OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
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FORCE MANAGEMENT
POLICY

26 MAR 1997

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Five-Year Limitation on Foreign Employment

We have recently received several inquiries concerning the Department of Defense (DoD) policy limiting civilian employment in foreign areas to five years. The purpose of this memorandum is to reaffirm the foreign area employment policy established in April 1966, and to explain why the policy exists.

The five-year limitation on employment in foreign areas allows for the continuous assessment of civilian workforce requirements and promotes the efficiency of worldwide operations. In addition, the policy provides DoD a tool to allow its more capable employees in the continental United States the opportunity to accept positions in foreign areas as part of their career development. The policy also ensures continuing employment opportunities to newly assigned civilian and military family members as current employees and family members rotate out of the area. Experience gained during a foreign-area assignment is invaluable to DoD since it provides an employee the "big picture" perspective of the Department and its operations. The five-year limitation, therefore, ensures that management has the necessary flexibility to regulate the ever-changing foreign area workforce requirements while providing a continuous flow of jobs and career-enhancing experiences for its employees.

The Civilian Personnel Manual (CPM), Chapter 301.4 of August 24, 1988, describes the Department's policy concerning application of the five-year rotation and outlines the specific types of positions and employees that are exempt. Exemptions include positions which require frequent contact with officials of the host nation and require a detailed knowledge of the culture, mores, laws, customs, or government processes of the host nation; employees who are family members accompanying military and civilian employees of the DoD Components stationed in the foreign area; employees of the Senior Executive Service; employees who were employed in the foreign area prior to April 1, 1966; and educators of the Department of Defense Dependents Schools system. The August 1988 policy also provided for the exemption of individuals employed at the GS-6 level or lower or in non-supervisory wage grade positions as long as they remained continuously employed at those GS or WG levels after that date.

In addition to the exemptions noted above, individual case-by-case extension beyond the five-year limitation may be granted in extremely rare situations provided an employee is rated fully successful; is current in the knowledge, skills, and abilities required for the position; and has successfully adapted to the foreign work and cultural environment. Case-by-case extensions

are intended to provide short-term management flexibility based on local needs and conditions and are not intended to provide for permanent employment in the foreign area.

CPM Chapter 301.4 of August 1988, is being incorporated in the new CPM Subchapter 1230, "Employment in Overseas Areas." That subchapter has been rewritten and is currently in the process of coordination. This memorandum shall serve as interim guidance on the granting of foreign area extensions beyond five years pending publication of the new policy.

Questions concerning this matter should be referred to Mr. Jim Wachter of my staff at (703) 696-1256 (DSN 426-1256). His e-mail address is wachteja@floor6.cpms.osd.mil.

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(Civilian Personnel Policy)

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