



DEPARTMENT OF THE NAVY  
NAVAL EDUCATION AND TRAINING PROFESSIONAL  
DEVELOPMENT AND TECHNOLOGY CENTER  
6490 SAUFLEY FIELD ROAD  
PENSACOLA, FLORIDA 32509-5237

IN REPLY REFER TO:  
NETPDTCINST 12301.1  
N83  
09 APR 2001

NETPDTC INSTRUCTION 12301.1

Subj: OVERSEAS CIVILIAN EMPLOYMENT POLICY

Ref: (a) DODCPM 301  
(b) OCPMINST 12301.2

1. Purpose. To issue Command policy on U.S. citizen local hire overseas employment and on rotation and return placement of civilians subject to the five-year limitation on overseas employment.

2. Scope. This policy applies to all U.S. appropriated fund employees in Career/Career-Conditional appointments at sites under the purview of NETPDTC.

3. Background

a. Spouse/Family Member Employment Policy. Many overseas hiring actions involve spouse or family members of military personnel. In support of employment of these members, we must recognize management's obligation to fill positions with the most qualified candidates available. Since most of these members are highly qualified, the policy contained in this instruction encourages U.S. citizen local hiring practices that support the Spouse/Family Member Employment Policy.

b. Tour Rotation. This command supports DOD and DON policy limiting civilian employment in foreign areas to five years. The five-year limitation on employment in foreign areas allows for the continuous assessment of civilian workforce requirements.

c. Exceptions. The following classes of employees, per references (a) and (b), are exempt from the DOD five-year rotation policy:

(1) Employees in positions that require frequent (i.e., almost daily) contact with officials of the host nation. The positions require a detailed current knowledge of the culture, mores, laws, customs or government processes of the host nation

09 APR 2001

that cannot be acquired outside the host nation. Such contacts and knowledge must be the primary reason for establishing the position. These exceptions require headquarters approval.

(2) Military spouses and other eligible family members whose employment is contingent on the tour of their military or DOD civilian sponsor.

(3) Employees in the Senior Executive Service.

(4) Employees who were employed overseas prior to 1 April 1966.

(5) Any employee hired overseas after 1 April 1966 through 23 August 1988, who remained continuously employed at the grade of GS-6 or below.

(6) Educators in the DOD Dependents Schools system.

(7) Employees hired on an Overseas Limited Appointment Indefinite on or before 17 January 1989 and have been continuously employed at the grade GS-6 or below.

(8) Employees appointed to Excepted Service Appointments (e.g., CIPMS, Investigators, and Lawyers).

(9) Veterans Readjustment Authority (VRA) appointments, while still on the appointment. VRA employees however are subject to the five-year limitation immediately on conversion to career or career-conditional appointment.

#### 4. Policy

a. Regular Tour of Duty. For the purposes of this instruction, an initial regular tour of duty will range from 12 months to three years depending on the location. The initial tour of duty length is included in the statement of living and working conditions provided to the employee.

b. Tour Extensions. Tour extensions may be granted in 24 month periods not to exceed five years.

c. Dependent Employment Opportunities. Employment opportunities for military spouses and family members in the overseas arena, outlined in references (a) and (b), are a significant and critical quality of life issue for NETPDTC. Supervisors and managers shall administer employment policies in

09 APR 2001

accordance with references (a) and (b) and as directed within this instruction.

d. Rotation and Return Placement. Employment of U.S. citizens overseas is normally limited to a tour not to exceed five years. Extensions beyond five years are inconsistent with overseas tour and rotation policies and should be carefully reviewed. Department Heads and managers who request extensions beyond the five-year limitation must ensure that their decisions are consistent with DOD criteria, reasonable, equitable, and consistent with the DON rotation policy. Also, they must keep in mind that previous conditions allowing routine extensions beyond five years no longer exist. In order to ensure consistent interpretation and application of this policy throughout NETPDTC, centralized control will be exercised.

## 5. Actions and Responsibility

a. Approving Authority. The approval authority for extension of overseas employment by current NETPDTC employees beyond five years or extension of return rights of former NETPDTC employees who have an existing written agreement to return to NETPDTC, will be the Commanding Officer, NETPDTC with review by the Chief of Naval Education and Training. Department Heads and Managers with cognizance over employees Out of the Continental United States will retain authority for initial tour extension and one short-term administrative extension not to exceed six months beyond five years that does not involve loss of return rights. For tour extensions beyond five years, Department Heads and Managers are reminded that requests should be rare, must be well justified, and consistent with DOD and DON policy. Reference (b) states that 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. Department Heads and Managers with former employees having return rights to a NETPDTC position may approve return rights up to five years.

b. Delegation of Authority. In addition to the authorities identified in this instruction and in reference (b), department heads and managers are delegated authority to approve:

(1) Forfeiture of return rights for employees in positions exempted by DOD from the five-year foreign service limitation who, at the end of five years of service, agree to forfeit return rights and remain in the foreign area indefinitely.

09 APR 2001

(2) Movement between and in foreign areas and between foreign and non-foreign areas only if the selectee can serve at least a renewal tour without exceeding the five-year limitation.

c. Initial Tour Extension. Six months prior to an employee's tour/return rights expiration, the Department Head or Manager will notify Code N8 regarding their employee's tour expiration. Extensions may be granted in increments of up to 24 months not to exceed the five-year limitation. Department Heads and Managers should carefully review the conditions for approving an extension; ensuring decisions are reasonable, equitable, and consistent with the DON rotation policy. If it is determined by the Department Head or Manager to request an extension beyond five years, the request must be submitted to the Commanding Officer. Requests should include justification addressing the following types of information:

- (1) Is it consistent with DOD policy?
- (2) Is it mission critical?
- (3) Is the position hard to fill or does it have unique skills?
- (4) What other alternatives have been considered?
- (5) What is the impact if the extension is not approved?
- (6) What efforts have been made to determine if qualified applicants are available?

d. Responsibility

(1) Department Heads and Managers will understand and support the policies set forth in this instruction. They will follow the policies and procedures set forth in this instruction and ensure the proper effective planning for tour rotations. It will be their responsibility to ensure that appropriate documentation is maintained concerning extensions of overseas tours and return placements to the U.S., including position management and communication with the employee and overseas activity. Six months prior to an employee's tour expiration, the Department Head or Manager will initiate recruitment action with Code N8 to ensure a timely replacement in the overseas vacancy. In addition, in cases involving tour expiration, loss of return rights, or other overseas returnees entitled to Priority Placement Program (PPP) registration, the Human

**09 APR 2001**

Resource Office (HRO) must be advised three to six months in advance to coordinate PPP registration of the employee with the appropriate PPP registering activity.

(2) HRO and the Human Resource Service Center (HRSC) will ensure that rotational agreements are signed by each member accepting an overseas assignment and will provide NETPDTC with a copy.

(3) The HRO is responsible for advising and assisting NETPDTC in the management of their overseas employment program. Additionally, the servicing specialist should ensure that the responsible HRSC for official personnel records maintenance is kept apprised of any changes to employee's tour or transportation agreements.

(4) HRO will ensure that all pay, allowances and differentials are maintained in an appropriate manner.



M. L. MORAN

Distribution: NETPDTCINST 5216.1C  
List I, IA, and II