordance with the FTR, with funds transferred to the employee's financial institution.
3. Ensure that the employee handbook and other helpful guidance documents applicable to relocation are available on the internet for the convenience of managers and other NPS employees.

6.3. Relocation Coordinators

1. Coordinate all facets of a permanent change of station for new appointees or transferring employees.
2. Ensure that a Service Agreement is signed prior to the issuance of a Travel Authorization.
3. Ensure that the Travel Authorization contains the specific relocation expense allowances for the new appointee or transferring employee.
4. Provide new appointees and transferring employees with a copy of the PCS Employee Handbook along with any other necessary forms or documentation to the new appointee or transferring employee.
5. Explain relocation expense allowances and procedures to new appointees and transferring employees.

6.4. Supervisors, Managers, and Hiring Officials

1. Prior to advertising a position that might entail relocation, determine whether relocation 'is' or 'is not' "in the interest of the government." As needed, coordinate efforts with your servicing Human Resources Office to make this determination.
2. When advertising a position, ensure that the vacancy announcement indicates whether relocation expenses 'will' or 'will not' be paid.
3. Ensure that any new appointee or transferring employee who will be relocating has been provided with a copy of the PCS Employee Handbook, which can be found at AOC's website.

4. Ensure that any new appointee or transferring employee is advised of the importance of fully complying with the procedures outlined therein.
5. Within the scope of their supervisory authority, take all appropriate steps to prevent fraud, waste, and abuse.

6.5. Human Resources Office

1. As needed, coordinate efforts with supervisors, managers, and/or hiring officials for making the determination of whether relocation expense allowances are “in the interest of the government.”
2. Ensure that documentation reflecting whether relocation expense allowances ‘are’ or ‘are not’ “in the interest of the government” are included in the recruitment case file.
3. Ensure that all vacancy announcements indicate whether relocation expense allowances ‘will’ or ‘will not’ be paid.
4. Ensure that the firm offer letter indicates whether relocation expense allowances ‘will’ or ‘will not’ be reimbursed.

6.6. Employees

1. New appointees and transferring employees must read the PCS employee handbook and submit the required forms so that their assigned relocation coordinator can prepare the Travel Authorization.
2. Avoid incurring any relocation expenses prior to being issued a Travel Authorization.
3. Submit all vouchers and required documentation for reimbursement of relocation expense allowances to the Accounting Operations Center for payment.

----End of Director's Order----