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# ADS Chapter 415

## Civil Service-to-Foreign Service Appointment Program

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 ADS 415 - Civil Service-to-Foreign Service Appointment Program  
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***This chapter has been revised in its entirety.***

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## ADS 415 - Civil Service-to-Foreign Service Appointment Program

### 415.1 OVERVIEW

Effective Date: 08/11/2020

This chapter provides policies and required procedures to enable USAID management to meet staffing requirements that cannot be filled by the Foreign Service (FS) Assignment System by temporarily appointing career Civil Service (CS) employees (*i.e.*, General Schedule (GS), Senior Executive Service (SES), Senior Level (SL), and Scientific Technical Professional (ST)) to overseas FS positions. This policy is not applicable to non-career CS employees.

USAID's CS-to-FS Appointment Program provides the Agency with an additional recruitment mechanism for filling FS overseas positions that would otherwise remain vacant at the end of the annual assignment cycle. The program also contributes to the Agency's ability to quickly respond to overseas staffing emergencies. Through the policies and procedures established in this chapter, the Office of Human Capital and Talent Management, Foreign Service Center (HCTM/FSC), may advertise positions available for bidding to USAID career CS employees who are qualified for and interested in a non-career, limited appointment to the FS (not to exceed five years). Prior to soliciting for any expressions of interest from career CS employees to fill overseas FS positions, HCTM/FSC will ensure that 1) FS positions have been advertised twice consecutively and remain unfilled, and 2) there are no qualified FS bidders available to fill them.

If certain conditions are met (see section **415.3.2.1**), CS employees on limited non-career appointments may request a conversion to FS career candidate status. The decision to provide a new five-year appointment as an FS career candidate is solely at the Agency's discretion and is never guaranteed.

CS employees who are serving on FS non-career and FS career candidate appointments are entitled to be reemployed in accordance with [Section 3950 of Title 22 United States Code](#), [Section 3597 of Title 5 United States Code](#), and [Section 310 of the Foreign Service Act](#). For more information on reemployment rights, please refer to [ADS 412, Reemployment Rights](#).

### 415.2 PRIMARY RESPONSIBILITIES

Effective Date: 08/11/2020

a. The **Office of Human Capital and Talent Management, Foreign Service Center (HCTM/FSC)** is responsible for the following:

- 1) Providing oversight, management, and evaluation of the operational aspects of the CS-to-FS Appointment Program;
- 2) Advertising FS position opportunities for USAID career CS employees, and

providing interested bidders with information on the process and relevant policies;

- 3) Developing and issuing selection certificates to overseas Missions;
- 4) Coordinating the application review process for conversion to career candidate status;
- 5) Announcing assignment approvals through General Agency Notices following decisions by the HCTM/FSC Director;
- 6) Notifying the losing Bureau/Independent Office (B/IO) in writing that the CS employee has accepted a non-career FS limited appointment;
- 7) In coordination with the Backstop Coordinator, convening a Technical Review Committee (TRC) to review and make recommendations on requests by a CS employee to convert from a non-career to career candidate FS appointment for the HCTM/FSC Director's final approval;
- 8) Working with successful applicants to process their non-career or career candidate limited appointments to the FS; and
- 9) Terminating, at any time, an employee's time-limited appointment for reasons other than misconduct or performance (see [ADS 450, Termination of Time-Limited Appointments - Foreign Service \(FS\)](#)).

**b.** The **Office of Human Capital and Talent Management, Human Capital Services Center (HCTM/HCSC)** is responsible for the following, when involving CS employees who are on the General Schedule (GS):

- 1) Developing the formal written reemployment rights letter and associated notices to the CS employee prior to appointment to the non-career or career candidate FS limited appointment;
- 2) Consulting with the CS employee on all relevant compensation and benefits eligibility rights and/or entitlements for the duration of their FS limited appointment;
- 3) Advising the B/IO's senior managers of potential succession planning and position management options during the CS employee's appointment to an FS limited appointment overseas;
- 4) Ensuring the B/IO's senior managers close out performance management requirements for the CS employee before appointment to the FS limited appointment; and

- 5) Working closely with the B/IO and returning employee on a placement to the former position of record or position for which the returning employee qualifies for at a similar grade and location when the employee exercises their reemployment rights.

c. The **Office of Human Capital and Talent Management, Center for Performance Excellence (HCTM/CPE)** is responsible for the following, when it involves SES, SL, and ST employees in the CS:

- 1) Developing the formal written reemployment rights letter and associated notices to the SES, SL, or ST employee prior to appointment to the non-career FS limited appointment;
- 2) Consulting with the SES, SL, or ST employee on all relevant compensation and benefits eligibility rights and/or entitlements for the duration of their FS limited appointment;
- 3) Advising the B/IO's senior managers of potential succession planning and position management options during the SES, SL, or ST employee's appointment to a non-career FS limited appointment;
- 4) Ensuring the B/IO's senior managers close out performance management requirements for the SES, SL, or ST employee before appointment to the non-career FS limited appointment; and
- 5) Working closely with the B/IO and returning an employee to the former position of record or a corresponding position for which the employee qualifies for with similar occupational series, grade and location when the employee exercises his/her reemployment rights.

d. The **Office of Human Capital and Talent Management, Office of Workforce Planning, Policy, and Systems Management (HCTM/PPSM)** provides skills gap analysis to determine the workforce needs of the Agency, which will be the data-driven basis for considering requests for CS-to-FS conversion in specific backstops and grades.

e. **Bureaus or Independent Offices (B/IOs) that backstop FS positions where CS candidates are being considered** identify technical experts to serve on Technical Review Committees (TRCs) convened by HCTM/FSC to consider the qualifications of CS applicants for conversion to the career-candidate program in the backstops under their purview and considers applicants for conversion to the career-candidate program in the backstops under their purview.

f. **Backstop Coordinators** advise HCTM/FSC on CS candidates selected by Missions to fill FS positions during the FS Assignment Cycle, which may include prior assessment of qualifications, interviews or reference checks and participates in TRCs to

evaluate the qualifications of CS applicants for possible conversion to FS career candidate status.

**g.** The **B/IO losing a CS employee** to an FS limited appointment partners with HCTM/HCSC, HCTM/PPSM, and/or HCTM/CPE when a CS employee's extended absence, due to a non-career FS limited appointment, leaves a gap that might be detrimental to the operations of the B/IO and ensures the B/IO Senior Manager closes out performance management requirements for the employee before the employee is appointed to the FS limited appointment.

**h.** A **Technical Review Committee (TRC)** reviews each FS career candidate applicant's education and professional experience per the qualifications needed to successfully perform the duties required of an FS Officer (FSO) in the committee's technical area of expertise and at the proposed FS rank, and makes a recommendation on the applicant's suitability for conversion to career candidacy in the FS.

HCTM/FSC will convene a TRC up to two times per year when needed to review CS applicants for conversion to career-candidate appointments. The HCTM/FSC Director will designate the TRC chair. The TRC must include at a minimum HCTM/FSC's Assignments and Career Counselor for the Backstop, the Backstop Coordinator (or their respective designees) for the backstop of the position to which a candidate is applying, and one senior FSO in the backstop or home Bureau (*i.e.*, Senior Foreign Service (SFS) or FS-01 employee). At no time will the number of non-subject matter experts (SMEs) exceed the number of SMEs.

**i.** **Mission Selecting Officials** evaluate a CS candidate's qualifications and experience against those required for the Mission's advertised overseas position and make selections among the eligible and qualified bidders. This may require interviews, reference checks, and other methods of screening the qualifications and suitability of candidates.

**j.** The **USAID Civil Service (CS) Employee** is responsible for the following:

- 1) Ensuring compliance with guidelines and procedures outlined in the Agency Notices and this ADS chapter;
- 2) Notifying their B/IO's servicing HCTM/FSC Human Resources Specialist of the acceptance of the FS limited appointment to ensure proper coordination with HCTM/HCSC or HCTM/CPE. This begins the formal process to receive written notification and information on reemployment rights;
- 3) Notifying their supervisor of a decision to accept a non-career FS appointment simultaneous to officially accepting the position;
- 4) Notifying their servicing Human Resources Specialists of their intent to exercise reemployment rights at least 90 days before the end date of their appointment;

and

- 5) Completing all HCTM and Backstop required training before departing for post.

### **415.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES**

#### **415.3.1 Policy and Procedures for Non-Career FS Limited Appointments**

##### **415.3.1.1 General Provisions**

Effective Date: 08/11/2020

The CS-to-FS Appointment Program consists of the following general provisions:

- 1) Whereas the Agency's first priority is to fill FS positions with qualified and available FS employees, the Agency provides opportunities for CS employees to apply for non-career FS limited appointments to meet critical staffing needs;
- 2) CS employees receiving non-career FS limited appointments are assigned to overseas positions only, and the assignment is normally for the duration of the position's regular tour length; and
- 3) Non-career FS limited appointments will be at the FS-03 to FS-01 levels. In cases where a non-career FS limited employee would supervise other FSOs, training will be provided as necessary on staff management and the FSO promotion system.

##### **415.3.1.2 Eligibility and Qualifications**

Effective Date: 08/11/2020

To be eligible for consideration for a non-career FS limited appointment through this program, CS employees must meet the minimum requirements below by the closing date of the Agency General Notice announcing the positions:

- 1) Have career tenure with the Federal Government (*i.e.*, CS employee with at least three years of creditable service);
- 2) Be at grade GS-13 or higher;
- 3) Have been employed as a USAID Direct-Hire CS employee for the 24 months preceding the closing date of the CS-to-FS assignments opportunities announcement;
- 4) Have received a CS Annual Evaluation Form (AEF) summary rating of at least "Exceeds Fully Successful" for the last two rating cycles; and
- 5) Possess professional experience at a level equivalent to the FS-03 to FE positions in an FS specific backstop (occupational category). See [ADS 456mab](#).



[Position Titles, Series, Backstops, and Position Classification Standards](#) for a list of backstops.

No waivers/exceptions to these eligibility requirements will be granted.

#### **415.3.1.3 Announcement of Positions**

Effective Date: 08/11/2020

Eligible CS employees may express interest in specifically designated FS positions in accordance with the published bidding rules in Agency General Notices.

#### **415.3.1.4 Application Procedures**

Effective Date: 08/11/2020

CS employees expressing interest in FS positions announced in an Agency General Notice must submit [AID 415-1, Foreign Service Assignment System: Civil Service Minimum Qualifications & Bidding Form](#) to HCTM/FSC on or before the deadline established in the notice. Employees may express interest and submit form AID 415-1 in accordance with the bidding rules published for that announcement. CS employees are strongly encouraged to contact the Mission Point of Contact, HCTM Assignments and Career Counselor, and the Backstop Coordinator of the backstop(s) for positions in which the employee is considering expressions of interest prior to their formal submission to discuss their interest, qualifications, and preferences.

HCTM/FSC issues certificates to Mission managers with the names of CS employees who have bid on the position(s) and met the minimum qualifications for a non-career FS limited appointment under this program.

#### **415.3.1.5 Mission Selecting Official Review and FSC Director Decisions**

Effective Date: 08/11/2020

Mission Selecting Officials review the candidate's qualifications and experience per the advertised requirements for the overseas positions. Each Mission indicates its top three choices for each position and returns the certificate to HCTM/FSC by the due date on the FS assignments calendar.

Following the procedures for review of selections and the decision criteria specified in [ADS 436, Foreign Service Assignments and Tours of Duty](#), the FSC Director makes final decisions on assignment of officers to FS positions.

#### **415.3.1.6 Non-Career Foreign Service Limited Appointments**

Effective Date: 08/11/2020

CS employees selected by HCTM/FSC for the CS-to-FS Appointment Program will be offered non-career FS limited appointments. Non-career FS limited appointments are not to exceed five years in duration, and may be terminated at any time, according to the policies and procedures in [ADS 450, Termination of Time-Limited Appointments](#)

**- Foreign Service (FS).** Upon termination of the limited appointment and with the consent of USAID's Chief Human Capital Officer (CHCO), CS employees are entitled to be reemployed in a position at the same grade level in accordance with [Section 3597 of Title 5 United States Code](#) and [Section 310 of the Foreign Service Act](#). For more information on exercising reemployment rights, please refer to [ADS 412, Reemployment Rights](#) and section **415.3.3** below.

#### **415.3.1.7 Salary and Within Grade Increases**

Effective Date: 08/11/2020

The non-career FS limited appointment will be at the FS class level equivalent to the CS employee's grade and salary. If the CS salary falls between two step levels, the higher of the two steps will be set provided that the FS position to which a CS employee is assigned is at a grade at or above the CS employee's current grade. If a CS employee is appointed to an FS position at a class/grade below the employee's current grade and salary, the appointment will be to an FS non-career appointment at no higher than the salary of the class level of the FS position (see [Sections 307, 403, 404 of the FSA of 1980, as amended](#)).

For non-career FS limited appointments, FS salary levels will be determined as follows:

- 1) SES, SL or ST equivalent to FE-level;
- 2) GS-15 equivalent to FS-01;
- 3) GS-14 equivalent to FS-02; and
- 4) GS-13 equivalent to FS-03.

Note: Employees serving in non-career FS limited appointments are eligible for within-grade increases, if applicable (see [Section 406 of the FSA of 1980, as amended](#)).

#### **415.3.1.8 Language Requirements**

Effective Date: 08/11/2020

Non-career FS limited appointees must demonstrate language proficiency before assignment to an FS language-designated position (LDP) is finalized. The Agency will not provide language training to CS employees appointed under this program other than for the purpose of achieving the required language proficiency for an LDP assignment (see [13 FAM 220](#)).

#### **415.3.1.9 Benefits, Allowances, and Differentials**

Effective Date: 08/11/2020

- a. CS employees appointed to the FS as non-career FS limited appointees retain their CS retirement benefits (see [ADS 494, Civil Service Retirement](#)).

- b. CS employees appointed to the FS as non-career FS limited appointees also retain their health and life insurance benefits (see [ADS 476, Benefits](#) and [478, Payments to Missing Employees](#)).
- c. Allowances and post differentials are available to CS employees appointed under this program (see [ADS 477, Allowances and Differentials](#)).

#### **415.3.1.10 Performance Management, Evaluation, and Promotion**

Effective Date: 08/11/2020

Non-career FS limited appointees are evaluated in accordance with the policies and procedures in [ADS 461, FS and SFS Performance Management & Development Programs](#). Non-career FS limited employees are not eligible for promotion or reviewed by the FS Promotion or SFS Performance Boards. However, since annual performance evaluations (APEs), annual accomplishment records (AARs), and other employee performance and development (EP&D) documentation play an important role in the review process for those CS employees who request conversion to career candidate, performance evaluations and related documents prepared for these officers merit the same level of attention as FS employee evaluations.

#### **415.3.1.11 Clearances**

Effective Date: 08/11/2020

- a. Security Clearance. A CS employee must have a Top Secret security clearance before being reassigned overseas on an FS appointment. An upgrading and/or revalidation of the employee's current clearance may be necessary before receiving an appointment (see [Executive Order 10450, as amended](#)).
- b. Medical Clearance. The Medical Director of the U.S Department of State must certify, before a non-career FS limited appointment begins, that the employee was examined and found qualified for appointment to the assigned overseas post, or a waiver must be granted by the CHCO (see [Section 904 of the FSA of 1980, as amended and ADS 414mab](#)).

#### **415.3.1.12 Termination of Appointment**

Effective Date: 08/11/2020

Termination of an FS limited appointment prior to the established duration of the appointment is governed by [sections 610 and 612 of the FS Act of 1980, as amended](#) as well as [ADS 450, Termination of Time-Limited Appointments - FS](#).

HCTM/FSC must advise employees with reemployment rights, in writing, of the intended separation from the FS at least 60 days prior to the proposed effective date of the action.

## **415.3.2 Policies and Procedures for Conversion to FS Career Candidate Appointment**

Effective Date: 08/11/2020

USAID's CS-to-FS appointment program offers the opportunity for CS career employees serving in non-career FS limited appointments to request a conversion to FS career candidate status if certain conditions are met (see section **415.3.2.1**). The decision to provide a new five-year appointment as an FS career candidate is solely at the Agency's discretion and is never guaranteed. CS employees serving in non-career FS limited appointments pursuant to **415.3.1.6** must understand that the purpose of their assignment is to fill a short-term Agency need and does not confer any rights to convert the CS employee to a career candidate appointment at any point.

### **415.3.2.1 Eligibility and Qualifications for Career Candidates**

Effective Date: 08/11/2020

Non-career FS limited appointees may request a conversion to FS career candidate status if the following conditions are met:

- 1) The employee has served at least two years as a non-career FS appointee in an overseas assignment;
- 2) The employee has received at least two "Satisfactory" FS Annual Performance Evaluations (covering at least 24 months of continuous overseas service) and has not been placed on a written performance improvement plan (PIP);
- 3) The [CS-to-FS Career Candidate Conversion Evaluation Form \(AID 415-2\)](#) signed by the Mission Director at their current post supports the employee's conversion. This evaluation form documents the employee's demonstrated skills, performance, and potential to serve successfully as an FSO in their backstop;
- 4) There is a current and long-term Agency need for the CS employee's specialty as demonstrated through workforce planning analysis by HCTM/PPSM;
- 5) The employee meets the minimum education and experience qualifications established for the backstop and grade for which the employee requests conversion (see [ADS 415maa, Minimum Years of Experience and Degree Required for FS Entry](#));
- 6) The employee was not subject to sustained discipline during the prior five years; and
- 7) The employee has a current Top Secret security clearance and a Class 1 medical clearance or a Class 2 medical clearance with an approved waiver (see [ADS 414mab](#) for additional details).

### 415.3.2.2 Procedures to Request Conversion to FS Career Candidate

Effective Date: 08/11/2020

An employee who meets the conditions outlined above must submit their conversion request, in writing, to the HCTM/FSC Director, or designee, for review and consideration. The following must be provided with the request to convert:

- 1) FS performance information (Annual Performance Evaluations (APE), Annual Evaluation Forms (AEF) (as relevant), Annual Accomplishment Records (AAR), and performance improvement plans (PIP), if any, covering at least 24 months of continuous overseas service;
- 2) Updated resume;
- 3) Transcripts and certifications (e.g., CPA) to verify that educational requirements of the position have been met;
- 4) A [CS-to-FS Conversion Evaluation Form \(AID 415-2\)](#) signed by the candidate's current Mission Director; and
- 5) Worldwide availability documentation.

### 415.3.2.3 Procedures to Review and Approve Conversion Requests

Effective Date: 08/11/2020

HCTM/PPSM will determine, in consultation with HCTM/FSC and the Backstop Coordinator, whether a continuing requirement exists overseas for FSOs in the backstop and for which FS class levels, based on HCTM's latest FS workforce plan. If the continuing requirement exists, HCTM/FSC will next verify that the applicant has not been placed on a written PIP during their non-career appointment and has not been subject to sustained discipline during the prior five years. If those conditions are met, the next scheduled TRC for that backstop will review the applicant. HCTM/FSC will convene TRC reviews two times per year, when needed.

The TRC will review all appropriate documentation on the employee's qualifications and their performance during their non-career appointment and recommend to the HCTM/FSC Director whether to approve the conversion request and at which FS class level. The TRC reviews candidates for a specific backstop, assessing the relevance of their background, including, but not limited to, education, training, skills, experience, and past performance, against the established qualifications for each backstop and grade level (see [415maa](#)). The TRC may obtain references with feedback on key behaviors and competencies that are described in the [Agency Competency Catalog](#) from peers, supervisors, and/or subordinates; and may conduct interviews and/or written tests similar to those used for assessment of applicants to FS vacancies to assist in its decision-making.

If the performance history indicates potential for continued successful overseas service,

and the Backstop Coordinator of the candidate's backstop supports a change in appointment from FS non-career to FS career candidate, the TRC will submit a written recommendation in support of conversion to the HCTM/FSC Director. If the performance history and documented qualifications do not demonstrate potential for successful service as a career officer, the TRC will document its findings in a memorandum to the HCTM/FSC Director.

HCTM/FSC will confirm that an employee recommended for conversion has obtained the required Top Secret security clearance as described in section **415.3.2.7.a** and medical clearance for worldwide availability or that a medical waiver has been granted per section **415.2.7.b**.

The HCTM/FSC Director, or designee, ultimately determines whether converting the candidate and at which FS class level (see section **415.3.2.5**) is in the best interest of USAID's Foreign Service in accordance with the Foreign Service Act.

Non-career FS limited appointees who are eligible for conversion to career candidate status will be eligible to participate as bidders in the FS assignments cycle year in which they conclude their non-career appointment.

An employee who is approved for a conversion from a non-career FS limited appointment to an FS career candidate appointment must be converted to FS career candidate status at no higher than the FS-02 level. That means GS-15 candidates will be converted at the FS-02 level. The expectation is that CS employees at the GS-13 and 14 grades will be converted to FS career candidates at the FS class level equivalent to the CS employee's grade and salary.

In unique circumstances where the HCTM/FSC Director determines that the needs of the USAID Foreign Service support a conversion to career candidate only at a class level below the non-career FS limited employee's grade, HCTM/FSC will offer the CS employee the option to convert at the lower FS class level. If the employee accepts the offer, the employee will be required to sign a document indicating their understanding that they are voluntarily converting to career candidate at a lower FS class level than their equivalent GS grade.

Employees who are not approved for conversion remain in their non-career appointments through the expiration dates, unless terminated earlier by HCTM/FSC. If an employee's appointment is terminated, they are entitled to reemployment rights as defined in section **415.3.3**.

#### **415.3.2.4 Reconsideration for Conversion Request**

Effective Date: 08/11/2020

If the first request for a change to convert to FS career candidate status is denied, the non-career FS limited appointee may request reconsideration 12 months after the decision date of the first request.

Requests for reconsideration for a change to FS career candidate status may be made in the following circumstances:

- 1) When the first request for a change to FS career candidate status is denied because there is no ongoing overseas Agency need for the non-career appointee's backstop or grade; or
- 2) The non-career FS limited appointee continues to serve in a non-career FS limited appointment overseas for 12 months following the decision date of the first request.

A non-career FS limited appointee may request reconsideration one time per non-career appointment. The non-career FS limited appointee should submit the request for reconsideration to the HCTM/FSC Director in writing. If a non-career FS limited appointee is accepted for reconsideration, the same process will apply as if the appointee were applying for the first time.

#### **415.3.2.5 FS Career Candidate Appointments and Tenuring**

Effective Date: 08/11/2020

Employees approved for conversion will be offered career candidate FS appointments. Career candidate FS appointments are time-limited, not to exceed five years in duration, and may be terminated according to the policies and procedures in [ADS 450, Termination of Time-Limited Appointments - Foreign Service \(FS\)](#). A new reemployment rights letter will be provided, in accordance with policies described in **415.3.3**. An FS career candidate must be approved for tenure to secure a career appointment in the FS within the five-year limited appointment (see section 415.3.2.2c and ADS 414mab). The career candidate appointment may not be extended beyond five years or renewed except as provided in Section 309(a), FSA of 1980, as amended.

USAID appoints FS career candidates to positions in a specific backstop. Since these positions are filled in response to the Agency's needs in the technical area, FS career candidates may not seek to change the backstop for which they were selected prior to completion of their first overseas assignment (see [ADS 414, Foreign Service \(FS\) Appointments](#), section **414.3.2.1** and [ADS 459, USAID's Foreign Service Career Candidate Program](#), section **459.3.2**).

A CS employee who served initially under a non-career FS limited appointment and converted to an FS career candidate appointment is subject to the same tenuring requirements as other FS career candidates (see [ADS 414, Foreign Service \(FS\) Appointments](#)). The candidate will be eligible to be reviewed for tenure after the first full 12-month annual performance evaluation for the performance appraisal cycle (ending March 31 of the rating year) subsequent to conversion to FS career candidate, provided they have met all tenure requirements including language proficiency.

Please see [ADS 459, USAID's Foreign Service Career Candidate Program](#), for all policies and procedures applicable to career candidates in the FS, including



performance management, evaluation and promotion requirements.

#### **415.3.2.6 Benefits, Allowances, and Differentials for Career Candidates**

Effective Date: 08/11/2020

CS employees appointed to the FS as career candidates are entitled to health and life insurance benefits (see [ADS 476, Benefits](#)), and allowances and post differentials (see [ADS 477, Allowances and Differentials](#)).

Non-career FS limited employees converted to FS career candidates who were covered under the Civil Service Retirement System (CSRS) or CSRS Offset will be covered under the Foreign Service Retirement and Disability System (FSRDS) or FSRDS Offset and those covered under Federal Employees Retirement System (FERS) will be covered under the Foreign Service Pension System (FSPS) (see [3 FAM 6100](#)).

#### **415.3.2.7 Clearances**

Effective Date: 08/11/2020

- a. Security Clearance. An FS career candidate must have a Top Secret security clearance. An upgrading and/or revalidation of the employee's current clearance may be necessary before receiving a career candidate appointment. (See [Executive Order 10450, as amended](#).)
- b. Medical Clearance. An employee converted to career candidate status must obtain medical clearance for worldwide availability, unless the HCTM Senior Deputy Administrator (HCTM/SDAA) waives that requirement. Please refer to [ADS 414mab, Waiver Process for Medical Clearance Requirements for Initial Appointments, Tenure Review and Overseas Assignments in the Foreign Service](#).

#### **415.3.3 Reemployment Rights**

Effective Date: 08/11/2020

A CS employee (*i.e.*, GS, SES, SL, ST) who accepts a limited appointment (non-career or career candidate) in the FS under [Section 310 of the Foreign Service Act of 1980](#) is entitled, upon the expiration or termination of the limited appointment and with the consent of the CHCO, to be reemployed in an equivalent position at the same grade level. HCTM/H CSC or HCTM/CPE (for SES, SL, and ST employees) will work with all B/IOs and the employee to find a mutually acceptable position. However, ultimately, the Agency will determine which position the employee will hold upon their return to the CS. If a placement is not secured prior to the expiration of an employee's limited appointment, the CHCO or their designee will place the employee in their previous position of record or a new position for which the employee qualifies. Persons serving out the unexpired portion of their limited appointment as a result of having been called to or having volunteered for active military duty, are subject to the conditions in [Chapter 43 of Title 38, United States Code](#), which pertain to Uniformed Services Employment and Reemployment Rights Act (USERRA), and are also entitled to reemployment. For



more information on exercising reemployment rights, please refer to [ADS 412, Reemployment Rights](#).

An employee waives reemployment rights upon 1) accepting a position in any Federal agency other than USAID; 2) accepting a career FS appointment (upon tenure); or 3) failure to exercise reemployment rights within 30 calendar days from the termination date of the FS limited appointment.

Upon reemployment as a CS employee, HCTM/HCSC or HCTM/CPE must calculate the salary in accordance with the maximum payable rate rules stated in 5 CFR 531 or 5 CFR 534.

#### **415.4 MANDATORY REFERENCES**

##### **415.4.1 External Mandatory References**

Effective Date: 08/11/2020

- a. [5 USC 3597](#)
- b. [22 USC 3950](#)
- c. [38 USC 43](#)
- d. [13 FAM 220](#)
- e. [Executive Order 10450, as amended](#)
- f. [Foreign Service Act of 1980, as amended, Sections 306, 307, 309, 310, 403, 404, 406, 610, 612, and 904](#)

##### **415.4.2 Internal Mandatory References**

Effective Date: 08/11/2020

- a. [ADS 412, Reemployment Rights](#)
- b. [ADS 414, Foreign Service \(FS\) Appointments](#)
- c. [ADS 414mab, Waiver Process for Medical Clearance Requirements for Initial Appointments , Tenure Review and Overseas Assignments in the Foreign Service](#)
- d. [ADS 415maa, Minimum Years of Experience and Degree Required for FS Entry](#)
- e. [ADS 450, Termination of Time-Limited Appointments – Foreign Service \(FS\)](#)
- f. [ADS 456mab, Position Titles, Series, Backstops, and Position](#)

[Classification Standards](#)

- g. [ADS 459, USAID's Foreign Service Career Candidate Program](#)
- h. [ADS 461, Foreign Service and Senior Foreign Service Performance Management & Development Programs](#)
- i. [ADS 470, Pay Under the Foreign Service](#)
- j. [ADS 476, Benefits](#)
- k. [ADS 477, Allowances and Differentials](#)
- l. [ADS 478, Payments to Missing Employees](#)
- m. [ADS 494, Civil Service Retirement](#)

**415.4.3 Mandatory Forms**

Effective Date: 08/11/2020

- a. [AID 400-33, Conditions of Employment for Career Foreign Service Employees](#)
- b. [AID 400-34, Conditions of Employment for Time-Limited Foreign Service Career Candidate Employees](#)
- c. [AID 400-35, Conditions of Employment for Time-Limited Foreign Service Non-Career Employees Assigned to Overseas Mission](#)
- d. [AID 415-1, Foreign Service Assignment System: Civil Service Minimum Qualifications & Bidding Form](#)
- e. [AID 415-2, CS-to-FS Conversion Evaluation Form \(AID415-2\)](#)

**415.5 ADDITIONAL HELP**

Effective Date: 08/11/2020

- a. [Agency Competency Catalog](#)

**415.6 DEFINITIONS**

Effective Date: 08/11/2020

See the [ADS Glossary](#) for all ADS terms and definitions.

**Annual Evaluation Form (AEF)**

The form used to evaluate Senior Foreign Service employees under the Employee Evaluation Program (EEP). (**Chapters 415, [461](#), [463](#)**)

**Annual Performance Evaluation (APE)**

The form used to evaluate Foreign Service employees under the Employee Performance and Development (EP&D) program. (**Chapters 415, [461](#), [463](#)**)

**Backstop**

Numeric code used to identify the skill category of a particular position. (**Chapter 415 and [456](#)**)

**Career Appointment**

An appointment in the Foreign Service that is not temporary or limited to a certain period of time. (**Chapter 415**)

**Career Candidate**

An employee hired for a time-limited appointment (not to exceed five years) that is intended to lead to a permanent appointment with the Agency. (**Chapters [414](#), 415, [468](#)**)

**Certificate (CERT)**

A list of eligible(s) from which an appointing officer selects one or more applicants for a position. (**Chapter 415**)

**Civil Service (CS)-to-Foreign Service (FS) Career Candidate Evaluation Form**

The form used to assess whether Civil Service (CS) employees on non-career appointments who request to be converted to career candidate status have the skills, level of performance, and potential to serve successfully as a Foreign Service Officer over a normal career trajectory. (**Chapter 415**)

**Expressions of Interest**

The method used to apply for Foreign Service Limited assignments through Agency General Notices. Expressions of interest form is also known as AID 415-1, Foreign Service Assignment System: Civil Service Minimum Qualifications & Bidding Form. (**Chapter 415**)

**Non-Career Employee**

An employee hired for a time-limited appointment that requires skills linked to short-term USAID Foreign Service staffing needs. (**Chapter [414](#) and 415**)

**Performance Appraisal Cycle**

The 12-month cycle during which performance is appraised. In some circumstances, the performance appraisal cycle can be split into multiple performance appraisal periods. (**Chapter 415 and [461](#)**)

**Performance Appraisal Period**

Period of performance appraisal that occurs within the performance appraisal cycle, initiated when an employee changes supervisors or assignments. (**Chapter 415** and [461](#))

**Performance Evaluation File (PEF)**

An evaluation file established for each Foreign Service Officer as part of the employee's Official Personnel File (eOPF). (**Chapter 415** and [461](#))

**Reemployment Rights**

An employee's right to return to an agency after detail, transfer, or appointment to another executive agency during an emergency, an international organization, or other statutorily covered employment (e.g., time-limited FS appointment in USAID, the Peace Corps). (**Chapter [412](#)** and **415**)

**Technical Review Committee (TRC)**

A committee convened by the HCTM/FSC Director, or designee, to review technical qualifications, make assessments, and recommend appointments of Civil Service applicants to the Foreign Service. (**Chapter 415** and [468](#))

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