

PT-808

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### **Post Hardship Differential and Danger Pay (Foreign Areas)**

#### **Post Hardship Differential**

##### **References**

- 5 U.S.C. 5925
- Department of State Standardized Regulations (DSSR), Chapter 500
- DoD Civilian Personnel Manual (CPM), 1400.25-M, Subchapter 1250

##### **Definitions**

###### **Post Hardship Differential**

Additional compensation paid to Federal employees for service in a foreign area where environmental living conditions differ substantially from those in the United States. A differential is established where extraordinarily difficult living conditions, excessive physical hardships, or notably unhealthful conditions exist. The post differential rates are 5, 10, 15, 20, 25, 30 or 35 percent of base salary.

###### **Detail**

A detail means the temporary assignment or temporary duty of an employee away from his/her official duty station for a minimum of 24 consecutive hours, counted from the time of arrival at a place other than the employee's post (DSSR Section 040h) including all periods of leave while serving at the place of detail.

###### **Day**

A day means each midnight, including the midnight of the 24-hour period required by a detail, occurring while the employee is on detail at a differential post.

## **Differential Post**

The place designated as the official station. Post does not include territorial waters or coastal areas near the post.

## **Footnote “n”**

The footnote “n” indicator found in the Table of Allowances (DSSR Section 920) is for posts with a hardship differential where there is (1) widespread warfare; (2) U.S. combat troop involvement in the hostilities; and (3) a danger pay designation. There are currently two countries with the footnote “n” indicator: Afghanistan and Iraq.<sup>1</sup>

## **Footnote “y”**

The footnote “y” indicator found in the Table of Allowances (DSSR Section 920) is for posts having footnote “n” and footnote “p” (danger pay) indicators.

## **Who Receives Differential**

- Full-time employees who are U.S. citizens permanently assigned to a differential post and are entitled to Living Quarters Allowance (LQA). In the case of married couples, both may receive post hardship differential if both were recruited in the United States even though only one spouse is receiving LQA. (Part-time and intermittent employees are not eligible.)
- U.S. citizen employees who are stationed in the United States but who are on extended detail to the post where the differential is granted.
- Temporary employees who are appointed on a full-time basis.

## **When Differential Starts**

- Permanently assigned to a post: The date an employee arrives at post or the date an employee enters on duty if recruited locally (local hires must be eligible for LQA); the effective date of assignment, if the employee is already at the new post on detail or leave; the effective date on which a post is classified for a differential.
- Temporarily assigned to a post: If an employee is detailed (TDY) to a post he/she is not eligible for differential until he/she has spent 42 cumulative days at one or more differential locations without returning to his/her non-differential permanent post of assignment. Once the initial eligibility period has been served, the

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<sup>1</sup> <http://aoprals.state.gov/Content/Documents/Web920/2006/ftn663.doc>

differential is paid starting on day 43; if the employee has met the 42 day eligibility period and travels to the U.S. en route to another non-permanent differential location, but remains in the U.S. less than 14 consecutive days and the travel in the U.S. is for the convenience of the government, then differential ELIGIBILITY continues BUT no differential is paid during period in U.S.

- Temporarily assigned to post at footnote “n”: An employee who serves for a period of 42 consecutive days or more on detail (TDY) at a hardship differential post where there is widespread warfare, U.S. combat troop involvement in hostilities, and has a danger pay designation may be granted the hardship differential at the prescribed rate for the number of days served, beginning the first day of the detail.

*Note: An employee on leave from footnote “n” post for more than 30 days will be required to meet the 42-day eligibility requirement on return to a hardship differential post.*

### **When Differential Ends**

Differential shall terminate as of the close of business on the earliest of the following dates:

*(The following applies to permanently assigned and/or temporarily assigned)*

- The date the employee commences travel under orders for a transfer;
- The date the employee commences travel under orders for travel to the U.S.;

Exceptions:

- Hardship differential may continue up to 42 consecutive calendar days when the primary purpose of the travel to the US is for detail or medical evacuation and an eligible family member remains at the post.
  - Hardship differential may continue during “Family Visitation Travel” from a hostile area to the U.S.
  - Hardship differential may continue when an employee assigned to a footnote “n” post is in the U.S. for up to 30 days.
- The date the employee leaves the post due to emergency evacuation;
  - The date of separation if the employee separates in the foreign area;
  - The date the employee departs the post for leave in the United States. However, if leave is taken in a foreign area en route to the United States, post differential ends when the employee arrives in the United States;

Exceptions:

- When an employee assigned to a footnote “n” post is in the US for up to 30 days.

- The 42 consecutive calendar day of the employees temporary absence from the post;
- The day immediately preceding the effective day of transfer, if during the first 42 consecutive calendar days absence from his/her post the employee is on detail or leave at the place to which transferred;
- The date of first departure of other employees from his/her post under emergency evacuation orders if the employee is already on detail or leave away from post;
- The date the employee departs his/her post for leave or detail during period when the post is in an emergency evacuation situation.

### **Payment**

- Paid biweekly with regular salary. Computed as a percentage of an employee's basic pay excluding allowances, differentials or other additional compensation except that locality rates are considered basic pay in computing danger pay and post differentials for employees detailed to danger pay areas.
- Post differential plus salary may not exceed the annual salary established for Executive Level I.
- Does not count as an equivalent increase for within-grade increase purposes.

## Danger Pay

### References

- 5 U.S.C. 5928
- DSSR Chapter 650
- CPM Subchapter 1250

### Definitions

#### **Danger pay is available under two separate authorities:**

- An allowance of 15, 20, 25, 30 or 35 percent of basic pay (excluding all allowances, differentials or other additional compensation) when established by the Secretary of State when, *and only when*, civil insurrection, civil war, terrorism or wartime conditions threaten physical harm or imminent danger to the health or well being of a majority of employees officially stationed or detailed at a post in a foreign area. (See DSSR Section 652f.)
- An allowance of \$225.00 per month that may be granted to civilian employees who accompany U.S. military forces designated by the Secretary of Defense as eligible for **imminent danger pay** when authorized by the Secretary of State. Danger pay under this authority may not be paid during any period of time that the employee receives danger pay under Section 652f or post differential that would duplicate political violence credit. (See DSSR Section 652g.)<sup>2</sup>

*NOTE: Only the Secretary of State may authorize danger pay. Danger pay under DSSR 652g may be authorized when requested by the Secretary of Defense.*

### **Detail**

A detail (defined in Section 040p) in conjunction with danger pay means a temporary assignment or temporary duty (TDY) to an area designated for danger pay for a minimum of four cumulative hours in one day. Any leave taken while present at such place of detail may be included to meet the four hour requirement but days of absence away from the designated post or country/area may not be included. Employees transiting a post who are inadvertently detained there for four hours or more can be considered to be on detail for danger pay purposes.

### **Day**

When an employee is detailed to a danger pay post or area four hours or more, he/she may receive the danger pay allowance for the full day.

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<sup>2</sup> [http://aoprals.state.gov/content.asp?content\\_id=271&menu\\_id=81](http://aoprals.state.gov/content.asp?content_id=271&menu_id=81)

### **Footnote “p”**

The footnote “p” indicator found in the Table of Allowances (DSSR Section 920) is a list of areas where employees are eligible for a danger pay allowance under DSSR Section 625f.

### **Footnote “v”**

The footnote “v” indicator found in the Table of Allowances (DSSR Section 920) authorizes Federal civilian employees who accompany U.S. military forces designated by the Secretary of Defense as eligible for imminent danger pay in the designated areas. The amount of danger pay shall be the same flat rate amount paid to uniformed military personnel as Imminent Danger Pay (\$225 per month).

### **Footnote “z”**

The footnote “z” indicator found in the Table of Allowances (DSSR Section 920) is for posts having footnote “p” and footnote “v” indicators.<sup>3</sup>

### **Eligibility**

All U.S. citizen employees who are permanently assigned personnel to the post or on detail (including temporary duty (TDY)) for at least 4 cumulative hours. Danger pay is paid to full-time, part-time, temporary, and intermittent employees.

### **Danger Pay Starts**

On the date of designation by the Secretary of State for employees present at the post on assignment or detail, on the date of arrival at post or detail, or for employees returning to post after temporary absence.

### **Danger Pay Ends**

On the day the designation is removed by the Secretary of State or the date of departure from a post for *any reason*.

### **Danger Pay on Detail**

Employees on detail at a danger pay post may be granted the danger pay allowance at the prescribed rate for all days of detail at such post except for days of absence from the post in a post or area not designated for the danger pay allowance.

*Note: Danger Pay is paid only for hours for which basic compensation is paid.*

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<sup>3</sup> <http://aoprals.state.gov/Web920/footnote.asp?Footnote=v>

## **Payment**

- Paid the same way as post differential.
- Danger pay is subject to the Executive Level I cap.
- Does not count as an equivalent increase for within-grade increase purposes.
- Danger pay cannot exceed 35% of basic compensation.

## **Post Differential and Danger Pay**

Post differential may include hardship attributable to political violence. Therefore, when conditions worsen to the point the Secretary of State authorizes a danger pay allowance; the post differential is normally reduced to avoid dual credit of the political violence. However, employees may receive both post differential and danger pay under DSSR Section 652f, if both are authorized.