

April 28, 1995

Personnel and Manpower

DeCA OVERSEAS EMPLOYMENT PROGRAM



BY ORDER OF THE DIRECTOR

RONALD P. McCOY
Colonel, USAF
Chief of Staff

RALPH R. TATE
Acting Chief, Safety, Security and Administration

AUTHORITY: The Defense Commissary Agency Overseas Employment Program is established in compliance with provisions of DoD 1400.25-M, CPM Chapter 301, Subchapter 4.

MANAGEMENT CONTROLS SYSTEM: This directive does not contain Management Control provisions that are subject to evaluations, testing, and other requirements of DeCAD 70-2 and as specified by the Federal Manager's Financial Integrity Act.

APPLICABILITY: This regulation is applicable to all DeCA activities.

HOW TO SUPPLEMENT: Lower echelon units may supplement this directive by contacting HQ DeCA/DP for permission and instructions. No new forms or form letters may be created citing this directive as the authority without prior HQ DeCA/DP authorization.

HOW TO ORDER COPIES: DeCA activities needing additional copies will submit requirements on DeCA Form 30-21 to Region/IM.

SUMMARY: This directive establishes DeCA's policy and procedures governing return rights, return placement, and the foreign overseas employment program for DeCA employees.

SUPERSEDES: DeCA Policy Letter 50-13, Overseas Employment Guidance, January 11, 1995

OFFICE OF PRIMARY RESPONSIBILITY (OPR): HQ DeCA/DP

COORDINATORS: Regions/HQ Directors and Office Chiefs/Servicing Civilian Personnel Offices

DISTRIBUTION: E, Servicing Civilian Personnel Offices

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1-1. **PURPOSE:** This directive establishes policy and procedures governing DeCA's return rights, return placement, and foreign employment program for DeCA employees.

1-2. **REFERENCES:**

- a. Title 10, United States Code, Section 1586, Rotation of Career-Conditional and Career Employees Assigned to Duty Outside the United States.
- b. Title 5, Code of Federal Regulations, Section 339.203, Physical Requirements.
- c. DoD Directive 1400.6, DoD Civilian Employees in Overseas Areas.
- d. DoD 1400.25-M, Civilian Personnel Manual (CPM) Chapter 301, Overseas Employment, Subchapter 4, Rotation of Employees from Foreign Areas.
- e. DoD 1400.20-1-M, DoD Program for Stability of Civilian Employment Policies, Procedures, and Programs Manual.
- f. DoD Instruction 1342.12, Education of Handicapped Children in the DoD Dependents Schools.
- g. Joint Travel Regulations, Volume 2, DoD Civilian Personnel.
- h. DeCA Directive 50-18, Commissary Career Program, March 31, 1995.

1-3. **EXPLANATION OF ABBREVIATIONS AND TERMS:**

- a. Continental United States (CONUS). The 48 contiguous United States and the District of Columbia.
- b. Overseas Areas. Outside CONUS.
- c. Foreign Areas. Those areas outside the 50 United States, Puerto Rico, and Guam.
- d. Nonforeign Overseas Areas. Alaska, Hawaii, Puerto Rico, and Guam. (A complete list of nonforeign overseas areas is contained in 5 CFR 591.202.)

1-4. **POLICIES:**

- a. Overseas Tours of Duty and Travel. Guidance contained in Joint Travel Regulations, Volume 2, is applicable for determining lengths of tours of duty for employees assigned to DoD activities overseas, and to issues related to permanent duty travel, permanent change of station travel, and round-trip renewal agreement travel for leave purposes in connection with overseas duty.
- b. Return Rights. It is DeCA's policy to encourage qualified employees to accept overseas assignments to enhance their career development. Return rights will be granted as stated in this directive and in accordance with above references.
- c. Return Placement. Placement upon completion of overseas tours of duty will be effected under the provisions of above references, this directive, and through applicable merit promotion programs. [NOTE: Return placement of individuals who had return rights to staff level positions of the Army, Navy, or Air Force commissary services who were serving on overseas assignments when the

DeCA transfer of function was effected (October 6, 1991) is addressed in correspondence contained in **Appendix A.**]

d. Limitations on Foreign Employment. It is DoD policy to limit civilian employment in foreign areas to five years; exemptions are contained in reference 1-2d. Within DeCA, overseas tour extensions must be approved as stated in this directive.

e. Overseas Limited Appointment Authority. Concurrence must be obtained from HQ DeCA prior to filling the following types of positions using an overseas limited appointment authority: all GS/GM-1144 positions (store and staff levels) and all other staff level positions, GS-7 and above.

f. Medical Examination and Availability of Services. Overseas activities should ensure adequate medical and other essential facilities and services are available to selected employees and any accompanying family members. All applicants selected for overseas assignment are required to undergo a complete physical examination prior to embarkation. The overseas command should be notified of any special needs of accompanying family members to ensure availability of educational and/or medical services.

1-5. **RESPONSIBILITIES:**

a. DeCA Directorate of Personnel and Manpower will:

- (1) Establish policy for the overseas employment program.
- (2) Provide program and operational guidance, policy interpretation, and evaluate program compliance and effectiveness.
- (3) Serve as the administrative point of contact on actions related to the overseas employment program.

b. All DeCA management officials will:

- (1) Encourage qualified employees to accept overseas assignments to enhance their career development.
- (2) Provide placement consideration, in consonance with guidance contained in the above references, to individuals who are completing an overseas tour.

c. HQ DeCA management officials will:

- (1) Coordinate and make recommendations on requests for HQ DeCA approval to extend overseas tours beyond seven years for personnel within their respective functional areas.
- (2) Coordinate and make recommendations on requests for HQ DeCA concurrence to fill vacancies within their respective functional areas using an overseas limited appointment authority.

d. Region commanders/directors with responsibility for overseas activities will:

- (1) Ensure that program requirements are met when civilian employees are selected for assignments in foreign areas.
- (2) Ensure that the conditions stated in CPM 301 are met when overseas tour extensions are granted using the delegation stated in paragraph 1-7 of this directive, and when HQ DeCA approval is sought on extensions of foreign area employment beyond seven years.

(3) Ensure that overseas tour extension requests are coordinated with servicing civilian personnel offices.

(4) Forward overseas tour extension requests that require HQ DeCA action to the attention of DPCS for processing six months prior to the scheduled tour expiration date.

(5) Submit requests to use overseas limited appointment authority which require HQ DeCA concurrence to the attention of DPCS for processing. Justification should include certification that requirements and restrictions stated in Title 5, Code of Federal Regulations (CFR), Part 301, Subpart B, are met. Include a description of the circumstances which warrant the use of the authority.

e. Out-Processing Civilian Personnel Offices will:

(1) Ensure that a physical examination is scheduled for all selected employees. Forward any questionable results of the examination to the overseas servicing civilian personnel office for a final determination of physical capability as well as availability of facilities. If the overseas civilian personnel office does not provide criteria for the physical examination, the out-processing civilian personnel office will contact the overseas office for physical requirements. The employee should be counseled that the job offer is tentative until results of the physical are known. The personnel office should issue the permanent change of station orders only after the results are received.

(2) Notify the overseas servicing personnel office of any special needs of accompanying family members.

(3) Execute return rights agreements for DeCA employees selected for overseas assignments and eligible for return rights as stated in this directive.

(4) Notify the overseas employee in writing, through the servicing civilian personnel office, within 30 days, of any changes taken that affect his/her return rights.

(5) Establish and maintain appropriate records to document the above actions.

f. Overseas Servicing Civilian Personnel Offices will:

(1) Provide criteria for physical examination of selected employee. Ensure availability of educational and medical services for special needs of accompanying family members.

(2) Notify the activity to which the overseas employee has return rights of any approved action affecting return rights such as tour extensions and overseas employee's desire to exercise return rights.

(3) Effect return placement of eligible employees under the procedures contained in the references in paragraph 1-2 and in this directive.

(4) Establish and maintain appropriate records to document the above actions.

1-6. **RETURN RIGHTS:**

a. Eligibility for Return Rights.

(1) DeCA Employee to DeCA Position Overseas.

(a) Career and career-conditional employees of DeCA in the competitive service employed in the United States or in a nonforeign overseas area who accept an assignment to a DeCA

position outside the United States or in Alaska will be granted statutory return rights under the provisions of 10 U.S.C. 1586.

(b) An employee serving in Alaska with return rights to a DeCA position in CONUS will not be granted return rights to Alaska upon acceptance of a DeCA position in a foreign overseas area. The original return rights to CONUS would apply.

(c) A DeCA employee who accepts a position in Hawaii will not be granted return rights.

(2) DeCA Employee to Another DoD Component.

(a) Career and career-conditional employees of DeCA in the competitive service employed in the United States or in a nonforeign overseas area, who accept employment with another DoD component in Japan, Korea, Panama, Johnston Island, Turkey, Finland, Israel, Kuwait, Bahrain Island, Malaysia, Russia, United Arab Emirates, Africa, South America, or Saudi Arabia will be granted return rights as required by DoD 1400.25-M, CPM 301, subchapter 4.

(b) DeCA employees who accept employment with another DoD component in foreign areas other than those listed in 1-6a(2)(a) above or in nonforeign areas will not be granted return rights to DeCA unless the action is the result of a placement of a displaced overseas employee through the DoD Priority Placement Program.

b. Ineligibility for Return Rights.

(1) The following categories of personnel (from DeCA or other components) are not eligible for return rights, if selected for overseas assignments with DeCA after:

(a) Submitting a resignation;

(b) Receiving a notice of involuntary separation for any reason, including a general notice of reduction in force;

(c) A public announcement of closing of the activity where employed;

(d) Receipt of a functional transfer offer to which the employee has not replied within specific time limits;

(e) Declining a functional transfer offer;

(f) Receipt of an unresolved written notice of proposed adverse action based on performance or conduct.

(2) Employees from non-DoD Federal agencies who accept overseas employment with DeCA will not be granted return rights.

(3) Employees who occupy intern positions immediately prior to an overseas assignment will not be granted return rights.

c. Duration of Return Rights.

(1) Initial grant of return rights will cover the period of the prescribed tour of duty for the overseas area to which assigned. If an employee's overseas tour is extended up to an aggregate of

five years, the return rights are also extended. The activity to which the employee has return rights must be notified of the extension so that the records can be documented.

(2) If management at the overseas duty station grants a short-term extension (up to six months) beyond the five-year limitation, return rights are extended accordingly.

(3) Return rights are forfeited under the following conditions:

(a) When an employee's overseas tour is extended beyond the DoD five-year limitation for an additional renewal tour, under the provisions of paragraph 1-7 below. Note: Exceptions to this provision will be considered on a case-by-case basis, and are subject to the concurrence of the Chief Executive Officer, DeCA, if the return rights are to a DeCA position. Otherwise, extension requests may be directed to the activity to which the return rights exist.

(b) Upon return placement to any position in the United States, or acceptance of employment outside DeCA while serving overseas (unless the assignment is to a DoD activity in Japan, Korea, Panama, Johnston Island, Turkey, Finland, Israel, Kuwait, Bahrain Island, Malaysia, Russia, United Arab Emirates, Africa, South America, or Saudi Arabia).

(c) When the employee submits notification of resignation or retirement.

(d) Separation for adverse reasons.

(e) When an employee does not apply to exercise return rights within applicable time limits (see paragraph 1-8).

d. Return Rights Agreement and Documentation.

(1) When an employee is processed for an overseas assignment and is entitled to statutory return rights, the out-processing Civilian Personnel Office (CPO) will execute the DeCA Return Rights Agreement (**Appendix B**).

(2) The agreement will be signed by the employee and the activity Civilian Personnel Officer, or designated representative. The original agreement will be filed in the employee's official personnel folder, a copy will be given to the employee, and a copy will be retained in the individual's return rights folder which will be established and maintained by the out-processing CPO.

(3) Failure to sign a return rights agreement does not exempt a covered employee from the five-year limitation.

(4) A position in the United States which is vacated by an employee who is granted return rights will be "obligated" for the duration of the employee's eligibility for return rights. Recruitment announcements and personnel actions to appoint individuals to "obligated" positions should be annotated accordingly.

1-7. **EXTENSIONS OF OVERSEAS TOURS IN FOREIGN AREAS:**

a. Extensions of overseas tours can be initiated by management when there is a continuing need for the individual's services in the overseas area. Requests will be processed on an individual case basis and will only be considered when the following conditions are met: employee's current performance rating is fully successful or better; employee is current in the knowledge, skills, and abilities required in his/her position; and employee has successfully adapted to the overseas work and cultural environment. Approval levels on overseas tour extensions, as stated below, are applicable to all DeCA personnel subject to the DoD rotation program (i.e., competitive service and overseas limited appointees).

b. Extensions of overseas tours beyond seven years must be submitted through the region commander/director to Headquarters, DeCA, for decision by the DeCA Chief Executive Officer, or his designated representative, for the following categories of personnel: all GS/GM-1144 employees (store and staff levels) and all other staff level employees, GS-7 and above. Requests must include the following information:

- (1) Employee's name, title, series, grade, and type of appointment.
- (2) Date of arrival in overseas area.
- (3) Organization and location to which assigned overseas.
- (4) Title, series, grade, and location of position to which the employee has return rights.
- (a) If the employee does not have return rights, include a statement to that effect.
- (b) If the employee has return rights, include a statement that the employee has been informed of the impact that the extension, if approved, will have on his/her return rights.
- (5) Period of extension desired.
- (6) A statement that the conditions listed in paragraph 1-7a of this directive have been met.
- (7) Management's rationale and justification for requesting the extension.

c. Region commanders and directors who have jurisdiction over employees in foreign overseas areas are delegated authority to approve extensions of overseas tours as follows: up to seven years of overseas service for all personnel; beyond seven years for store level personnel employed in positions other than GS/GM-1144; and beyond seven years for staff level personnel at the GS-6 level and below (other than GS/GM-1144).

d. Region commanders and directors may approve short-term extensions for all personnel (including the categories listed in paragraph 1-7b above) beyond seven years, not to exceed six months, for management or compassionate reasons.

1-8. **RETURN PLACEMENT.**

a. Exercise of Return Rights.

(1) Employees who are stationed in foreign areas who have return rights must exercise them within five years, unless an extension is granted by the activity to which the employee has return rights.

(2) Employees who are stationed in Alaska or a U.S. territory or possession who have return rights must exercise them within five years, unless an extension is granted by the activity to which the employee has return rights. If the return rights are not exercised within five years, plus any extensions, the return rights will be terminated and the employee may remain indefinitely in these locations unless otherwise placed.

(3) The employee must satisfactorily complete the prescribed tour of overseas duty, including approved renewal tours, unless released from the period of service requirements for acceptable reasons listed in the Joint Travel Regulations, Volume 2.

(4) The employee must submit written notification to his/her former activity of the intention to exercise return rights at least 60 days prior to the expected date of return. Notification should be initiated at the servicing overseas personnel office and submitted to the personnel office that services the activity to which the individual has return rights.

(5) The provisions of 10 U.S.C. 1586 apply to placements of employees exercising return rights and placements of employees who are displaced as a result of an employee exercising his/her return rights. When an employee exercises return rights to his or her former position by displacing another employee, reduction in force procedures may be necessary to determine the assignment right of that displaced employee. The overseas returnee does not compete for placement under reduction in force procedures, except when the former position has been abolished and return is to a position established for a 90-day period.

(6) Employees with return rights to DeCA positions who are also entitled to return placement through the DoD Priority Placement Program (PPP) (DoD 1400.20-1-M) may be directed to exercise their return rights if placement through the PPP has not been effected within six months of initial registration in the PPP.

b. Return through Priority Consideration Programs.

(1) Registration eligibility and referral procedures for placement consideration through the DoD PPP for employees who have satisfactorily completed a tour of duty in a foreign area, territory, possession, or in the states of Alaska or Hawaii are contained in DoD 1400.20-1-M (reference 1-2e).

(2) Return placement assistance is available to GS/GM-1144 employees through the Commissary Management (GS-1144) Priority Placement Program (reference 1-2h).

c. Management-Initiated Return of an Overseas Employee.

(1) Basic authority for agencies to reassign career and career-conditional employees is contained in Title 5, CFR, Section 335.102. Using this authority, DeCA managers with jurisdiction over overseas activities may initiate actions to return overseas employees to their former positions or to positions of equal grade. Such actions must be coordinated with appropriate management officials at the CONUS activity to which the return is proposed. If this authority is invoked, any time remaining to be served under the employee's transportation agreement will be waived, and the employee and his/her dependents and household goods will be returned to the United States at Government expense, in accordance with the provisions of the Joint Travel Regulations, Volume 2. Failure to accept a management-directed return placement may result in separation of the employee under adverse action procedures.

(2) Examples of conditions under which management-initiated returns may be accomplished are listed below:

(a) When an employee's skills were not properly matched with job requirements of the overseas position, through no fault of the employee.

(b) When the presence of the employee or his/her family in the overseas area is not in the best interests of the U.S. Government.

(c) When an employee has successfully completed a tour in Alaska or Hawaii or any U.S. territory or possession (which is not subject to the five-year rotation program). For example, the return placement may be necessary to promote the efficiency of the service and/or to assign the employee to a CONUS position which will provide him/her an opportunity to update his/her knowledge in a specific functional area.

(d) When a covered GS-1144 employee is directed to move under the provisions of the DeCA Civilian Mobility Program (reference 1-2h).



REPLY TO
ATTENTION OF

DEFENSE COMMISSARY AGENCY

HEADQUARTERS

FORT LEE, VIRGINIA 23801-6300

DP

MAY 21 1991

**MEMORANDUM FOR OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,
FORCE MANAGEMENT AND PERSONNEL, PENTAGON,
ROOM 3D269, WASH DC 20301-4000**

**SUBJECT: Proposed Policy on DOD Return Rights From Overseas
Areas - Defense Commissary Agency (DeCA)**

Request concurrence on DeCA's proposed policy regarding employees who have return rights from overseas areas to positions in the existing commissary services in organizational elements above the operating level (i.e., the staff levels).

As a result of the transfer of function which will effect the consolidation of the four commissary services, reduction in force actions will be necessary in most staff level organizational elements. At least two of the services (Army and Air Force) have provisions in their regulations which provide for the transfer of the return obligation when a transfer of function occurs and a position to which an overseas employee has return rights is transferred within DOD. The following complexities related to the DeCA transfer of function make it difficult to identify overseas employees with their former positions to which they may have return rights: work units are not being moved intact from one location to another; the units are often splitting into more than one DeCA organizational element; due to the organizational/functional differences between current commissary services and DeCA, existing service positions will be abolished during the reduction in force immediately after the transfer of function.

Transfer of return rights to the newly-established DeCA positions would be an administrative burden on the servicing Civilian Personnel Offices. Although the functions do reappear in another DOD component and the current service regulations provide for transfer of the return obligation, our opinion is that the current service regulations are not applicable to DeCA. We believe that DeCA will be bound by provisions of 10 U.S.C. 1586 and DOD Civilian Personnel Manual 1400.25-M. Neither of these governing references require a transfer of the return obligation. Therefore, DeCA proposes that the return rights be honored at the geographic location to which the employees now have return rights. This is consistent with 10 U.S.C. 1586 and DOD Civilian Personnel Manual 1400.25-M, and will provide an opportunity for individuals to return to their former CONUS duty stations when they so

MAY 21 1991

DP

SUBJECT: Proposed Policy on DOD Return Rights From Overseas Areas - Defense Commissary Agency (DeCA)

desire. We believe it to be to the employee's benefit to provide this option since the DeCA organization will not have staff level elements at all duty stations where staff level elements exist in the current commissary services' structures.

Under DeCA's proposal, each losing activity will be responsible for notifying the respective servicing overseas activity of the abolishment of the CONUS position. Upon completion of the overseas tour, the affected employee would then be entitled to: (1) exercise return right to the CONUS geographic location from which he/she departed; (2) register for placement assistance in the DOD Priority Placement Program; (3) voluntarily apply under applicable merit promotion programs for CONUS vacancies.

When employees with return rights to former commissary service positions apply to exercise their rights at geographic locations where DeCA organizational elements exist, it is DeCA's intent to accommodate the returning employees whenever possible. However, there may be instances when the return can be effected by the current services through placements in other activities at the installation.

This proposed policy would not apply to positions at the operating level (i.e., commissary store) since the transfer of function at that level does not result in geographical relocation, reorganization, or reduction in force. The operating level positions which are obligated to overseas employees can easily be identified as such after the transfer of function actions are taken.

Request your concurrence on DeCA's proposed policy so that necessary guidance can be swiftly conveyed to servicing Civilian Personnel Offices, who will soon be compiling retention registers to effect DeCA's transfer of function.

Point of contact at DeCA Provisional Headquarters, Directorate of Personnel and Training, is Ms. Kristen Ogden, AV 687-2363/2439.

SIGNED

S. DWIGHT HALL
Director, Directorate of
Personnel and Training

Attachment
As Stated



FORCE MANAGEMENT
AND PERSONNEL

THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-4000

23 JUL 1991

MEMORANDUM FOR DIRECTOR OF PERSONNEL AND TRAINING, DEFENSE COM-
MISSARY AGENCY

SUBJECT: Proposed Policy on DOD Return Rights from Overseas
Areas - Defense Commissary Agency

This is with reference to your memorandum, subject as above,
dated May 21, 1991.

Under the applicable statute (10 USC 1586), if there has
been a termination or material change in the activity in which
the former position of the employee was located, placement would
be as provided in paragraph (c) (2), (3), or (4) of the statute.

We believe the consolidation of the military department's
commissary services in the Defense Commissary Agency with trans-
fer of all positions to that agency is a "material change in the
activity" as contemplated in the statute. We therefore concur in
your proposed policy regarding employees who have return rights
to positions in the United States in organizational elements
above the operating level in the former commissary services
offices. Each losing activity will be responsible for notifying
the respective overseas servicing activity of the abolishment of
the CONUS position. Upon completion of the overseas tour, the
affected employee would then be entitled to: (1) exercise return
rights to CONUS geographic location from which he/she departed;
(2) register for placement in the DOD Priority Placement Program;
(3) voluntarily apply under applicable DECA merit promotion
programs for CONUS vacancies.

Since many of these employees will possess skills and knowl-
edges useful to your agency, it would be in your best interest to
maximize their placement in your agency.

THOMAS F. GARNETT, JR.
Director, Personnel Management
(Civilian Personnel Policy/Equal Opportunity)

RETURN RIGHTS AGREEMENT <i>(For use of this form, see DeCAD 50-17; OPR is DP.)</i>	
<p>This agreement is to be executed when a DeCA employee is assigned from a DeCA position in the United States or nonforeign overseas area to a DeCA position outside the United States or in Alaska or is assigned to another DoD component in Japan, Korea, Panama, Johnston Island, Turkey, Finland, Israel, Kuwait, Bahrain Island, Malaysia, Russia, United Arab Emirates, Africa, South America or Saudi Arabia and is entitled to return rights as specified in DeCA Directive 50-17.</p>	
<p>This agreement is between the Defense Commissary Agency (DeCA) and the undersigned employee. The employee agrees to accept the following assignment:</p>	
<p>a. POSITION TITLE, SERIES, GRADE</p>	
<p>b. OVERSEAS EMPLOYING OFFICE</p>	
<p>c. OVERSEAS DUTY STATION</p>	
<p>DeCA agrees to grant return rights to the employee under the provisions of 10 U.S.C. 1586 and the conditions of this agreement. The employee understands that the acceptance of this assignment includes the grant of return rights to the following position which he/she held immediately before departure for the overseas assignment:</p>	
<p>a. POSITION TITLE, SERIES, GRADE</p>	
<p>b. EMPLOYING OFFICE</p>	
<p>c. OVERSEAS DUTY STATION</p>	
<p>It is understood by both parties that return rights are granted for the period of _____ months, which is the prescribed tour of duty specified in the employee's transportation agreement. The employee will be required to exercise his/her return rights at the end of that period unless the overseas tour and return rights are extended beyond that time. The employee must exercise return rights within 30 days after completing the overseas tour of duty or any period of extension of the return rights. The employee must submit written notification to his/her former activity of the intention to exercise return rights at least 60 days prior to the expected date of return.</p>	
<p>PLACE AN "X" BY THE APPROPRIATE PARAGRAPH BELOW:</p>	
<p>USE THE FOLLOWING PARAGRAPH FOR EMPLOYEES BEING ASSIGNED TO FOREIGN OVERSEAS AREAS:</p>	
<p><input type="checkbox"/> The employee understands that the policy of the Department of Defense and DeCA is to limit civilian employment in a foreign overseas area to 5 years. If an extension beyond 5 years is approved, return rights shall be forfeited and return placement shall be effected through the DoD Priority Placement Program (PPP), unless the activity in the United States agrees to continue the employee's return rights. It is further understood that employee's failure or refusal to register in the DoD PPP or to accept an appropriate offer of assignment will be the basis for separation.</p>	
<p>USE THE FOLLOWING PARAGRAPH FOR EMPLOYEES BEING ASSIGNED TO NONFOREIGN OVERSEAS AREAS:</p>	
<p><input type="checkbox"/> The employee understands that the 5-year limitation on civilian overseas employment is not applicable to nonforeign overseas areas. Therefore, the employee is not subject to a rotation program and can remain in a nonforeign overseas area indefinitely, unless otherwise placed.</p>	

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The employee understands that return rights will be terminated for the following reasons:

- a. Resignation or retirement.
- b. Separation for adverse reasons.
- c. Upon return placement to any position in the United States or acceptance of employment outside DeCA while serving overseas (unless the assignment is to a DoD activity in Japan, Korea, Panama, Johnston Island, Turkey, Finland, Israel, Kuwait, Bahrain Island, Malaysia, Russia, United Arab Emirates, Africa, South America or Saudi Arabia).
- d. Failure to exercise return rights within 30 days after completing the prescribed tour of duty, plus any extensions, or failure to apply to exercise return rights within applicable time limits (60 days prior to the expected date of return).

The employee understands that return travel and transportation expenses to which he/she would otherwise be entitled will not be paid by the Government unless the employee completes the prescribed tour of duty for the overseas area to which assigned, and any renewal tours, unless an early release is granted for reasons acceptable to management.

The employee understands that management may direct his/her reassignment to a position in the United States at any time when it is determined to be in the best interests of DeCA. In such a situation, the employee may choose to exercise return rights, if otherwise eligible, in lieu of accepting the directed reassignment.

The employee understands that when return rights are exercised, he/she will be placed in the position held immediately before the overseas assignment, if such position exists. If such position does not exist, placement will be made to a position of equal grade and in the same geographical area in accordance with the procedures specified in 10 U.S.C. 1586.

EMPLOYEE'S SIGNATURE	SIGNATURE OF CPO REPRESENTATIVE
EMPLOYEE'S TYPED NAME	TYPED NAME/TITLE OF CPO REPRESENTATIVE
DATE	DATE

RETURN PLACEMENT AGREEMENT <i>(For use of this form, see DeCAD 50-17; OPR is DP.)</i>	
<p>This agreement is to be executed when a DeCA employee is recruited for an overseas assignment and is not entitled to return rights as specified in DeCA Directive 50-17.</p>	
<p>This agreement is between the Defense Commissary Agency (DeCA) and the undersigned employee. The employee agrees to accept the following assignment:</p>	
<p>a. POSITION TITLE, SERIES, GRADE</p>	
<p>b. OVERSEAS EMPLOYING OFFICE</p>	
<p>c. OVERSEAS DUTY STATION</p>	
<p>The employee understands that, upon accepting this position, he/she is NOT entitled to return rights to any position with DeCA in the United States. The employee understands that, upon completion of _____ months of service, which is the prescribed tour of duty specified in his/her transportation agreement, plus any approved extensions, he/she will be provided placement assistance for assignment in the United States through registration in the DoD Priority Placement Program. It is DoD policy to limit civilian employment in foreign overseas areas to 5 years; any extension beyond 5 years must be approved as specified in DeCA Directive 50-17.</p> <p>It is understood that every effort will be made to return the employee to a position at the grade to which he/she is assigned overseas, but that there is no guarantee that the return placement will be at that grade. Failure to accept return placement or failure to accept an assignment when offered could result in action being taken to separate the employee from the service for failure to comply with the conditions of this agreement. The employee's right to return placement will be terminated in the event of resignation or separation from the service for adverse reasons.</p> <p>The employee understands that return travel and transportation expenses to which he/she would otherwise be entitled will not be paid by the Government unless the employee completes the prescribed tour of duty for the overseas area to which assigned, and any renewal tours, unless an early release is granted for reasons acceptable to management.</p>	
<p>EMPLG. EE'S SIGNATURE</p>	<p>SIGNATURE OF CPO REPRESENTATIVE</p>
<p>EMPLOYEE'S TYPED NAME</p>	<p>TYPED NAME/TITLE OF CPO REPRESENTATIVE</p>
<p>DATE</p>	<p>DATE</p>

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