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TITLE: CIB 98-19 Home Leave Under U.S. Personal Services Contractors (PSCs)

July 28,1998

MEMORANDUM FOR ALL CONTRACTING OFFICERS AND NEGOTIATORS

FROM: M/OP, Marcus L. Stevenson, Procurement Executive

SUBJECT: Home Leave Under U.S. Personal Services Contractors (PSCs)

CONTRACT INFORMATION BULLETIN 98 - 19

The purpose of this CIB is to change the policy on home leave for U.S. PSCs to provide for the leave based on length of service under Personal Services Contracts overseas, not just service in the same country.

Under the new policy, PSCs' entitlement to home leave will not depend on their returning to serve at the same post, instead eligibility will be based on their returning (for the requisite amount of time) to any USAID overseas post. The amount of home leave they will be entitled to will differ somewhat depending on whether they return to the same post or a different one.

Under the new policy, a United States Personal Services Contractor who works 24 continuous months overseas shall be entitled to home leave if returning overseas in accordance with the following:

1) If the PSC returns to the same post, the entitlements and requirements currently in Appendix D, General Provision 5 entitled, "Leave and Holidays" Paragraph (c) shall continue to apply;

2) If the PSC moves to another overseas assignment with USAID in a different country, the PSC shall be entitled to home leave to be taken at one time for a period not to exceed 20 working days, excluding travel time by the most direct route. The rest of the terms of the General Provision noted above remain applicable. When a PSC moves to a new overseas position with USAID, the losing Mission shall pay for the home leave regardless of what country the PSC will be working in upon his/her return. The PSC shall submit written verification that he/she has been accepted for employment at another overseas Mission to the losing Mission at the time the home leave is requested. No home leave shall be provided if the contractor is being repatriated to the United States.

Although this change is effective immediately, its application to particular contracts will vary. To minimize anticipated problems, the application of this change shall be effective upon the renewal or extension of existing contracts, or with the signing of a new contract. The time for computing the 24 continuous months shall begin at the time of the renewal, extension, or the beginning of the new contract.

Regardless of whether contracts are written for one year or two years if a PSC stays at the same post for two years, the contract funding for the second year shall provide for home leave in case the PSC does end up being entitled to it.

Attached is a revised paragraph (c)(2) of General Provision 5. The revised paragraph shall be used in all new contracts, and the date of General Provision 5 shall be changed to (July 1998).

Any questions regarding this CIB shall be referred to M/OP/POL.

(c) Home Leave

* * *

(2) A contractor who is a U.S. citizen or U.S. resident alien, and has served at least two years overseas, as defined in paragraph (c)(4) below, under personal services contract(s) in this Mission and has not taken more than 30 work days leave (vacation, sick or leave without pay in the United States) may be granted home leave in accordance with the following:

(i) if the contractor agrees to return to the same overseas post upon completion of home leave under contract(s) for an additional 2 years, or for such shorter period of not less than one year that the Mission Director has approved in advance, the contractor is entitled to home leave of not more than 15 work days for each such year of service overseas;

(ii) if the contractor agrees to return to another overseas post upon completion of home leave under contract(s) for an additional 2 years, or for such shorter period of not less than one year that the Director of the Mission the PSC is departing from has approved in advance, the contractor is entitled to home leave to be taken at one time for a period of not more than 20 work days;

(iii) if home leave eligibility is based on (c)(2)(ii) above, the contractor must submit written verification to the Mission he/she is departing from that he/she has accepted employment in another Mission for the required period of time;

(iv) travel time by the most direct route is authorized in addition to the number of work days authorized for home leave;

(v) home leave must be taken in the United States, the Commonwealth of Puerto Rico or the possessions of the United States, and any days spent elsewhere will be charged to vacation leave or leave without pay.

(vi) if the contractor does not complete the additional service required under (c)(2)(i) or (ii) (other than for reasons beyond their control), the cost of home leave, travel and transportation and any other related costs must be repaid to the Government.