

DIRECTED REASSIGNMENT

1. PURPOSE

This Directive establishes the Agricultural Marketing Service (AMS) policy, responsibilities, and guidelines on the use of management directed reassignments.

2. REPLACEMENT HIGHLIGHTS

This Directive replaces AMS Directive 4335.2, Directed Reassignment, dated 7/20/04.

3. AUTHORITIES AND REFERENCES

- a. Title 5, Code of Federal Regulations, Part 335.102.
- b. 5 U.S.C. Section 7106 (a) (2).
- c. Departmental Regulation 4300-4, Civil Rights Impact Analysis, dated 5/30/03.

4. DEFINITIONS

- a. **Directed Reassignment.** A management initiated reassignment of an employee to another position within the same program/unit or between programs/units. A management directed reassignment may be within or outside the employee's local commuting area.
- b. **Local Commuting Area.** The geographic area that usually constitutes one area for employment purposes as determined by the Agency. It includes any population center (or two or more neighboring ones) and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily from home to work in their usual employment.
- c. **Official Duty Station.** The city/town, county, and State in which the employee works. For most employees, this will be the location of the employee's work site.
- d. **Work Site.** The place where the employee works, or at which the employee's activities are based, as determined by the employing agency.
- e. **Voluntary Request for Reassignment.** An employee initiated request to be reassigned to another position within the same program or work unit or between programs/work units for personal reasons.

5. POLICY

Agency management officials will ensure that the decision to issue a directed reassignment of an employee to another position at the same grade level is a bona fide determination based on legitimate consideration of the interests of the Agency. The use of the selection procedures discussed in Section 6. below in no way diminishes a manager's right to issue a directed reassignment to a specific employee to accomplish the goals of the Agency.

6. PROCEDURES

- a. Directed Reassignment Outside of the Local Commuting Area. For directed reassignments that require relocation to a different geographic area, managers can identify the affected employee(s) by using the Service Computation Date (SCD) for leave. If there are one or more employees in the affected job series and grade level at the official duty station where one or more jobs must be eliminated, the employee(s) with the least amount of service according to the SCD for leave will be selected for the directed reassignment.
- b. Tiebreaker. When more than one employee is identified with the same SCD for leave, the last digit of the employee's social security number will be used as the tie breaker in conjunction with a table of random numbers maintained by Human Resources. Contact your servicing Human Resources Specialist for assistance.
- c. The SCD for Leave will not be used when:
 - (1) An eligible employee volunteers in writing for reassignment; or
 - (2) Management justifies the need to issue a directed reassignment to a specific employee to accomplish the goals of the Agency.

7. RESPONSIBILITIES

- a. Agency managers/supervisors will:
 - (1) Consult with the AMS Civil Rights (CR) Director prior to issuing directed reassignments to any employee(s) to determine if a CR Impact Analysis (CRIA) is necessary.
 - (2) Consult with the servicing Human Resources Operations office regarding information on directed reassignment regulations and procedures.
 - (3) Advise employees and respond to questions on matters covered by this Directive.
 - (4) Submit the justification for the management-directed reassignment to the servicing Human Resources Operations office.

b. The Human Resources Operations (HRO) office will:

- (1) Prepare and issue written notification of a directed reassignment to the affected employee(s). At a minimum, the notice will:
 - (a) Specify the reason for the action;
 - (b) State the title, grade, and location of the affected position;
 - (c) State the title, grade, and location of the position to which reassigned;
 - (d) Provide the effective date of the directed reassignment;
 - (e) Give the employee a reasonable amount of time to reply with acceptance or declination in writing (provide a postage-paid, pre-addressed envelope). Generally, when geographic relocation is involved, employees will be provided at least a 30-day advance notice of the reassignment.
 - (f) Explain the effect of failure to reply to the notice;
 - (g) Explain the effect of failure to report to the new duty station. If the employee does not resign or retire (if eligible), he/she will be considered absent without leave (AWOL) for pay purposes;
 - (h) Explain that adverse action procedures will be followed if the employee fails to report to the new duty station and has not resigned or retired (if eligible); and
 - (i) Explain the effect of a declination of a directed reassignment. Employees in positions that are subject to geographic mobility as a condition of employment, who decline a directed reassignment, are not entitled to severance pay or discontinued service retirement.
- (2) Process the SF-52, Request for Personnel Action.
- (3) Provide managers and supervisors with information on directed reassignment regulations and procedures.
- (4) Maintain official files from which the case can be reconstructed, if necessary.

c. Employees:

- (1) Have an obligation to accept directed reassignments for the good of the service and/or to enhance their own career development.

- (2) Must respond to written notification of directed reassignments within the allotted timeframe.
- (3) Are encouraged to provide an explanation when unable to accept directed reassignments. At a minimum, the explanation should provide information for use by the State Employment Board in determining entitlement to unemployment compensation.

8. INQUIRIES

- a. Direct general inquiries on procedural matters to the servicing HRO Office, MRP Human Resources Division.
- b. Direct requests for policy interpretations on complex issues to the Human Resources Policy Branch.
- c. Direct program specific questions to the appropriate program administrative office.
- d. This Directive is available at
<http://www.ams.usda.gov/AMSV1.0/HRManagement>

/s/

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Compliance and Analysis