

FOREIGN SERVICE REAPPOINTMENT OF FORMER CAREER MEMBERS

1. PURPOSE

This Directive outlines the procedures for reappointing former career status members of the U.S Foreign Service (FS) including members of the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), and International Services (IS).

2. AUTHORITY

Section 308 (b) of the FS Act of 1980 (22 U.S.C. 3901 et. seq.) (Act) establishes the authority to reappoint former career members of the FS under Section 303, without regard to Section 306, in a salary class which is appropriate in light of the qualifications and experience of the individual being reappointed. Former members will be reappointed to a class no higher than the class from which they were separated.

3. POLICY

Reappointments under the provisions of Section 303 will be made by the Secretary. This applies to all former USDA-APHIS career FS Officers/Specialists (FSO/S) except:

- a. Those who retired or who were separated under Sections 607 (Time-in-Class), 608 (Relative Performance), or 610 (Separation for Cause) of the Act;
- b. Those who resigned or retired in lieu of selection-out or separation for cause, unless it was determined by the FS Grievance Board under section 3 FAM 4400 that the separation, resignation, retirement in lieu of selection-out, or separation for cause was wrongful;
- c. Those where reappointment was determined by the IS Deputy Administrator (DA) as an appropriate means to settle a grievance or a complaint of a former FSO/S on a mutually satisfactory basis; or

- d. Those where reappointment is the indicated redress in a proceeding under Section 3 FAM 130 regarding equal employment opportunity.

4. PROCEDURES

An applicant for reappointment should submit a current U.S. Government application form and a two or three page autobiography including an account of his/her experience and accomplishments since leaving the FS. The applicant also should include an explanation of the previous resignation.

- a. Upon receipt of the application, the IS Administrative Services (AS), Director of Personnel and Travel, examines the applicant's personnel file and makes a determination if the applicant has ever been subject to selection out. If so, his/her candidacy is terminated.
- b. The Director of Personnel and Travel, by memorandum, informs the ISDA of the application, and provides a Certificate of Need for decision by the ISDA.
- c. The ISDA signs a Certificate of Need for the skills and grade for the proposed reappointment, if a need exists. The need will be determined by an analysis of positions and incumbents at various grade levels. If the ISDA cannot certify a need for the candidate's skills, the candidacy is terminated.
- d. If the application meets these preliminary criteria, the Director of Personnel and Travel queries the candidate's former and present supervisors, both within and outside the FS, requesting references or recent performance evaluations. The Director of Personnel and Travel also researches the last three promotion rankings of the candidate when he/she was last employed. This information is provided to a Review Panel. This Panel, selected by the Director of Personnel and Travel, consists of two career FSO/S and one civil service employee, all of whom are at least one grade above the grade proposed for reappointment of the candidate. The Panel reviews carefully the evaluation material on the applicant, looking for the candidate's requisite knowledges, skills, abilities, and, particularly, motivation.
- e. In examining an application for reemployment, the Director of Personnel and Travel and the Review Panel will address the following questions:

- (1) If reappointed to the class for which he/she is applying, would the applicant satisfactorily fill the existing need for that individual, as certified by the ISDA?
 - (2) Has there been a fundamental change in the factors which impelled the applicant to leave the FS previously? Does the applicant now have a long-term commitment to the FS? Explain as clearly as possible the candidate's reasons for leaving the FS and the underlying motivation for his/her desire to return.
 - (3) Will the applicant be able to resume the duties of an FSO/S without burdensome re-training? Will the applicant be able to work effectively at the level for which he/she is applying?
- f. The Director of Personnel and Travel recommends to the ISDA whether to reappoint a candidate. The ISDA must concur and sign a letter offering the candidate reemployment, subject to completion of pre-employment clearances.
- g. The Director of Personnel and Travel may recommend that the candidate be hired at a lower class than that requested by the candidate and certified by the ISDA; however, in such a case, a new Certificate of Need, at the lower class level, must be prepared. Final determination of grade at reappointment is made by the ISDA; actual salary determination within the approved grade is made by the Director of Personnel and Travel.
- h. Upon approval of reappointment by the ISDA or equivalent management official, the file is returned to the Director of Personnel and Travel for continuation of the candidacy leading to reappointment as an FSO/S.

5. INQUIRIES

- a. Direct inquiries through administrative channels to the ISAS Director of Personnel and Travel.

Director of Personnel and Travel
USDA/APHIS/IS, Unit 65
4700 River Road
Riverdale, MD 20737
USA

- b. This Directive is available on the Internet at www.aphis.usda.gov/library.

/s/

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