

§ 302-3.509

OVERSEAS ASSIGNMENT AND RETURN

§ 302-3.509 What policies must we follow when appointing an employee to an overseas assignment?

When appointing an employee to an overseas assignment, you must:

(a) Establish the employee's actual place of residence at the time of appointment and state it in his/her service agreement;

(b) Use guidance in 8 U.S.C. 1101(33) which states that "The term *residence* means the place of general abode; the place of general abode of a person means his principal, actual dwelling place in fact, without regard to intent", for establishing places of residence; and

(c) Require the employee to sign the service agreement prior to his/her relocation.

§ 302-3.510 When must we pay return travel for immediate family members?

You must pay transportation expenses for one-way return travel of immediate family members when the employee has successfully completed his/her service agreement period OCONUS.

§ 302-3.511 What must we consider when determining return travel for immediate family member(s) for compassionate reasons prior to completion of the service agreement?

You must determine that the public interest requires the return of the immediate family for compelling personal reasons of a humanitarian or compassionate nature, which may involve:

(a) His/her physical or mental health;

(b) The death of a member of the immediate family;

(c) Obligations imposed by authority or circumstances over which the individual has no control;

(d) The divorce or annulment of the employee's marriage; or

(e) A dependent that traveled to post of duty on the employee's authorized TA and has now reached his/her 21st birthdate.

41 CFR Ch. 302 (7-1-03 Edition)

§ 302-3.512 How many times are we required to pay for an employee's return travel?

You must pay for return travel and transportation of an employee only once at the end of each agreed period of service.

OVERSEAS TOUR RENEWAL TRAVEL

§ 302-3.513 May we allow a travel advance for tour renewal agreement travel?

No, you cannot allow a travel advance for tour renewal agreement travel.

§ 302-3.514 Under what conditions must we pay for tour renewal agreement travel?

You must pay tour renewal agreement travel when:

(a) The employee has completed the agreed upon period of service outside CONUS;

(b) The employee has agreed to serve another OCONUS tour of duty at the same or different duty station; and

(c) You have determined that the employee meets the special rules under § 302-3.515 for Alaska or Hawaii.

§ 302-3.515 What special rules must we apply for reimbursement of tour renewal travel for employees stationed, assigned, appointed or transferred to/from Alaska or Hawaii?

The following rules apply:

(a) If on September 8, 1982 the employee was serving or committed to serve a tour of duty in Alaska or Hawaii then the employee shall continue to receive reimbursement for tour renewal agreement travel;

(b) After September 8, 1982 you must determine that tour renewal agreement travel expenses are necessary for the purposes of recruiting and retaining employees and you must inform employees in writing that tour renewal agreement travel for the purposes of recruiting and retention is limited to two round trips beginning within 5 years after the date the employee first begins any period of consecutive tours of duty.

Relocation Allowances

§ 302-3.517

SES SEPARATION FOR RETIREMENT

§ 302-3.516 What must we do before issuing payment for SES separation-relocation travel?

Before issuing payment for separation-relocation travel, you must establish timeframes for employees to sub-

mit request for authorization and approval of relocation expenses.

§ 302-3.517 May we issue travel advances for separation relocation?

No, travel advances for separation relocation may not be authorized.

SUBCHAPTER C—PERMANENT CHANGE OF STATION (PCS) ALLOWANCES FOR SUBSISTENCE AND TRANSPORTATION EXPENSES

PART 302-4—ALLOWANCES FOR SUBSISTENCE AND TRANSPORTATION

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TRANSFERRED EMPLOYEES ONLY

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302-4.704 Must we require a minimum driving distance per day?

302-4.705 What are the allowances if the employee uses more POVs than authorized?

AUTHORITY: 5 U.S.C. 5738; 20 U.S.C. 905 (a); E.O. 11609, 36 FR 13747, 3 CFR, 1971-1973 Comp., p. 586.

SOURCE: FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, unless otherwise noted.

Subpart A—Eligibility

NOTE TO SUBPART A: Use of pronouns "I", "you", and their variants throughout this subpart refers to the employee, unless otherwise noted.

Relocation Allowances

§ 302-4.203

§ 302-4.1 What is a permanent change of station (PCS)?

A permanent change of station (PCS) is an assignment of a new appointee to an official station or the transfer of an employee from one official station to another on a permanent basis.

§ 302-4.2 Am I eligible for subsistence and transportation allowances for PCS travel under this part?

Yes, you are eligible for subsistence and transportation allowances for PCS travel if your agency specifically authorizes relocation expenses under this part and are:

- (a) Transferred employees (within or outside CONUS);
- (b) New appointees (within or outside CONUS); and
- (c) An employee(s) assigned to posts of duty outside CONUS in connection with either overseas tour renewal agreement travel or return travel to places of residence for separation.

NOTE TO § 302-4.2: Also see tables at §§ 302-3.2 and 302-3.101.

Subpart B—Travel Expenses

§ 302-4.100 What PCS travel expenses will my immediate family members receive?

Except as specifically provided in § 302-4.202, the rules (for TDY travel) in chapter 301 of this title will be used for payment of the travel expenses of your immediate family members.

§ 302-4.101 Must my immediate family member(s) and I begin PCS travel at the old official station and end at the new official station?

No, if an alternate location is used, reimbursement is limited to the allowable cost by the usually traveled route between your old and new official stations.

Subpart C—Per Diem

§ 302-4.200 What per diem rate will I receive for en route relocation travel within CONUS?

Your *per diem* for en route relocation travel between your old and new official stations will be at the standard CONUS rate (see applicable FTR Per

Diem Bulletins available on the Internet at <http://www.gsa.gov/perdiem>). You will be reimbursed in accordance with §§ 301-11.100 through 301-11.102 of this title.

[FTR Amdt. 2003-03, 68 FR 22314, Apr. 28, 2003]

§ 302-4.201 How are my authorized en route travel days and per diem determined for relocation travel?

Your authorized en route travel days and per diem are determined as follows: The number of authorized travel days is the actual number of days used to complete the trip, but not to exceed an amount based on a minimum driving distance per day determined to be reasonable by your agency. The minimum driving distance shall be not less than an average of 300 miles per calendar day. An exception to the daily minimum driving distance may be made when delay is beyond control of the employee, such as when it results from acts of God or restrictions by Government officials; when the employee is physically handicapped; or for other reasons acceptable to the agency.

§ 302-4.202 Are there any circumstances in which a per diem allowance for my immediate family members is not allowed?

Yes, per diem for your immediate family members cannot be authorized if you are:

- (a) A new appointee;
- (b) Assigned to posts of duty outside CONUS returning to place of actual residence for separation; or
- (c) Being relocated under the Government Employees Training Act (5 U.S.C. 4109).

TRANSFERRED EMPLOYEES ONLY

§ 302-4.203 How much per diem will my spouse receive if he/she accompanies me while I am performing PCS travel?

The maximum amount your spouse may receive if he/she accompanies you while you are performing PCS travel is three-fourths of your daily per diem rate.